

# Habersham County Airport Commission

## Meeting Minutes

September 10, 2024 at 9:00 a.m.

Executive Conference Room

Habersham County Administration Building

130 Jacob's Way, Clarkesville, GA 30523

The Habersham County Airport Commission held a regular meeting on Tuesday, September 10, 2024, at 9:00 a.m. in the Executive conference room in the Habersham County Administration Building located at 130 Jacob's Way, Clarkesville, GA, 30523.

**Members Present:** D. Higgins, Andy Anderson, Lawrence Bridges, Chris Limbach

**Members Absent:** Justin Schapansky

**Others Present:** County Staff, Members of the Public and Media.

**Call to Order:** D. Higgins called the meeting to order at 9:00 am.

**Invocation and Pledge:** Doug McDonald gave the invocation and D Higgins led the Pledge of Allegiance.

**Adoption of Agenda:** The agenda was approved by consensus.

**Public Comment:** Doug McDonald spoke to the commission. He stated he had a long conversation with airport manager Bill Harden a couple of weeks ago, and asked Bill to call him the following week to schedule a meeting because he didn't completely understand everything that was sent to him regarding his hangar lease. Mr. McDonald said he never got a phone call. He said he thinks he knows the reason why – that there is a rule in the county that department heads are not allowed to speak to members of the public about county business without the approval of county manager Ms. Vaughn. He said it's on the record and in the minutes. He continued to say that the future of our airport is highly dependent on airplanes, and housing airplanes. He said the county has always treated the airport unfavorably, like a "red headed stepchild at a birthday party" because of rich men owning airplanes, and the belief that county money should not be put into the airport. He reminded the airport commission that the county commission used to be called Habersham County Roads & Bridges. He said the airport runway and hangar space is as important as roads and bridges are for transportation, and therefore should be treated equally. He passed out a copy of the letter he received in July from Ms. Vaughn stating that his current lease only gives him the option to renew for one five-year term (no more than five years). Mr. McDonald stated that the lease can be interpreted to read that the lease is renewable for unlimited five-year terms. He continued to read from the letter that states "there is no guarantee your lease will be renewable at the end of the five-year term". He said the FAA would not approve of the county discriminating against and punishing people who have been in a hangar for 25 years, just because there are people on a waiting list who haven't contributed anything. He said the people who invested \$25,000 or more over a 20-year period deserve to be treated better than that. The third paragraph of the letter states that as an alternative, the current owner can sign the new lease agreement, which does not allow subleasing. Mr. McDonald said he does not have an issue paying the current market rate of \$300, although he feels like that is too much for this area. Mr. McDonald also said the letter states that subleasing will not be allowed under the new lease agreement. He then asked does this mean that his 5-year lease extension will not be honored by the county, because "that's what it says". Mr. McDonald then addressed Bill Harden and said he is not meaning to demean him, to which Bill replied, "yes you are". He asked Bill why he thinks he is trying to demean him? Alicia Vaughn spoke up and told Mr. McDonald he does not have the right to attack or address county staff. Mr. McDonald asked what the punishment would be for doing so? Ms. Vaughn replied that she doesn't know, that would be up to Chairman D

