

FORT WAYNE-ALLEN COUNTY AIRPORT AUTHORITY

Fort Wayne-Allen County Airport Authority Board Meeting

A meeting of the Fort Wayne-Allen County Airport Authority Board was held in the Airport Authority Conference Room, Suite 210, 3801 W. Ferguson Road, Fort Wayne, Indiana 46809, pursuant to proper legal notice and was called to order on July 26, 2010 at 3:00 p.m. by Mr. Michael S. Gouloff, President. Meeting was rescheduled from July 19, 2010.

ATTENDANCE:

AIRPORT

AUTHORITY BOARD MEMBERS:

Michael S. Gouloff, President, present
Richard B. (Barry) Sturges, Jr., VP, present
Timothy J. Haffner, Secretary, absent
Cornelius B. "Neil" Hayes, present
Jerome F. (Jerry) Henry, Jr., present
Benjamin "Ben" T. Johnston, present

AIRPORT AUTHORITY STAFF

& LEGAL COUNSEL PRESENT:

Tory Richardson, Director of Airports
Craig Williams, Director Admin. & Finance
Scott Hinderman, Director Ops. & Facilities
Ronnie Portis, Controller/Treasurer
Rebecca Ross, Property Manager
Ray Young, HR Director
Dave Young, VP Air Service Development
Mike Deam, Airport Authority Attorney

CALL TO ORDER:

Mr. Michael Gouloff, President, called the meeting to order at 3:00 p.m.

CONSIDERATION & APPROVAL OF TODAY'S AGENDA:

Mr. Henry made a motion to approve the July 26, 2010 Board Agenda. Mr. Sturges seconded the motion; motion unanimously carried.

CONSIDERATION & APPROVAL OF ADMINISTRATIVE CONSENT AGENDA:

Mr. Richardson noted the newest inclusion to the Administrative Consent Agenda: *Property Acquisition Report*.

Mr. Hayes made a motion to approve the Administrative Consent Agenda as follows:

- Board Meeting Minutes: 06.24.10
- Claims #10-07
- Federally Funded Projects Summary
- Locally Funded Projects Summary
- Accounts Receivable Report
- Property Acquisition Report

Mr. Sturges seconded the motion; motion unanimously carried.

CONSIDERATION & APPROVAL OF CONTRACT CONSENT AGENDA (WITH EXECUTIVE DIRECTOR’S AUTHORITY TO EXECUTE):

Mr. Sturges made a motion to approve the following Contract Consent Agenda items to include signature authority for the Executive Director of Airports:

- SMD: Rehabilitate RW 13/31 (AIP 09 & 10), Wayne Asphalt, Change Order #3 (Final): Change Order includes final quantity adjustments based on final field measured items and additional grading changes.

The following table provides a summary of the change order by contract item and funding group:

| CONTRACT ITEM | FUND | AS BID CONTRACT VALUE | PREVIOUS CO’S | CO#3 | MODIFIED CONTRACT VALUE |
|-------------------------------------|--------------|-----------------------------|---------------------------|-----------------------------|-----------------------------|
| Base Bid | ARRA | \$904,345.95 | (\$86,869.92) | (\$ 9,302.25) | \$ 808,173.78 |
| Add. Alt. 1 | AIP | \$208,098.50 | \$ 4,918.50 | 0 | \$ 213,017.00 |
| Add. Alt. 2 | AIP | \$ 92,347.50 | \$ 2,454.80 | 0 | \$ 94,802.30 |
| Add. Alt. 3 | AIP | \$ 71,999.50 | (\$ 1,441.60) | (\$ 4,025.00) | \$ 66,532.90 |
| Add. Alt. 4 | AIP | \$ 55,056.00 | (\$ 96.25) | 0 | \$ 54,959.75 |
| <i>AIP Funding Sub-Total</i> | | <i>\$ 427,501.50</i> | <i>\$ 5,835.45</i> | <i>(\$ 4,025.00)</i> | <i>\$ 429,311.95</i> |
| Add. Alt. 5 | Local | \$ 167,536.85 | (\$ 6,731.08) | \$ 978.45 | \$ 161,784.22 |
| Total | | \$1,499,384.30 | (\$ 87,765.55) | (\$12,348.80) | \$1,399,269.95 |

