

AIRPORT LEASE SUBCOMMITTEE MEETING

August 13, 2007 – 2:00 p.m.

PRESENT: Chairman Jean Raymond; Supervisors Richard Hunter, Richard Lucia, Mary Ann Johnson; Mark Rider, Co. Attorney; Joe Ritchey, Tom Speziale, Rick Gardner, DPW; Steve Berardo, Edwards & Kelcey; Joyce Richards, James Valachovic, Richmor Aviation; Hilton Tallman, Air Adventures, Ltd.; Stephanie Ferradino, representing Air Adventures, Ltd.; Frank Zilka, Chris Scaringe, North American; Press

Chairman Raymond called the meeting to order.

Mr. Lucia moved to approve the minutes of the meeting of August 2, 2007. Mr. Hunter seconded. Unanimous.

Chairman Raymond stated our consultant took the comments of interested parties and incorporated those in a revised draft of the Minimum Standards, and these were e-mailed to everyone. She requested Mr. Berardo to review these revisions, page by page.

Mr. Berardo stated the Minimum Standards will be a part of the lease that everyone signs. Mr. Scaringe asked if the Minimum Standards exempts the not-for-profit clubs. Mr. Berardo said yes, the ones that are not applicable and those who do not have to comply with other commercial operations at the airport. There are special definitions of Specialized Aviation Service Operations (SASO's) intended for single service providers, he said. He said the County can say they do not have to abide to Minimum Standards or they are a tenant and provide a service, and they should comply with certain provisions. Mr. Rider stated if they are doing something commercially, they should be bound. Chairman Raymond said maybe Saratoga Soaring should not be exempted because they sell rides, etc. She said a lot of this will not be applicable to their activity, and the Standards have to be complied with where applicable. She requested Mr. Rider to do more research on that issue.

Ms. Ferradino said her client is interested in building hangars and giving acrobatic instruction. We are not selling gas, and the definition of an SASO should be expanded to encompass some smaller operations that do not want to sell fuel. Chairman Raymond said almost nobody up there offers one service. Mr. Berardo said those companies providing multiple services have to comply with minimum standards. The smaller operations do not have to meet all of the Minimum Standards that a full service FBO has to meet, he said.

In discussing transient aircraft parking, Chairman Raymond said that can be worked out as far as the actual RFP, and it was the consensus of the Subcommittee to remove that portion from the Minimum Standards.

Mr. Berardo said the County should monitor what the rates and charges at the airport are. Chairman Raymond said through the lease, we could have periodic reports on rates. She

suggested that language be added about FAA's definition of fair and reasonable. When we do an RFP, we will require annual reports of rates, she added. Mrs. Johnson asked if FBO's can charge different rates, and Chairman Raymond said yes.

In discussing Maintenance Responsibilities (page 9) in the proposed Minimum Standards, Chairman Raymond said it is one thing to maintain something but it is another thing to replace it. We need something stated that makes it clear that it becomes the landlord's responsibility for a capital improvement, she said. Mr. Berardo said he does not think the language implies the tenants would have to replace anything, but replacement issue language can be added.

Mrs. Johnson said under Action on Applications (page 7), what if the County wants to deny for a reason not listed. Chairman Raymond said the Standards could state "including, but not limited to."

Mr. Berardo said any arrangement that the County has to plow any of the Airport areas would be a separate issue. Chairman Raymond requested that language be added that the tenants would clear snow, etc. or whatever is in the leasehold. Mr. Ritchey said his department plows some of the leasehold areas. Chairman Raymond said whatever is done now stays the same until January 1st.

Chairman Raymond stated this subcommittee will have to meet again because there is not time to finish up today due to other County meetings. She set the next meeting for **Friday, August 17th at 10:00 a.m.** She requested anyone with comments to please e-mail them to Tom Speziale.

On a motion by Mr. Hunter, seconded by Mr. Lucia, the meeting was adjourned.

Respectfully submitted,

Elaine M. Sodemann