Higgins. Chairman Higgins asked Mr. McDonald to address the board with his comments. Mr. McDonald said that since he is involved with the airport in a business sense, that makes him not just a member of the public, and he should have a right under his lease agreement to speak with the board and county staff and address any concerns he may have, especially if they are wanting to change the lease agreement. D asked him why he signed the response form to keep his existing lease if he didn't agree with the terms? Mr. McDonald said he did it because he has not had good relations with the county and when he read the letter, his first thought was that Ms. Vaughn had changed the terms of the contract. His original lease agreement says that he has until on or before December 31, 2024, to decide whether to extend the agreement. Ms. Vaughn's letter asked that a decision be made and turned in by September 1, 2024. Mr. McDonald said he was concerned and scared that he could lose his hangar if he didn't comply with the September 1<sup>st</sup> deadline. He asked what would have happened if he had not returned his form by September 1<sup>st</sup>? He said he would no longer have a hangar. He then said for potential concern and litigation, he will not sit by and allow an amendment to a lease contract to dictate a different language within that contract. Mr. McDonald said Bill Harden told him he would have to sign a new lease agreement. Mr. McDonald provided a copy of his old lease agreement to the commission. Article 9a, option to extend and hold over, states the lease shall be renewed under the same term and conditions herein, with the exception of the lease period and the rent. He said therefore there is no need for a new lease agreement. He doesn't believe these leases have been looked at like they should have been. Ralph Taylor explained that the airport commission has spent months discussing the leases and the form and letter that were sent out. They were sent out well ahead of the December 31<sup>st</sup> deadline as a courtesy, as a good faith effort, to give the current owners time to evaluate whether they want to continue under their existing lease or sign a new lease. Otherwise, some would have not realized that they needed to provide a response to the county by December 31<sup>st</sup>. Mr. McDonald brought up the wording of the letter and response form stating that if the option to keep the current lease for an additional five years is chosen, the lessee may not be given the option to renew the lease after the five-year extension. He thinks this was stated twice in the letter because the attorneys and the county knew the original agreement could be interpreted as having multiple five-year extensions available. If he believes between now and December 31, 2029, that he wants another five-year extension, he wants to be able to do it, and he hopes the form he signed doesn't stop him from doing that. He said the current administration wants control of all the hangars at the airport. They don't want pilots to have more than a 12-month lease. Alicia reminded Mr. McDonald that he is not allowed to attack staff under public comment. Mr. McDonald said he has a right to interpret a letter and what is said in the letter. D Higgins said he does have that right, and he has expressed his opinion and his interpretations. However, the county has approved this decision, and the board of commissioners dictate what the airport commission can do. Therefore, if Mr. McDonald wants to take it to the next level, that's his choice. Mr. McDonald said that as a result of this meeting, hopefully the staff and airport commission will advise the Board of Commissioners that there needs to be more discussion, more interpretation, more letters written. He stated that he was sent a copy of the new lease agreement with the letter, and he is not going to sign it, and he knows other people that aren't going to sign it either. He said there needs to be a legal opinion, an adoption of a statement by the airport commission, made to the current owners that they are not being forced to sign a new lease agreement. "Because if the administration determines that I don't sign one by December 31, 2024, and they come out and saw the lock off my hangar and pull my airplane out and park it on the tarmac, whew". Ralph assured him that was not the intent of the letter, and that comment was inflammatory. Mr. McDonald then asked, "Is this a Democratic Party meeting, where your freedom of speech and power to address the government is limited?" Ralph responded that this is a public meeting, and three minutes is allowed on the agenda for public comment, and the commission had given him much longer than that. He then asked Mr. McDonald if he had any other questions or comments, and Mr. McDonald said he would like just a few more minutes. He said that's the problem with government today, they won't allow the people to speak. He said for six years he has tried to speak at BOC meetings, to be nearly arrested by a man with a gun, which is why he asked earlier in the meeting what his punishment would be for speaking out at this meeting. He said he is very, very serious about all this. He added that we don't need to mistreat people who have been out there and done right by the county for 20 years. The hangars these people have paid for are a huge and tremendous asset for the county. In the process, don't run over them. He asked that the airport commission address this, because he can't go to the county attorney because then it will be

addressed with Mr. Harden and Ms. Vaughn. He continued that he cannot agree with Ms. Vaughn changing this agreement. Ralph again told him that Ms. Vaughn did not change this agreement. Alicia explained that the airport commission spent many meetings and a work session, which were all open to the public, to approve the letter and the form that were sent out. She did not make the decisions that were stated on either. Mr. McDonald asked why didn't the chairman sign it? Alicia explained that she represents the Board of Commissioners, and the Board of Commissioners has the responsibility of approving lease agreements. Mr. McDonald interrupted her to say that he does not want to banter with her and that he has "strong" emotions about her, and now was not the place. Alicia again said that is not appropriate! Ralph Taylor advised the chairman that Mr. McDonald should sit down. Chairman Higgins told Mr. McDonald that he has some valid points that need to be addressed. Mr. McDonald asked Chairman Higgins if he had approved this letter. Alicia responded that the entire commission and the chairman had approved the letter. Mr. McDonald then said he hopes the commission now knows why he and others have questions and concerns and will address them and not let them go until 2029. Mr. McDonald spoke for approximately thirty minutes.

**Approval of Minutes:** The minutes of the August 13, 2024 Regular Meeting were approved by consensus.

**Financials:** Habersham County Airport Financials dated August 31, 2024, were presented by CFO Tim Sims. Year to date represented 16.67% of the fiscal year, therefore expenditures should be less than or equal to 16.67% and revenue should be at 16.67% minimum. The actual revenues that were collected were 18% of what was budgeted, and the actual expenses were 22% of what was budgeted. The higher expenditures are due to the fuel island being struck by lightning and repairing the fuel truck. The bank account balance is \$104,613. The rental car RFP was released on September 4<sup>th</sup> and bids are due by October 2<sup>nd</sup>.

**Approval of Financials:** Motion by Andy Anderson, seconded by Chris Limbach, and voted unanimously to approve the financials as presented.