- PRSA, RWA, ADDENDUM #4 – Amendment # 3, NW Perimeter Road Reconstruction & Extension (Volume 1 & 2)– Design, Bid and Construction Phase Services adjustments:

Amendment #3 to our Professional Service Agreement with RW Armstrong Addendum #4 is for a reduction in fees as they relate to services on the NW Perimeter Road Project. The primary reason for the overall deduction in fees stems from the reduction in construction contract time as opposed to that initially anticipated in Addendum No. 4.

The original Addendum No. 4 was based on a two phase, two construction season project. This required two ‘phases’ of bidding, construction administration, and construction observation services. Phase 1 (now Volume 2) anticipated a 90 calendar day schedule while Phase 2 (now Volume 1) anticipated a 120 calendar day schedule, totaling 210 calendar days of construction.

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With the revised plan set layout of Volumes and the potential for completion in one construction season, the total contract time could be reduced to 120 calendar days, from 210 days.

A breakdown on of the services provided and adjustments that are a part of amendment number 3 are as follows:

| SUMMARY OF FEES: | | | | |
|-----------------------------|------------------------------|------------------|------------------|--------------------|
| SERVICES | ORIGINAL ADDENDUM | AMEND. #1 | AMEND. #2 | AMEND. #3 |
| Design Phase | \$206,617 | \$ 6,353 | \$57,495 | 0 |
| Bid Phase | 18,385 | 229 | 0 | (9,307) |
| Const. Engineering | 71,136 | 904 | 0 | (27,085) |
| Construction Observation | 275,400 | 2,112 | 0 | (151,270) |
| Sub consultant | 25,046 | 4,018 | 0 | 70,315 |
| Total | \$596,584 | \$13,615 | \$57,495 | (\$117,347) |

Mr. Hayes seconded the motion; motion unanimously carried.

ACTIVITY REPORT:

The June Activity Report was reviewed by Mr. Young.

Although figures show that June 2010 enplanements are down 1.03% compared to June 2009, year-to-date figures show an increase of 2.03%. Number of seats are down 10% on a year-over-year basis. There was an 86% load factor in June. Mr. Young stated that July 2010 figures are on track to be about the same as June's figures.

All of the airlines located at Fort Wayne International Airport (FWA) are doing well. Allegiant Air figures show that FWA has the second best booking market to Myrtle Beach. Flights to Myrtle Beach from FWA will end the middle of September, but will pick back up in the spring.

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COMMITTEE REPORT - REAL ESTATE & AIRPORT DEVELOPMENT COMMITTEE:

Real Estate & Airport Development Committee Recommendation – At its July 13, 2010 meeting, the committee recommended full board approval of *Resolution No. 10-04: Real Estate Acquisition Procedures*.

Mr. Henry commented that the board is included in the “loop” and he is in agreement with recommending approval of Resolution No. 10-04: Real Estate Acquisition Procedures.

Draft minutes of the meeting were included for review in the board packets.

CONSIDERATION & APPROVAL OF RESOLUTION NO. 10-04: REAL ESTATE ACQUISITION PROCEDURES:

Summary of Resolution No. 10-04 - Pursuant to Indiana Code 8-22-3-11, the Airport Authority Board has the following powers, among others:

- a) the power to manage and to operate the Airports;
- b) the power to hire employees to carry out the Authority’s duties, functions and powers;
- c) the power to assign duties and authorities to said employees;
- d) the power to determine matters of policy regarding internal organization and operating procedures not specifically provided for otherwise; and
- e) the power to acquire property, real, personal, or mixed, by deed, purchase, lease, condemnation, or otherwise.

The Authority Board, pursuant to the above powers, at all times maintains subcommittees of the Authority Board with the titles of Administrative Services and Executive Committee (the “Executive Committee”) and Real Estate and Airport Development Committee (the “Real Estate Committee”), which committees are primarily responsible to study issues and make recommendations to the full Authority Board with respect to administrative and real estate issues, respectively;

The Board also maintains an employee with the title of Director of Administration and Finance and an employee with the title Property Manager.

