Ashtabula County Airport Authority
REGULAR BOARD MEETING
Thursday, May 09, 2024 08:00AM EST

Board Members Present	Others Present
Bill Koleno, President	David Pontius, Andrews & Pontius LLC
Lance Bushweiler, Vice President	Nicole Bryan, Michael Baker International
John Ambrose	Doug Powell, Tenant (T)
Don Ballard	Kate Burke-Rosales, NEORA
Dwight Bowden	
Eric Cornelius	*(T) Teleconference Participant
Barbara Ford (T)	
John Morrison	
Kate Reedy (T)	
Mark Stackhouse	

The meeting was called to order at 8:01AM EST by President Koleno. At the request of the President, Secretary confirmed a quorum.

President Koleno opened the meeting and provided his explanation of a Search Warrant executed by the Ashtabula County Sheriff's Department on 04/18/2024 on Hangar J which he leases from the ACAA. He stated that there was a misunderstanding between him and his business client. He offered to step aside as President of the Board for a period of thirty days and assign the duties of President to ACAA Vice President Lance Bushweiler. Mr. Koleno's proposal was accepted by the Board without objection and no formal action.

Board member Dwight Bowden noted that he requested an Emergency Meeting of the ACAA Board to be held on 04/22/2024 to the ACAA President as required by the ACAA Bylaws. The purpose of the meeting was to discuss and document actions taken by the airport staff, Vice President Lance Bushweiler and ACAA Legal Advisor David Pontius. The request for a meeting went unanswered.

Dwight Bowden stated that it was his understanding that a Sheriff Deputy arrived at the airport on 04/17/2024 and requested line staff to allow entry into hangars occupied by Mr. Koleno. Uncertain that the request be granted, they called Lance Bushweiler to seek direction. Lance Bushweiler instructed that the request be presented to David Pontius for a legal opinion. David Pontius inquired if the deputy had a Search Warrant which she did not. Mr. Pontius explained to both the deputy and airport staff that without a Search Warrant, entry is not legally allowed.

On 04/18/2024, law enforcement arrived at the airport with a Search Warrant which was reviewed by Mr. Pontius. The document was defective as it referenced an incorrect hangar. The Search Warrant was corrected and again presented for review by Mr. Pontius and deemed acceptable. Lance Bushweiler reported to the Board that a search warrant was issued for hangars J and B-7. He was onsite during the search and the aircraft engine noted in the Search Warrant was seized as evidence and removed from the hangar.

Dwight Bowden noted that it is important that the actions taken by the ACAA were in accordance to the ACAA Mission Statement which contains the words "secure' and "absolute integrity". In legally securing the property of Mr. Koleno, the ACAA protected his rights and the rights all tenants. While the ACAA leases contain "right of entry" clauses for emergencies, fire inspections, etc., the ACAA does not permit entry without permission of the tenant. In addition, the ACAA handled this matter with absolute integrity.

Dave Pontius reported that the Bylaws do not state that an officer can be removed from the position by the Board and suggested the Bylaws may need to be updated.

Dwight Bowden stated that his charitable contributions will be on hold until the issue is resolved.

April Consent Agenda:
Meeting Minutes: April 11, 2024 Annual & Regular Meeting

Fuel Sales April	100LL (gallons)	Jet A (gallons)	Fuel Sales Jan-Apr	100LL (gallons)	Jet A (gallons)
2024	490.16	2,783.00	2024	1,086.43	8,215.00
2023	235.97	1,219.00	2023	840.04	4,377.00
2022	449.56	4,795.00	2022	1,187.93	13,523.00

Bank Account Balances: $543,258.28

Cash Reconciliation Book Balance: $529,734.46

Profit & Loss Report:

Net Ordinary Income	-$22,543.64
Net Income	$49,894.49

Profit & Loss Budget vs. Actual Report YTD:

Net Ordinary Income	-$101,339.82
Net Income	$307,554.03

Bond Payment: None

Ashtabula County Appropriation: None

Accounts Payable / Bills: $12,438.10

Gifts and Donations:

Dwight & Susan Bowden

$68,000.00	Fidelity Charitable – Michael Baker/ Vegetation Mitigation Project
$500.00	Fidelity Charitable – Eclipse Expenses
$1,910.00	Fidelity Charitable – R&D HVAC Vent Repair
$1,350.00	Fidelity Charitable –Andrews & Pontius/ USDA
$208.25	Sam's Club – Terminal Supplies
$429.00	Cash Donations from Eclipse

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

NOTAM Summary Rows: 50 Page: 1

Feature	Condition	Number	Start Date UTC	End Date UTC	Status
Obstruction	HZY OBST TOWER LGT (ASR 1319663) 413905.00N0804218.00W (7.6NM S HZY) 1262F...	04/004	04/12/2024 1207	05/12/2024 2300	Active
Obstruction	HZY OBST TOWER LGT (ASR 1232429) 415304.20N0803827.20W (6.9NM NNE HZY) 123...	04/013	04/30/2024 0008	06/14/2024 0001	Active
Obstruction	HZY OBST TOWER LGT (ASR 1220963) 413623.40N0803334.20W (12.0NM SSE HZY) 13...	04/012	04/29/2024 0035	07/27/2024 0400	Active
Aerodrome	HZY SVC AUTOMATED WX BCST SYSTEM CHANGED TO 440-576-0219 2403280159-PERM...	03/014	03/28/2024 0159	PERM	Active

MOTION to approve the Consent Agenda for April moved by Don Ballard, seconded by John Ambrose; discussion: none; roll-call: Ambrose "yes", Ballard "yes", Bowden "yes", Bushweiler "yes", Cornelius "yes", Ford "yes", Koleno "yes", Morrison "yes", Reedy "yes", Stackhouse "yes", motion carried.

Interim Approvals - None to report.

Safety & Equipment

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

Fire Inspection: Building J mechanical room ceiling is complete.

M-B Company to schedule the broom truck audit and Snow Lizard repairs. There have been revisions to the work order, which is not yet scheduled. Dwight Bowden appealed to Alan Luke, VP of Sales, to help take corrective action.

Obstruction light on Building J was repaired by Broadstreet Electric.

The Jet A+ Refueler passed the Ohio Department of Weights and Measures inspection.

EPA Routine Facility Inspection was completed on 04/26/2024.

Purvis biannual aviation fuel audit scheduled for the week of June 10th.

Annual Fuel filter changes to be in June. Collins Equipment was contacted for scheduling annual maintenance.

ODOT 5010 Airport Master Record inspection to be scheduled soon. This is completed every three-years.

Ohio Tank Tracking & Environmental Regulations (OTTER) and Weights and Measures annual permitting is underway. Both are due in June.

The annual natural gas line inspection needs to be scheduled. John Morrison offered to have CES perform the inspection as soon as the weather permits.

Safety consultant Jerry Palfy sent an email with recommended annual training. Lance Bushweiler to follow up with Jerry.

Commissioner's Report – None to report.

Committee Reports

Hangar Leases – Bushweiler, Ford, Morrison, Toth: Several hangar applications have been requested.

MOTION to not enter into any lease agreements for 30-days for Hangars G and L-South, moved by Dwight Bowden, seconded by Mark Stackhouse, discussion: A citation may possibly be interested. Roll-call: Ballard "yes", Bowden "yes", Bushweiler "yes", Cornelius "yes", Ford "yes", Koleno "yes", Morrison "yes", Reedy "yes", Stackhouse "yes", Ambrose "yes", motion carried.

Wildlife Committee – Bushweiler: Turkey hunting season is underway. Birds are back and causing hangar damage. MFG's hangar is having significant issues. Mark Stackhouse knows an Amish contractor who may be able to seal the space with sheet metal and remove the overhang netting. Bird deterrents may also be an option.

Marketing Working Group – Bushweiler: Draft direct mailer was created. Lance Bushweiler to finalize with Secretary/Treasurer.

