

**AIRPORT COMMISSION
PAYNESVILLE CITY HALL
MAY 26, 2010
5:00 P.M.**

AGENDA

- I. CALL TO ORDER
- II. CONSENT AGENDA
 - A. Minutes (page 1)
- III. NEW BUSINESS
- IV. OLD BUSINESS
 - A. 2010 Fly-In (page 3)
 - B. Land Reimbursement (page 5)
 - C. Overhang on North Side of Old Hangar
 - D. Winstrom – Through The Fence Proposal (page 7)
- V. INFORMATIONAL
 - A. MCOA (page 9)
- VI. ADJOURN

Please contact Ron Mergen at 320-243-3714 ext. 230 or at ron@paynesvillemn.com if you can't attend the meeting.

**Members: Troy Caldwell, Gene Beavers, Steve Whitcomb, Steve Brown & Bert Stanley.
Advisory Members: Ron Mergen, Renee Eckerly, and Chuck DeWolf.**

This agenda has been prepared to provide information regarding an upcoming meeting of the Paynesville Airport Commission. This document does not claim to be complete and is subject to change.

BARRIER FREE: All Paynesville Airport Commission meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please contact City Hall 320-243-3714 early so that necessary arrangements can be made.

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Airport Commission

Committee/Council Meeting Date: May 26, 2010

Agenda Section: Consent

Originating Department:

Item Number: II - A

ITEM DESCRIPTION: Minutes

Prepared by: Staff

COMMENTS:

Please review the attached minutes from the April 28, 2010 Airport Commission meeting.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

A motion to approve minutes from the April 28, 2010 Airport Commission meeting.

**MINUTES
AIRPORT COMMISSION**

APRIL 28, 2010

Chairperson Bert Stanley called the meeting to order at 5:00 p.m. Members present were Gene Beavers, Steve Whitcomb, Troy Caldwell, and Steve Brown. Also present were Ron Mergen, Chuck DeWolf, Bolton & Menk, Inc.; and Tim Mahoney. Renee Eckerly was absent.

Motion was made by Beavers to approve the minutes of the April 28, 2010 Airport Commission Meeting. Seconded by Whitcomb and unanimously carried.

2010 FLY IN

It was noted that for the air show Darrel Massman needs to cancel; however, Massman did line up Pete Tallarita who also fly's a Pitts. The Lions Club will be handling the breakfast and it was strongly suggested to them to change the menu. There is a tentative commitment to have two Army Helicopters and the State Patrol unit here pending no emergency calls.

LAND REIMBURSEMENT LETTER

A copy of the law that the Willmar Airport used in order to enter into an agreement to allow land acquisition funds to be utilized on other improvement projects was reviewed. It was noted Senator Fischbach is aware of the law and is looking to introduce a similar one for the City. It was also discussed and noted that we should not repay the fund at this time.

RENTAL OF STORAGE UNIT

The contract for storage area rental was discussed. This would be for an 800 square foot area, 2 year term, and the renter must be the owner of an airplane. The fees average \$45 - \$75 for similar areas. After a short discussion,

Motion was made by Caldwell to approve the contract, set the fee at \$50.00 per month and recommend such to the City Council. Seconded by Beavers and unanimously carried.

OVERHANG ON NORTH SIDE OF OLD HANGAR – ICE ISSUES

DeWolf presented cost estimates on installing a rain gutter system. The cost was estimated at \$17,000.00 and the proposal comes with a strong discouragement not to install the rain gutters as they feel freeze ups are inevitable, even with the heat tapes. It was questioned what else can be done. It was noted this is an issue at all airports and some airports blade the ice as much as possible and some may use chemical which would damage (rust) the building. On the old hanger it was noted that Erect Tube makes a deflector shield that can be installed on the doors in order to deflect the water away from the door. DeWolf will look into this.

There being no further business the meeting was adjourned at 5:45 p.m.

**2010 Paynesville Municipal Airport Fly-In Breakfast
Task List**

	TASK	RESPONSIBLE PARTY	CONFIRMED
1.	FAA Waiver Application	Ron Mergen	submitted
2.	Confirm dates with Performers	Ron Mergen	
3.	Contact Lions Club – Re: Price/Caterer/Menu, etc.	Steve	
4.	Send invitations to Fire Department & Ambulance asking for volunteers	Bert Stanley	
5.	Arrange for portable restrooms	Ron Mergen	
6.	Prepare complimentary breakfast tickets for pilots	Staff	
7.	Trash receptacles – Contact West Central Sanitation, Jeff Bertram	Ron Mergen	
8.	Registration table - table and chairs (Lions Club)		
9.	Notify Press – Photo opportunity	Bert	
10.	Water & Pop		
11.	Create necessary signage	City Staff	
12.	Direct traffic/parking of vehicles	Kent Kortlever	
13.	Confirm Pilots/Commentator	Ron Mergen	
14.	Microphone & sound system with CD player	Bert Stanley	
15.	Weather Watcher		
16.	Tape off restricted areas – showlines & parking	Airport Commission	
17.	Send flyer to all municipal airports	City Staff	
18.	Contact Fly Service Station to Close and Open Airport during shows – (800) 642-6505	Ron	
19.	Coordinate ground radio	Pilots	
20.	Coordinate with all hanger tenants (1- 5) on the south side to empty hangers for use on that day	Bert Stanley	
21.	Thank You's	City Staff	
22.	Contact Mike Noll-Army Chopper	Bert Stanley	
23.	Contact Life Link	Bert Stanley	

