

- b. Must have available at least two rental aircraft, one of which must be a two-place trainer and one must be a four-place utility aircraft, the power plant of which is not less than 150 HP.
 - c. Must provide rental for flight instruction, sight-seeing and business use.
7. Administration Area -
- a. Provide and maintain administration area, including flight planning area and visitor and passenger waiting area.
 - b. Leased area utilities are the responsibility of the FBO.
 - c. Must provide flight planning area with current aviation charts, clock set to Greenwich time, phone weather briefers, and appropriate furniture.
 - d. Must provide classroom area suitably furnished.
 - e. Must provide, at a minimum, vending machines capable of distributing soft drinks and snacks.
 - f. Must operate and maintain UNICOM.
- D. The fixed base operator will have the following duties in regards to the airport grounds as provided pursuant to the Lease Agreement:
- 1. Responsible for snow removal.
 - 2. Mowing and trash removal on areas not leased to others.
 - 3. Sweeping asphalt surfaces when build-up requires.
 - 4. Must maintain an adequate stock of light bulbs, transformers, and fixtures for all airport lighting and replace them when normal life is reached.
 - 5. Must pay utility cost on airport runway lights and navigation aids including rotating beacon.
- E. Insurance requirements:
- 1. Must maintain insurance as required by State and Federal governments on rental aircraft.
 - 2. Provide a general liability insurance policy with single limit coverage of \$5 million dollars, naming New Kent County as an additional insured.
 - 3. Must provide fire, extended coverage, vandalism, and other hazards insurance policy on existing hangars and administration complex in an amount of at least 90% of the value of the buildings, naming the County as an additional insured.

III. Privileges Available to FBO

As required under FAA guidelines, aeronautical activities will not be

given exclusively to any one proprietor. Therefore, the rights listed in this section will not be exclusive and should another FBO be willing to operate in accordance with the County's Rules, Regulations and Minimum Standards, space will be provided if it is available. Depending upon negotiations, the following privileges and sources of revenue may be available to the successful FBO:

- A. The right to charge hangar rental.
- B. The right to charge overnight and monthly tie-down fees.
- C. The right to conduct a flight school.
- D. The right to conduct an aircraft repair service.
- E. The right to sell aviation gas, oil, and like supplies.
- F. The right to base a 135 Charter Taxi.
- G. The right to provide sight-seeing by aircraft rentals.
- H. The right to provide based agricultural aircraft service.
- I. The right to provide a based aerial photography service.
- J. The right to retail incidental aviation supplies.
- K. The right to sell and broker aircraft.
- L. The right to sublet office space for aeronautical related activities (with County approval).
- M. The right to place vending machines on the premises.
- N. The right to provide ground transportation (taxi, car rentals).
- O. The right to establish on-premise travel support businesses, (restaurants, etc.) and other non-aeronautical uses with County approval.
- P. The right to negotiate with the County for additional leased areas for aviation activities.
- Q. The right to negotiate future improvements and service to the Airport facility.

IV. Firm and Proposal Requirements

- A. Firm Requirements - Each firm or person making a proposal shall submit the following:
 - 1. Evidence of experience in the conduct of an active fixed base operation or other business activity.
 - 2. A current credit report covering all areas in which the offerer has done business in the last ten (10) years (under whatever name). The County reserves the right to verify all data submitted.
 - 3. A current financial statement prepared or certified by a CPA

including a balance sheet and profit and loss statement, if a company. (If a newly formed company, evidence of a satisfactory line of credit is to be furnished).