Financial Oversight Working Group – Ambrose: **MOTION** to explicitly use the Andover Bank FAA/ODOT Local Match account for grant matches, moved by Dwight Bowden, seconded by Don Ballard, discussion: the FAA/ODOT Local Match Account was created for reimbursable expenses, not as a general fund account. The Secretary/Treasurer would like it in the record that those funds be used as intended. Roll-call: Bowden "yes", Bushweiler "yes", Cornelius "yes", Ford "yes", Koleno "yes", Morrison "yes", Reedy "yes", Stackhouse "yes", Ambrose "yes", Ballard "yes", motion carried.

Andover Bank is preparing the updated Corporate Resolution. An email was sent to Board members who may need to update information on file with the bank.

Canter Joe Sfara reported the GAAP conversion is close to completed.

Tax exemption approval was received for the Berry Pond land acquisition.

The airport can now accept ACH payments for issued Fidelity Charitable Grants.

HR Working Group – Bushweiler, Toth: The budget is being reviewed for decisions regarding hiring part-time help.

Growth Partnership Trustee Report – Reedy: An international company that could possibly utilize the airport may be interested in purchasing a facility within the county. In the Lake to River Region organization's website, there is no mention of the three airports that support the four counties in this new JobsOhio region.

Aviation Education Initiative Working Group – Ambrose, Bowden, Bushweiler, Cornelius, Ford: Career Day is next week! If available to volunteer, please let the Secretary/Treasurer know. RA Wiedeman's Rob Barber will be on sight during the event.

Derek Maple presented at Lakeside High School earlier this week and will be presenting at county elementary schools throughout this month.

Fuel Working Group – Bushweiler, Cornelius, Koleno: 100LL is currently $7.19 & Jet A+ is $6.30.

Critical Care Transportation Hub – Ambrose, Bushweiler, Morrison, Stackhouse, Pontius: John Morrison spoke with UH and the working group and reported that the airport is still part of their strategic planning. They can place a critical care ground unit while the helicopter is being procured. The working group has been engaging EnerStar regarding leasing options. John Morrison will be unavailable for several weeks and has designated Mark Stackhouse and John Ambrose as main contacts for the project in his absence. John Ambrose noted that there is high value in partnering with a hospital because of the huge benefit to the county.

Inventory Report (05/07/20204)

100LL Avgas: 5,595 gallons
Jet A w/Prist: Truck 682 gallons / Tank 8,972 gallons / Total of 9,654 gallons
Diesel: 354 gallons
Unleaded Ethanol Free Gas: 167 gallons

Engineer/Consultant's Report

Task Orders

TO #16 ASOS Relocation: The FAA Reimbursable Contracting Officer is Brad Logan, who can be reached at (817) 222-4395. The signed Transfer of Funds letter to start the closeout process for the original RA-3212 was returned to the FAA on 04/28/2024.

TO #01 Fence Design: **MOTION** for approve sending the 90% submission to the FAA for review and comment, moved by Don Ballard, seconded by Bill Koleno, discussion: FAA ADO Evonne McBurrows requested the update. Roll-call: Bushweiler "yes", Cornelius "yes", Ford "yes", Koleno "yes", Morrison "yes", Reedy "yes", Stackhouse "yes", Ambrose "yes", Ballard "yes", Bowden "yes", motion carried.

TO #03 Airfield Remarking: Hi-Lite signed the agreement with the ACAA.

TO #04 2042 Grant Administration:
2024 OAA Conference: ODOT is restarting their PNC/PCI Inspection Program to update maps within three years. 5% ODOT match will not be available for FY25 FAA AIG/BIL grants due to limited funding for direct grants. FAA AIG/BIL grants will require a 90/10 split. Federal grant applications must include form FAA Title VI Pre-Grant Award Checklist. The Board may be interested in obtaining a quote from service providers that track flights. Information was provided during the conference.

TO#05 Obstruction Analysis: Woolpert was onsite for the ground survey this week. The next step is to review and analyze the data.

