



**MINUTES
KALAMZOO COUNTY AERONAUTICS
BOARD OF TRUSTEES
REGULAR MEETING
SEPTEMBER 20, 2012**

ITEM 1 Call to Order: Aeronautics Board acting Chair Bill Duggan called the meeting to order at 10:33 a.m.

ITEM 2 Roll Call: Members in attendance – Bill Duggan, John Jones, Greg Kurdys, Jason Spoor and Mark Weiss.

Staff Present: Cliff Moshoginis, Dave Reid, Linda Bunting, Thom Canny and Lisa Bradshaw.

Also Present: County Liaisons Nasim Ansari and Tim Rogowski.

ITEM 3 Approval of the August 9, 2012 Board Meeting Minutes: On a motion made by Mr. Jones, seconded by Mr. Spoor, the minutes were approved.

ITEM 4 Citizen Comments: Aeronautics Board acting Chair Bill Duggan went over the Citizen Comments process stating that any citizen present at the board meetings can address the board on a non-agenda item. They should address the board at the podium and state their name and their address and limit their remarks to four minutes. If someone would like to address an item that is on the consent agenda, they may request that the item be removed from the agenda. No comments were presented.

ITEM 5 For Consideration:

AIRPORT CONSENT AGENDA ITEMS

A. JAQUA CONTRACT RENEWAL – Airport Director Cliff Moshoginis stated that this is a request to approve a motion for a new lease agreement with Jaqua Realtors for a period of five (5) years, which provides Jaqua with 739 square feet of office space in the terminal facility at a cost of \$1,743.42 per month. On a motion made by Mr. Jones, seconded by Mr. Kurdys, the motion was approved.

AIRPORT NON-CONSENT AGENDA ITEMS

A. RECOMMENDATION TO KALAMAZOO COUNTY BOARD OF COMMISSIONERS – CROSS EASEMENT ODYSSEY HOTELS – Mr.

Moshoginis explained that this is a recommendation to approve a perpetual easement with Odyssey Hotels for the area commonly known as Byrd Drive east of Portage Road and a portion of the airport owned West Ring Road. The County of Kalamazoo owns property adjacent to a parcel being purchased by ANR Capital dba Odyssey Hotels, legally known as Lot 6. An easement request has been submitted for access into a proposed hotel property planned for construction in the spring of 2013. The County owned parcel is legally described as Lot 5 which encumbers a service road from Airview Boulevard to Byrd Road. The cross easement along the airport service road will allow access and utilities from Airview Boulevard into the planned hotel site. Additionally, the easement allows a portion of the right-of-way owned by Kalamazoo County on Byrd Drive for the construction of a parking area. The Byrd Drive area will still allow access to Portage Road. Maintenance of Lot 6 will be the responsibility of Odyssey Hotels and Lot 5 remains within the responsibility of the airport. Corporate Counsel has reviewed the easement and provided comments that have been incorporated. Airport administration supports the recommendation to the Kalamazoo County Board of Commissioners. Discussion took place regarding future repercussions. On a motion made by Mr. Kurdys, seconded by Mr. Jones, the motion was approved.

AERONAUTICS BOARD AGENDA ITEMS

A. October and November's Board Meeting Dates – It was decided that the October 2012 board meeting will be held on the 18th of the month due to member schedule issues.

ITEM 6. Unfinished Business: There was no unfinished business presented.

ITEM 7. New Business: Kalamazoo County legal counsel Thom Canny made the board aware of a lawsuit currently being brought against the Kalamazoo County Building Authority, Whitaker Construction, Traveler's Insurance, and the new terminal construction management firm Skanska, USA by Eyewood Design for laminate panels in the new terminal during the construction phase. The Construction firms claims that the panels were an inferior product and Eyewood Design claims they were not inferior and they are suing for breach of contract, lost revenue and insurance reimbursement. Mr. Canny wrote Skanska, USA demanded that they indemnify and hold harmless to Kalamazoo County Building Authority per the contract executed with Skanska, USA for this project. He is awaiting a response.

ITEM 8. Airport Director's Report: Mr. Moshoginis stated that Airport Administration held a tenant meeting on September 6 and was well attended with good information exchange. Administration's plan is to hold quarterly meetings of this type in order to keep tenants up to date with any airport issues, concerns or activities.

He stated applicants are being interviewed for the Assistant Director of Finance and Administration and the target date to bring that person on board is late October.

Mr. Kurdys inquired about the \$40,000.00 bankruptcy amount from Direct Air. Mr. Moshoginis explained that nothing new has come up and explained the process, stating that it may get to the question as to how much in legal fees does the airport want to spend to pursue retention of the funds.

ITEM 9. Member's Time: There were no items brought up for discussion.

ITEM 10. Executive Session: Aeronautics Board Trustee Jason Spoor made the following motion: "I move that the aeronautics board go into executive session pursuant to Section 8 (c) of the Open Meetings Act for the purpose of discussing issues related to the purchase of real property." The motion was seconded by Mr. Jones, unanimously supported by the board and the board went into closed session at 10:54 a.m.

ITEM 11. Adjournment: On a motion made by Mr. Kurdys, supported by Mr. Weiss, the regular Aeronautics Board meeting and the Executive Session adjourned at 11:00 a.m.