4. A list of all assets owned or to be purchased which will be used in the business at the Airport.
 5. A written authorization for the FAA and all aviation or aeronautical commissions, administrators, or departments of all states in which the applicant has engaged in aviation business to supply the County of New Kent with all information in their files relating to the offerer or his operation. The offerer shall execute such forms, releases and discharges as may be requested by any of these agencies.
 6. A list of the firm's officers and all personnel to be employed at the airport including resumes of key personnel.
- B. Proposal Requirements - Each proposal submitted shall include the following:
1. The six items listed under paragraph IV.A.
 2. Evidence that all of the requirements and standards of paragraph II.C can be met (each of the items should be specifically addressed).
 3. A proposed outline of a general operations plan showing how the required standards will be met.
 4. An outline of present and future proposed capital investments by the offerer such as hangar construction, office space, etc.
 5. A statement incorporating the offerer's ideas as to how the County should be compensated for the agreement to lease (i.e. flat rental fee, percentage of gross, percentage of certain concessions, capital improvements by FBO, a combination of these, etc.) and the length of the term.
 6. It should be clearly understood that the County's objective is to obtain the FBO whose proposal is in accordance with the County's goals and objectives for the airport and which is most advantageous to the County. The terms of the final lease and other agreements will be structured to accomplish this objective. The offerer's proposals for operations and improvements at the airport will carry great weight in the selection process. The County also intends to insure that any firm selected has the financial ability to fulfill its promises.

V. Selection Process

- A. The reviewing committee will be comprised of six (6) members including representatives from the County government and persons familiar with aviation activities. Firms submitting statements shall supply narratives and other data addressing the requirements of the request for proposal and the evaluation criteria. After the submittals have been reviewed, the County will engage in individual discussions with the offerers deemed most qualified, responsible and

suitable. The evaluation criteria and a relative priority ranking in descending order of importance for the selection of those firms interview is as follows:

1. The content of the proposal and its relationship to the County's goals for development of the airport.
 2. Prior experience of the offerer with similar fixed base operations.
 3. Qualifications of the fixed base operator and employees.
 4. Overall qualifications and experience of the firm (if a company).
 5. Quality of the content of the proposal and its responsiveness to the request for proposals.
 6. Sufficiency of financial resources and ability of the proposer to perform or provide the services required.
 7. The potential benefits (and/or costs) to the County in entering the agreement proposed by the offerer.
- B. Based on the evaluation criteria, at least three (3) offerers deemed to be the most qualified, responsible and suitable on the basis of the initial responses shall be selected. (If less than three proposals are received, then less than three offerers may be selected). Individual discussions will then be had with each such offerer. Repetitive informal interviews may be conducted. Such offerers shall be encouraged to elaborate on their qualifications, scope of work, past performance, or expertise pertinent to the proposed work (as well as any alternatives they may have). Proprietary information from competing offerers shall not be disclosed to the public or to competitors. Price or rental benefits shall be considered but will not be the sole determining factor in negotiations. After negotiations have been conducted with each offerer so selected, the offerer shall be selected which in the opinion of the County has made the best proposal and the contract shall be offered to that offerer. If the selection committee after the initial submission of proposals determines in writing, at their sole discretion, that only one offerer is fully qualified or that one offerer is clearly more qualified than others under consideration, a contract may be negotiated and awarded to that offerer without further delay.

VI. Contract Conditions

- A. Appendices I and II include information and conditions regarding the proposed contract and applicable to this procurement transaction. These appendices are to be considered a part of this request for proposal and every offerer submitting a proposal agrees to be bound by the terms of the appendices. Please sign and return Appendix II with your proposal.
- B. Should you have any questions concerning this request for proposal, please contact R.J. Emerson, Jr., AICP, County Administrator, at (804) 966-9695 and written instructions or clarification will be forwarded to all proposers.

APPENDIX A

NEW KENT COUNTY AIRPORT

W 96

NEW KENT COUNTY, VIRGINIA

RULES, REGULATIONS

AND

MINIMUM STANDARDS

DRAFT EDITION: JULY 1994

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Include helicopters and ultralights:

Heavy twins: 1500 AGL

Single engine: 1000 AGL

Ultralights: 500 AGL and below

No straight-ins

CHAPTER 1

GENERAL PROVISIONS

SECTION 1 PURPOSE

These airport rules and regulations and minimum standards, hereinafter referred to as "regulations and standards," are adopted to establish the necessary administrative, operational and safety regulations and standards for the management, government and use of the New Kent County Airport (W 96).