#### **Reports:**

**Fuel Sales and Airport Revenues:** In the month of August 2024, the airport sold 6,941.8 gallons of Low Lead fuel. The airport also sold 8,723 gallons of Jet Fuel. Fuel has just been ordered so inventory is full. Additional revenues for the month of August for oil sales, facility fees, overnight and tie down fees, and call-out fees totaled \$2,474.94. Current full-serve fuel prices are \$4.99 per gallon for Jet A and \$6.40 for Low Lead. Self-serve Low Lead is \$5.72 per gallon.

**Airport Manager Update:** Airport Manager Bill Harden gave the update. The upper gate was fixed and is now broken again. They need to replace the box, and Bill has received two quotes ranging from \$7k to \$9k. The board that goes with the existing system is no longer available, and the new board will not work with the current gate operation. He was told the system was old with incompatible parts, and that the gate should be replaced. Alicia said the county needs to have a conversation with the contractor since it's possible that they were responsible for leaving the box open which resulted in water damage to the box. Phil offered to talk to them on our behalf. Public Works came out and did some grass cutting with the boom mower and it looks awesome. The sump savers and reclaim tanks have been installed in the Avgas and Jet tanks. The contractor of the ramp expansion returned to fix the erosion issue, retention pond, and mowing. Phillips 66 will be installing a 10–12-foot lighted sign next to the fuel farm at no cost to the airport. FBO Drive is being supported and is being used at the airport. There was an issue with a Cirrus plane that had an emergency landing due to an alternator issue. Airport staff took good care of the pilot and provided a vehicle for them while the plane was being fixed.

**Airport Update:** Lead Edge Design Group – Amanda Rostin gave the update. The punch list items (shoulder work and marking) for the Runway Overlay project will require a two-day closure to perform. They are working with the contractor to schedule that work. However, the Gainesville airport has a project that will begin on September 23<sup>rd</sup>

and run through October 23<sup>rd</sup>. We don't want to have a runway closure during this time, since we will likely see more traffic due to Gainesville's closure. Amanda also updated the commission on the hangar RFP. It was approved by the Airport Commission and the Board of Commissioners to send the RFP back out for the other two hangar spots. Before doing that, Lead Edge received a lease markup from Brammer, one of the award winners from the first RFP. The lease markup suggested several changes, but the main change was that it added an additional 20-year renewal option to the original 20-year lease. Amanda explained that this change does not meet the qualifications of the RFP and with the Airport Commission's permission, Lead Edge will reach out to Brammer regarding the proposed lease changes and let him know that he cannot change the terms of the RFP/lease agreement.

**Airport Business Park Update:** None

**Old Business:** None

**New Business:**

- **Review/Recommend 5-year CIP** – Lead Edge passed out a copy of last year's CIP and a draft copy of this year's CIP. It is due into GDOT's system by November 5<sup>th</sup>, along with sketches, narratives, cost estimates, etc. The next request on the CIP is asking for funding for FY2026, since we just received our TA letter for FY2025 requests. The first item on the list is Taxiway Lighting and Construction. Lead Edge is starting to see a trend that taxiway and runway lighting projects are being separated into two projects. Lead Edge's plan is to do the projects all at once. Land Acquisition Phase One is listed for FY2026 and is also spread out over the next several years. She added that there is information in the draft CIP to protect our runway protection zones and get our obstructions down, even though we can't do everything at once. AWOS is listed in the fourth year but can be moved up if necessary. AWOS has a useful life of 20 years. Hangar site preparation and paving are also listed on the CIP, but GDOT will not fund revenue projects until there are no safety issues remaining. Motion by Lawrence Bridges, seconded by Chris Limbach, and voted unanimously to recommend approval of the 5-year CIP to the Board of Commissioners.
- **Review/Recommend Lease Transfer from Mike Stuckey to James Butterworth for Hangar G-4** – Motion by Andy Anderson, seconded by Chris Limbach, and voted unanimously to recommend approval of the lease transfer from Mike Stuckey to James Butterworth for Hangar G-4 to the Board of Commissioners.
- **Consider/Approve (New) Hangar Lease Agreement for James Butterworth – Hangar G-4** – Motion by Chris Limbach, seconded by Andy Anderson, and voted unanimously to recommend approval of the new hangar lease agreement for James Butterworth for Hangar G-4 to the Board of Commissioners.

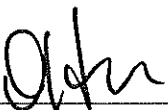
**Other Reports:** None

**Next Meeting:**

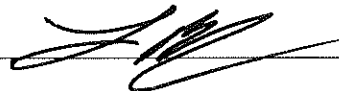
The next meeting is Tuesday, October 8, 2024, at 9 a.m. in the Executive Conference Room at the Habersham County Administration Building located at 130 Jacob's Way, Clarkesville, GA 30523.

**Adjournment:**

Motion by Andy Anderson, seconded by Chris Limbach, and voted unanimously to adjourn the meeting at 10:03 a.m.



Chairman – D. Higgins



Secretary – Lawrence Bridges