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24.	Plane Counter	Troy Caldwell	
25.	Contact Vendors-Jerry's Flying Service, Waterless Plane Wash, Aviation Art Museum Loren Pearson – Paynesville Radio Control Airplane Club	Ron Mergen	
26.	Confirm pilots insurance policies – late July	Ron Mergen	
27.	Vendors Location & Set up	Ron Mergen	
28.	Golf Carts & Drivers	Steve Whitcomb	
29.	Make Poster/Flyer	City Staff	
30.	Advertising	Bert Stanley	
32.			

Jennifer Welling

From: Renee Eckerly
Sent: Tuesday, May 04, 2010 12:16 PM
To: Ron Mergen
Cc: Jennifer Welling
Subject: FW: Land repayment - Willmar versus Paynesville

Ron,
If you don't have any issues with Dan's email. I would like to have Jennifer put this on the Council agenda (May12) and the Airport on May 26th.

Renee Eckerly
City Administrator – Paynesville, MN
Email: ReneeE@paynesvillemn.com
Telephone: 320-243-3714 ext. 227
Fax: 320-243-3713

From: Boerner, Dan (DOT) [<mailto:Dan.Boerner@state.mn.us>]
Sent: Tuesday, May 04, 2010 10:38 AM
To: Renee Eckerly; Ron Mergen
Subject: Land repayment - Willmar versus Paynesville

Hi Ron and Renee,

Regarding the land repayment issues at Willmar. Our records show that State funding was used to participate in land acquisition as far back as 1977, at the old Willmar Airport site. In September 2006, the new Willmar Airport was opened at the new site, a few miles west of the old airport. The day the new airport opened, the old airport was shut down. Our interpretation of statute is that the day the old airport closed, it ceased to be used for aeronautical purposes and the City of Willmar immediately owed the State Airports Fund the prorated share of the appraised value of the land at the old Willmar Airport. The City had not yet and still to this day has not sold any of the land at the old airport site. The city had spent a lot of money at the new airport and they considered it a hardship to repay the State Airports fund for the land they had not yet sold. They convinced Representative Juhnke that they had a legitimate hardship and he drafted legislation that gives them until June 2012 to repay the State Airports Fund. They figured that it was a safe bet that they would have begun to sell off the land at the old airport site by 2012. They have run into a snag with the Federal land release at the old airport. A Federal land release is required before they can begin to sell any land, as FAA funds were used at the old airport. The Fed's have determined that there are historical features at the old airport site and the Environmental process portion of the land release has been drawn out, as a result of dealing with the historical issues.

These issues at Willmar are completely different than the issues at Paynesville, as you can see. As far as buying new land at the Paynesville airport, to replace the 8 acres lost to the TH 23 bypass, any land required for infrastructure expansion, would be eligible for State participation at 70%/30%, or under the current federal program, eligible for federal funding at 95%/5%. The usual requirements apply, such as having the property and infrastructure shown on the Airport Layout Plan.

Dan

Daniel P. Boerner, P.E.
Minnesota Department of Transportation

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U.S. Department
of Transportation
**Federal Aviation
Administration**

Great Lakes Region
Minneapolis Airports District Office
6020 28th Ave S, Room 102
Minneapolis, MN 55450

May 5, 2010

Mr. Jeff Thompson, Mayor
City of Paynesville
221 Washburne Avenue
Paynesville, Minnesota 56362-1697

Paynesville Municipal Airport
Paynesville, Minnesota
Through the Fence Proposal

Dear Mayor Thompson:

This letter is in response to your November 26, 2008, letter requesting the Federal Aviation Administration (FAA) review a proposal for a residential airpark adjacent to the Paynesville Municipal Airport with access to the airport.

FAA Order 5190.6B, Airport Compliance Manual, states in paragraph 12.7:

"As a general principle, the FAA does not support agreements that grant access to the public landing area by aircraft stored and services offsite on adjacent property. This type of agreement is to be avoided since these agreements can create situations that could lead to violations of the airport's federal obligations. ('Through-the-fence' access to the airfield from private property may also be inconsistent with Transportation Security Administration security requirements.) Under no circumstances is the FAA to support any 'through-the fence' agreement associated with residential use since that action will be inconsistent with the federal obligation to ensure compatible land use adjacent to the airport."

Through the fence agreements may present many challenges to the sponsor, including:

- Placing contractual and legal encumbrances or conditions on the airport property.