SECTION 2 DEFINITIONS

The following words and terms shall have the meaning indicated below, unless the context clearly requires otherwise:

- 2.1 **AGL:** An altitude expressed in feet measured above ground level.
- 2.2 **AIM:** Airmen's Information Manual. A publication containing basic flight information and air traffic control procedures designed primarily for use as a pilot's instructional manual in the National Airspace System of the United States.
- 2.3 **Aeronautical Activities:** Any activity which involves, makes possible, or is required for the operation of aircraft, or which contributes to, or is required for the safety of such operations. Aeronautical activities include, but are not limited to: Air taxi and charter operations, pilot training, aircraft rental, aircraft hangar leasing, sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sales of aviation petroleum products, repair and maintenance of aircraft, sales of aircraft parts and any other activities which directly relate to the operation of aircraft. In contrast, examples which are not "Aeronautical Activities" include: Ground transportation (taxis, car rentals, limousine service, etc.), restaurants, in-flight food catering and auto parking lots.
- 2.4 **Airport:** New Kent County Airport (W 96) and all of the property, buildings, facilities and improvements within the exterior boundaries of such airport as it now exists on the Airport Layout Plan, or as it may hereafter be extended, enlarged or modified.
- 2.5 **Airport Manager:** The designated person (or his designee) appointed by the county to manage the airport.
- 2.6 **Airport Operations Area (AOA):** The area of the airport used, or intended to be used for landing, take off or surface maneuvering of aircraft, including the associated hangars and navigational and communication facilities.
- 2.7 **County:** The county of New Kent, Virginia, Board of Supervisors, designated officials, officers, employees or representatives unless otherwise designated; i.e., County Airport Manager, County Administrator, County Attorney, County Planner.

- 2.8 **FAA:** Federal Aviation Administration.
- 2.9 **FAR:** Federal Aviation Regulations.
- 2.10 **FBO:** Fixed Base Operator(s) duly licensed and authorized by written agreement with the county to operate at the airport under strict compliance with such agreement and pursuant to these regulations and standards.
- 2.11 **Flying Club:** An organization established to promote flying for pleasure, and develop skills in aeronautics, including pilotage, navigation and awareness and appreciation of aviation requirements and techniques.
- 2.12 **Full Service FBO:** A Fixed Base Operator who provides retail aviation fuel and oil sales and aircraft maintenance per these regulations and standards.
- 2.13 **Heavy Twin:** A multi-engine aircraft with a gross weight exceeding 12,500 pounds.
- 2.14 **IFR:** Instrument Flight Rules which govern the procedures for conducting instrument flight.
- 2.15 **Individual Users:** Individual pilots, aircraft owners, tie-down and t-hangar renters, transient users and other individual users of the airport.
- 2.16 **Landside:** All buildings and surfaces used by surface vehicular and pedestrian traffic on airport.
- 2.17 **Light Twin:** A multi-engine aircraft with a gross weight of less than 12,500 pounds.
- 2.18 **MSL:** An altitude expressed in feet measured from Mean Sea Level.
- 2.19 **Minimum Standards:** The standards which are established by the county as the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the airport.
- 2.20 **NFPA:** National Fire Protection Association.
- 2.21 **NOTAM:** "Notice to Airmen" published by the FAA.
- 2.22 **Proprietary/Aeronautical Activity:** An activity, as prescribed by FAA Advisory Circular 150/5190-2A (Exclusive Rights at Airports), in which the county may engage while denying others the right to engage in the same activity.
- 2.23 **Unicom:** A nongovernmental communications facility which may provide airport information at certain airports. Locations and frequencies are shown on aeronautical charts and publications.
- 2.24 **VDA:** Virginia Department of Aviation.

SECTION 3 AIRPORT MANAGER

The Airport Manager, or his authorized representative, who is authorized to take all actions necessary to regulate, benefit and protect the public who use the airport, to regulate aircraft and vehicular traffic at the airport, and to oversee all airport operations consistent with these regulations and standards and the laws of the Commonwealth of Virginia. The Airport Manager is the county representative for airport operations.

