

Macon County Airport Authority
Minutes of the Meeting Held on February 22nd, 2022

The regularly scheduled meeting of the Macon County Airport Authority is held on February 22nd, 2022 in the MCAA conference room at the Macon County Airport. All members with the exception of Member Rhodes are present. Also present are: Lori Carpenter, Finance Director Jimmy Luther, Project Engineer; Ronnie Beale, Macon County Commissioner; Josh Dulla, airport employee; and Teresa McDowell, clerk. Chair Schmitt welcomes all present and calls the meeting to order at 4:12 p.m.

APPROVAL OF MINUTES FOR MEETING HELD JANUARY 25TH, 2022: After a brief discussion, Member Horton makes a motion to approve the minutes as forwarded. Member Shuler seconds the motion and it passes by unanimous consent.

PUBLIC COMMENT SESSION: NONE

OLD BUSINESS:

1. **Update on MOU with the Eastern Band:** There is a discussion regarding the follow up to a letter to the FAA dated January 26th, 2022 regarding the progress of the referenced MOU. Aaron Braswell of the FAA acknowledged the receipt of the letter via e-mail, but responded by stating that a new MOU needs to be developed. The authority has been informed of this in the past and was seeking new information regarding the development of the MOU. The authority is dependent on the FAA for this development. Commissioner Beale will be formatting a letter to Richard Sneed, the Eastern Band of Cherokee Indians Principal Chief. He has asked that the communication to and from Aaron Braswell be forwarded to him to reference in his letter. He also states that he will be setting up a follow up meeting with Chief Sneed and Russ Townsend, Tribal Historic Preservation Officer as soon as he can. The authority will continue to communicate regularly with the FAA until this matter is resolved.

2. **Update on Drake/MCAA Lease Revision:** There have been delays in approval of the lease revision through the FAA. Member Horton suggests that a letter be developed to the FAA that states that since the authority has not heard otherwise, there is an assumption that the FAA approves of the lease with changes. The two parties, Drake and the authority are in agreement with the changes. He suggests that the letter should be sent either via over-night delivery or by certified mail. After further discussion, Member Horton makes a motion that a letter be developed by Legal Counsel Joe Collins stating this assumed agreement, including a hard date for completion if the FAA does not approve of the changes so far. Member Haithcock seconds the motion and it passes by unanimous consent.

3. **Engineers Report:** Mr. Luther reports that the pre-conference with the contractors in connection to the fuel farm construction was attended by the FBO and the authority Chair and went well. He states that the contractor will try to keep disruptions at the airport to a minimum. Under the parameters of the contract the fuel farm fence may have to be removed. Mr. Luther continues by stating that the contractors will be responsible for removal and disposal of the existing tanks. The new tanks should be delivered around August 1, and that is also the tentative date for the notice to proceed to be issued. The airport FBO will have input as to the positioning of the tanks, and the hose length and it appears that he and the contractors appear to be in agreement with the contracted services as presented.

NEW BUSINESS:

1. **Member Appointment/Terms-Update/Correction:** Member Horton has done extensive research regarding the terms of appointed authority members. There are three issues that Member Horton has discovered. A. All members term recommendations should be made in June of each reappointment year, with a term to begin on July 1 of the reappointment year; B. Member Rhodes needs to be reappointed. There was a failure to do this in 2021, when his term ended. Member Rhodes should be reappointed for a six-year full term by the County Commissioners; and C. Member Horton, who filled the unexpired term of Tommy Jenkins, has now completed the partial term, and needs to be appointed to a full six-year term. All members previously appointed can continue to serve on the authority, with all decisions considered valid as long as they continue to actively serve on the authority. This has been the case with Member Rhodes. Member Horton also states that election of the Chair, Vice Chair and Secretary-Treasurer should always be held in July of odd numbered years. The officer terms are for two years. After further discussion, and upon recommendation of the authority, the term agreement as presented by Member Horton is approved. Commissioner Beale will present this information to the County Commissioners at their next scheduled meeting, noting the corrections and re-appointments as referenced.

2. **Discussions/Presentation of Potential MCAA Code of Ethics:** Member Horton presents a potential Code of Ethics he has developed for the Macon County Airport Authority. There is a discussion, involving members and Commissioner Beale and Finance Director, Lori Carpenter, stating that a code of ethics is needed for the authority. All appointees are expected to follow a code of ethics similar to the code that is followed by County Commissioners. This code would let the public know that the authority is operating in good standing in connection to potential conflicts and the ability to act independently. Member Horton continues by stating that each member when sworn in would subscribe to the Code of Ethics, and would be responsible for informing the Chair of any conflicts that develop. Ms. Carpenter states that she will provide a conflict of interest statement form that the authority can develop to suit their needs. After further discussion, Member Horton makes a motion that the Macon County Airport Authority adopt a code of ethics that is developed in accordance with the statute code as defined in the North Carolina General Statutes, and that is similar to the one adhered to by County Commissioners. Member Haithcock seconds the motion and it passes by unanimous consent. Member Horton will continue in the development of an ethics document.

OTHER BUSINESS:

A. Project Engineer Jimmy Luther states that the **five-year engineering contract with W.K. Dickson** has a term that will expire in June 2022 and should **be considered for renewal**. There is a process in connection with this matter, which includes solicitation for other potential engineering firms that may be interested in bidding for this contract by advertising a RFQ in a local publication, and consideration of costs and services offered. After further discussion, Member Horton makes a motion to research and prepare any documentation needed for this matter. Member Haithcock seconds the motion and it passes by unanimous consent.

B. After a discussion in which the authority is informed by the finance director that there is no CARES funding available at this time, Member Haithcock makes a motion to appropriate **\$10,000.00 from fund balance** to the appropriate line items in the authority budget in order to supply equipment, (including a computer and printer/scanner), and supplies for the Macon County Airport Authority office space as provided by the FBO. Member Shuler seconds the motion and it passes by unanimous consent. Ms. McDowell is tasked in acquiring equipment and supplies as needed.

C. The authority asks Ms. McDowell to supply them and the DOA with the **e-mail from Dan Rogers** discussing the necessity of acquiring additional hangar space at the airport.

D. Chair Schmitt states that the **striping on the runway** is very pale, and needs to be repainted. Jet pilots have made comments regarding the necessity for this. This service is provided free of charge to the authority by the Division of Aviation. The authority has previously contacted the DOA, and asked to be put on the list for this task. Ms. McDowell is asked to develop a letter to Caleb Whitby at the DOA seeking the potential date that this service will be provided.

E. Finance Director, Lori Carpenter, requests that the authority have a **budget developed and approved** by April 15th, 2022. The public hearing should be scheduled for May of 2022, with the adoption of the budget scheduled for June of 2022.

There being no further business to discuss, Member Haithcock makes a motion to adjourn the meeting. Member Shuler seconds the motion and it passes by unanimous consent. The meeting is adjourned at 5:46 p.m.

Respectfully submitted:

Pete Haithcock-Secretary