Grant Funding:
Bipartisan Infrastructure Law (BIL) Funding: Final grant applications, with bids, are due to the FAA in June 2025. **MOTION** to authorize the readvertisement of the RFQ for Consultant for the Deice Truck Acquisition project, moved by Dwight Bowden, seconded by Mark Stackhouse, discussion: Another option for using the BIL funds is to push forward the Taxiway A4 Rehabilitation Design Project that is already listed on the ACIP and included in the Michael Baker contract, which means it would need required a bid. Michael Baker may be able to respond to a bid for the Deicing Truck Acquisition if the timing is right. Roll-call: Cornelius "yes", Ford "yes", Koleno "yes", Morrison "yes", Reedy "yes", Stackhouse "yes", Ambrose "yes", Ballard "yes", Bowden "yes", Bushweiler "yes", carried.

Invoices:
MOTION to approve Michael Baker International invoice #1211605 for TO#16 ASOS Relocation, Billing No. 3 – Final, in the total amount of $4,092.09, with ODOT share of $3,232.75 and Local Share of $859.34, moved by Eric Cornelius, seconded by John Ambrose, discussion: none, roll-call: Ford "yes", Koleno "yes", Morrison "yes", Reedy "yes", Stackhouse "yes", Ambrose "yes", Ballard "yes", Bowden "yes", Bushweiler "yes", Cornelius "yes", motion carried.

MOTION to approve Michael Baker International invoice #1211597 for TO#01 Fence Design, Billing No. 4, in the total amount of $33,926.27, with FAA Share of $30,533.64, ODOT Share of $1,696.31, and Local Share of $1,696.32, moved by Dwight Bowden, seconded by Bill Koleno, discussion: none, roll-call: Koleno "yes", Morrison "yes", Reedy "yes", Stackhouse "yes", Ambrose "yes", Ballard "yes", Bowden "yes", Bushweiler "yes", Cornelius "yes", Ford "yes", motion carried.

MOTION to approve Michael Baker International invoice #1211600 for TO#03 Airfield Remarking, Billing No. 1, in the total amount of $12,000, with ODOT Share of $9,480 and Local Share of $2,520, moved by John Ambrose, seconded by Barbara Ford, discussion: none, roll-call: Morrison "yes", Reedy "yes", Stackhouse "yes", Ambrose "yes", Ballard "yes", Bowden "yes", Bushweiler "yes", Cornelius "yes", Ford "yes", Koleno "yes", motion carried.

Kate Reedy exited the meeting at 9:20AM.

Legal Counsel's Report

Report has been uploaded to SharePoint and noted below:

UHHS: No update to report, Dave Pontius is aware John Morrison has been in touch with the housing provider.

USDA: A letter was sent via email to Jonathan McCracken of the USDA requesting a meeting. No response has been received. Forms and related documents necessary to submit to the USDA the Application for Settlement of Indebtedness have been updated and await a final decision as to the mandatory amount of the offer to be submitted on behalf of the ACAA.

Incident of April 18, 2024: Dave Pontius spoke with representatives of the Ashtabula County Sherrif's Office regarding a search warrant the department was executing at the airport. He also spoke with numerous airport employees and Board members regarding its execution and the proper procedures and protocols for its execution.

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.

President's Report
Interim President Bushweiler reported that he will be utilizing airport email addresses when informing the board. Dwight Bowden noted that airport business is subject to records requests and suggested Board members complete the Email Management Training provided at previous meetings.

Public Comments – None to report.

Old Business – Horner Network completed the installation of the conference room smart board, pilot's lounge tv, and lobby display.

Executive Session – None to report

New Business – Bill Koleno would like to discuss hosting an airshow in 2025 to raise funding for the airport. There is potential for major sponsorships.

Don Ballard requested the airport's support for a glider club event in September.

Adjournment
The next Regular Board Meeting is scheduled for Thursday, June 13, 2024, at 09:32AM EST. Meeting adjourned at 9:45AM, moved by Lance Bushweiler, seconded by John Ambrose.

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