SECTION 4 RULES AND REGULATIONS

All aeronautical activities at the airport, all operations and flying of aircraft at the airport, and all business and other activities at the airport shall be conducted in conformity with these regulations and standards, all pertinent statutes, ordinances, laws, rules, regulations, orders and rulings of the FAA, VDA, the Commonwealth of Virginia and the NFPA which are made a part of these regulations and standards by this reference. In the event of any conflict between these regulations and standards and the statute, ordinance, law, rule, regulation, order or ruling of any governmental entity cited in this section and exercising the same or similar jurisdiction, the latter shall prevail.

SECTION 5 SPECIAL EVENTS

No special event, including but not limited to air shows, air races, fly-ins, skydiving or other events requiring the general use of the airport, other than normal or routine airport traffic, shall be held unless formal written approval for the event has been granted by the Board of Supervisors. Said approval shall specify the areas of the airport authorized for such special use, dates and such other terms and conditions as the Board of Supervisors may require.

SECTION 6 PUBLIC USE

The airport shall be open for public use 24 hours per day, 365 days per year, subject to restrictions due to weather, the conditions of the Airport Operations Area and special events and like clauses, as may be determined by the county. The airport is provided by the county for the use, benefit and enjoyment of the public.

SECTION 7 COMMON USE AREAS

Common use areas include all runways for landing and take-off, taxiways, airport lighting, all apparatus or equipment for disseminating weather and wind information, for radio or other electrical communication and any other structure, equipment or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and take-off of aircraft. All parallel and connector taxiways shall be common use areas. All apron taxiways through leased areas shall be considered common use areas available for use, in common, by all persons flying or operating aircraft on the airport and shall be kept clear and available for aircraft traffic. T-hangar taxilanes are also considered common use areas. No FBO or other person shall use any common use area for the parking or storing of aircraft, the repair, servicing or fueling of aircraft, or for any other purpose, other than the flying and operation of aircraft, without the prior consent of the county or its authorized representative. Common use area designations may be changed by the county at any time.

SECTION 8 VEHICULAR TRAFFIC AND PARKING

The traffic laws of the Commonwealth of Virginia shall apply to the streets, roads and vehicular parking areas at the airport, unless otherwise provided by law. All traffic, informational and warning signs shall be obeyed. Except for fire-fighting equipment, ambulance and emergency vehicles, no person shall take or drive any vehicle on the airport other than on established streets, roads and vehicular parking facilities, unless permission has been first obtained from the Airport Manager or, in his absence, the Full Service FBO. This permission is not required for personal vehicles operated onto the tie-down ramp areas to and from a parked aircraft, or to the t-hangar area by t-hangar renters. The pilot in command of parked aircraft, or his authorized representative, must operate the vehicle onto the ramp area. Operators of unauthorized vehicles shall be subject to arrest, and vehicles towed, if necessary, at the owner's expense. In addition to the foregoing, the following rules apply to vehicles operated on the airport:

- 8.1 No person shall operate a motor vehicle on the airport in a reckless or negligent manner. Except for fire, emergency or law enforcement vehicles, no person shall operate a motor vehicle on the Airport Operations Area portion of the airport in excess of 15 miles per hour.
- 8.2 Pedestrians and aircraft shall have the right of way at all times. When vehicles are operating on the Airport Operations Area, they shall pass to the rear, and at least 20 feet clear of taxiing aircraft.
- 8.3 When parking on the tie-down or transient apron, vehicles shall be parked clear of taxilanes and parked aircraft so as not to endanger, damage or interfere with such aircraft.
- 8.4 The operator of any vehicle must have a valid drivers license and be qualified to drive the vehicle being operated.

SECTION 9 ADVERTISING AND SIGNS

No signs or other advertising shall be placed or constructed upon the airport, or any building, or structure or improvement thereon without having first obtained written approval from the county. The county may refuse permission for such signs if it determines that such signs are undesirable, unnecessary or may create a safety hazard.

SECTION 10 ACCEPTANCE OF RULES BY USE

The use of the airport shall constitute an acceptance by the user of these regulations and standards, and shall create an obligation on the part of the user to obey these regulations and standards.

SECTION 11 REGULATIONS AND STANDARDS MADE AVAILABLE

All persons permitted to do business on the airport shall keep a current copy of these regulations and standards and shall make the copy available to all persons requesting a copy. A copy shall be posted at all times in a conspicuous location at the airport, the county administration building and at such other public places as the Board of Supervisors may direct.