The Board believes that it is in the best interest of the Authority to grant to the Director of Administration and Finance and the Property Manager certain powers and authorities for the purposes of accomplishing the effective and efficient management of the Airports. Such powers and authorities include the following:

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1. The power and authority to execute all contracts, agreements, undertakings and other documents relating to the acquisition of interests in real property (hereinafter collectively referred to as “Real Estate Documents”), under the following circumstances:
 - a. the Executive Committee has identified the subject real estate as being within the real estate that should eventually be acquired for the use and benefit of the Airport Authority;
 - b. the Real Estate Committee has identified the subject real estate as being within the real estate that should be acquired as soon as reasonably possible, given the availability of funds, the willingness of the owner(s) to sell, and the need for the real estate for future use or land use compatibility; and
 - c. the purchase price for the subject real estate is no higher than the fair market value of the subject real estate, as indicated by an appraisal completed by an independent, professional real estate appraiser, and as reviewed by an independent, professional real estate appraiser, as provided by federal law (excluding any relocation assistance and administrative settlement provided by federal law).
2. The power and authority to execute all customary contracts, agreements, undertakings and other documents relating to the closing of the acquisition of interests in real property, after an agreement to purchase an interest in real estate is executed as set forth above (or is executed by the Authority Board, if applicable).
3. The power and authority to execute, on behalf of the Authority, all agreements, undertakings and other documents relating to relocation assistance, including but not limited to administrative settlements relating to real estate acquired by the Airport Authority, as provided by federal law.

Mr. Hayes made a motion to approve Resolution No. 10-04: Real Estate Acquisition Procedures.
Mr. Johnston seconded the motion.

OTHER BUSINESS:

Board Meetings – 2011 Budget – Mr. Richardson reminded board members that the 2011 Budget will be introduced at the August 16th board meeting. There will be a Public Hearing at the September 27th board meeting and anticipated adoption of the budget at the October 18th board meeting. Staff will be sending reminders to board members regarding the importance of having a quorum at each of the meetings.

EXECUTIVE SESSION:

An Executive Session was held immediately following the Regular Session.

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ADJOURNMENT:

Mr. Henry moved to adjourn the July 26, 2010 Board Meeting at 3:12 p.m.

SIGNATURES' ARE ON FILE

Barry B. Sturges
Board Vice President

Jerry F. Henry
Board Member

FORT WAYNE-ALLEN COUNTY AIRPORT AUTHORITY
Fort Wayne-Allen County Airport Authority Board Meeting

A meeting held in Executive Session by the Fort Wayne Allen-County Airport Authority Board was called to order following the Regular Board Meeting on July 26, 2010.

**AIRPORT
AUTHORITY BOARD MEMBERS:**

Michael S. Gouloff, President, present
Timothy J. Haffner, Secretary, absent
Cornelius B. "Neil" Hayes, present
Jerome F. (Jerry) Henry, Jr., present
Richard B. (Barry) Sturges, Jr., present
Benjamin "Ben" T. Johnston, present

**AIRPORT AUTHORITY STAFF
& LEGAL COUNSEL PRESENT:**

Tory Richardson, Executive Director of Airports
Scott Hinderman, Director Ops. & Facilities
Craig Williams, Director Admin. & Finance
Mike Deam, Airport Authority Attorney

Immediately following the regular meeting, an Executive Session was held in Room B210 of the Airport Authority offices to discuss Lease Negotiations (pursuant to IC 5-14-1.5-6.1(b)(2)(D), pending or threatened litigation which is pursuant to IC 5-14-1.5-1(b)(2)(B), and confidential records which is pursuant to IC 5-14-1.5-6.1-(b)(7).

By signing the minutes, it is hereby certified that nothing other than the topics, as noted above, were discussed during the Executive Session.

SIGNATURES' ARE ON FILE

Barry B. Sturges
Board Vice President

Jerry F. Henry
Board Member