- Limiting the airport's ability to ensure safe operations in both the movement and non-movement areas.
- Potentially creating unjustly discriminatory conditions for those entities operating "inside the fence".
- Possibly affecting the airport's ability to be self-sustainable.
- Weakening the airport's ability to remove and mitigate hazards and incompatible land uses.
- Making it more difficult for an airport sponsor to implement future security requirements that may be imposed on airports.

It has been the FAA's experience that airport sponsors often find it difficult to correct violations of the grant assurances that result from "through the fence" operations. Additionally, over time, these arrangements may weaken the role of the airport sponsor and result in a facility which is more characteristic of a private airport.

The FAA is currently reviewing its policy on "through the fence" operations. Should our policy change dramatically, we will revisit this request. However, at this time, if the City of Paynesville takes steps to establish a residential "through the fence" airpark, the FAA may initiate a compliance investigation which could result in a finding of noncompliance and the loss of grant eligibility.

If you have any questions, please contact me at 612-713-4353.

Sincerely,



Nancy Nistler
Program Manger
Airports District Office - Minneapolis

Minnesota Council of Airports (MCOA)

644 Bayfield Street, Suite #120

St. Paul, MN 55107

MCOA Monthly News for May 2010

MCOA Annual Membership meeting... was held at the conference in the Harbor Side Ballroom at 4:00 PM Wednesday, April 14, 2010. During the annual re-election of Board members, Dave Beaver (OWA) and Dave Konshok (PKD) were re-elected to the Board of Directors. The membership also approved raising the annual membership dues next year for commercial and intermediate sized airports \$25. Plans are being drafted for the Board to do strategic planning soon in preparation for known changes coming now and to prepare for those in the future and how MCOA can best accommodate to those changes and continue to provide the best service possible to the membership.

MCOA Board meeting ... was convened at 8:00 AM on April 15th in the Eagle Room for the purpose of electing officers for 2010 – 2011. This is an annual board event held during the conference and the officers elected for the upcoming year are: Kurt Claussen (RST) as Chairman; Shaun Germolus (HIB) as Vice Chairman; and Kevin Baker (MKT) is the Secretary/Treasurer. Appointed to the Board to serve as an At-Large member was Dan Perschau (GYL). Dan is a pilot, Chairman of the Glencoe Airport Commission, and brings a great deal of both commercial and GA experience to the Board. Joe Harris has resigned and taken a position with Bolten & Menk – no MAC replacement has yet been named.

Conference 2010 Wrap... and critique will be completed soon by the Conference Planning Committee and the news, at first blush, is good. Over 240 people registered for the conference and over 36 exhibitors participated. Exit comments from most attendees were very positive and some felt it was the best conference they had attended. There were many prize winners and Bill King from Cirrus and Bill Swelbar from MIT took top honors in the guest speaker department. Most felt the tour of the 148th TFW at the airport was a great way to start the conference and appreciated the first hand look at the 148th equipment and their mission. To say the least, Duluth provided the best of what they had on their weather menu for April and the walk between the conference facilities was very pleasant. For those who attended, we hope you had an enjoyable experience and we look forward to planning next year's conference in Grand Rapids, MN, at the Sugar Lake Lodge, April 13, - 15.

Southwest Airlines... is planning to institute two new nonstop routes from Phoenix Sky Harbor International. Effective August 15th, the carrier will begin two daily nonstops to Minneapolis, MN. Beginning September 7th, Southwest will operate one daily nonstop between Phoenix and Boston.

Rep. Oberstar Introduces Clean Water Act... House Transportation and Infrastructure Committee Chairman Rep. Jim Oberstar (D-MN) has introduced the "America's Commitment to Clean Water Act." Previously introduced in both the House and Senate, the bill would restore the original intent of Clean Water Act by replacing the term "navigable waters" with "waters of the United States," Oberstar said. Concerns are being raised by AAAE about how the House bill and companion legislation in the Senate could affect airports. AAAE said that the bills could force airports to face costly and time-consuming permitting processes to ensure their discharges would not impact the quality of newly regulated waters.

General Aviation's Watchdog in Congress... is Rep. Jerry Costello, a Democrat from an Illinois district just east of St. Louis. In an interview with AOPA, he said, "I've always felt that in order to create and maintain jobs you have to get people from one place to another – and the goods and products as well." He has been chairman of the aviation subcommittee for four years and is a senior Democrat on the Transportation and Infrastructure Committee. His command of aviation lingo and issues is so thorough that most people would be surprised to discover that he is not a pilot. Because of the negative economic impact that would result from the user fees proposed by the Bush and Obama administrations, his 2009 campaign against such a move was successful. So although user fees are seemingly not an issue in the short term, he recognizes that nothing in Washington is permanent and pilots must remain vigilant against future attacks on the fee structure.

"To invent an airplane is nothing, to build one is something, to fly is everything" Otto Lilienthal (1848-