SECTION 12 PEDESTRIANS

All pedestrians at the airport shall remain behind the fenced Airport Operations Area unless arriving or departing in an aircraft, or unless escorted by an airport employee or authorized representative.

CHAPTER II

AIRCRAFT OPERATION AND AIRPORT TRAFFIC

SECTION 1 GENERAL

- 1.1 Every person operating an aircraft shall comply with, and operate such aircraft in conformity with procedures recommended in the AIM, and these regulations and standards, and all pertinent statutes, ordinances, laws, rules, regulations, orders and rulings of the FAA, VDA and other appropriate governmental agencies. Each person operating an aircraft is responsible for the safety of his operation and the safety of others exposed to such operation.
- 1.2 Anyone proposing an aeronautical activity at the New Kent County Airport, other than the activities specifically described and allowed herein, shall submit a request in writing to the County Planner for approval prior to engaging in such activity. The written request shall thoroughly describe the activity, the operations and all provisions for ensuring the safety of such operations. The requested aeronautical activity will not be conducted until properly coordinated and approved in writing by the Airport Manager and until all other prerequisites to conducting such activity have been satisfied.
- 1.3 All pilots of aircraft having radio equipment permitting two-way communications shall contact the airport's CTAF on 122.8 to obtain airport advisory information, if available, and announce their intentions when they are within ten miles of the airport. Pilots having radios permitting reception only should maintain a listening watch on the frequency at the airport when they are within ten miles of the airport.
- 1.4 The attached traffic pattern map (appendix A) is made a part of these regulations and standards, and each person operating an aircraft shall comply with such map.
- 1.5 All aircraft must follow the appropriate taxiway and runway guidance marking and lighting when operating on the airport.
- 1.6 Aircraft shall not be operated carelessly or negligently, nor with disregard of the rights or safety of others.
- 1.7 If the Airport Manager, or in his absence, the designated Full Service FBO manager, believes the conditions at the airport are unsafe for takeoffs or landings, it shall be within his authority to issue a NOTAM to close the airport, or any portion thereof, for a reasonable time so the unsafe condition may be corrected.
- 1.8 In the event any aircraft is wrecked or damaged to the extent that it cannot be moved under its own power, the Airport Manager, or in his absence the designated Full Service FBO, shall be immediately notified by the pilot in command of the aircraft (or an FBO if the pilot in command is unable to give notice). Subject to governmental investigations and inspection of the wrecked or damaged aircraft, the owner or pilot of the aircraft, or the owner's agent or legal representative, shall take immediate action to move the aircraft from all landing areas, taxiways, ramps, tie-down areas and other traffic areas, and move it to a place designated by the Airport Manager. No such aircraft shall be permitted to

remain exposed to view on the airport for more than 24 hours. If the owner of the aircraft fails for any reason to remove the wrecked or damaged aircraft from the airport as may be requested by the Airport Manager, or to remove it from the Airport Operations Area as herein indicated, the FBO, to perform this function, may cause the removal and storage or disposal of such wrecked or damaged aircraft at the sole expense of the aircraft owner.

- 1.9 Every aircraft owner, operator or lessee shall pay when due all charges for services received, or premises, equipment or goods leased or purchased.

SECTION 2 PARKED AIRCRAFT AND AIRCRAFT OWNER SELF MAINTENANCE

- 2.1 No person shall park, store, tie down or leave any aircraft on any area of the airport other than designated by the Airport Manager, or by a Full Service FBO subject to approval of the Airport Manager.
- 2.2 The pilot or owner of an aircraft shall properly secure the aircraft while it is parked or stored. Aircraft pilots or owners are solely responsible for parking and tying down their aircraft, including any special security measures required by weather conditions or other conditions at the airport. Aircraft pilots or owners shall be responsible for securing aircraft in a manner necessary to avoid damage to other aircraft or buildings at the airport in the event of wind or severe weather. Owners of all aircraft shall be held solely responsible for any damage or loss resulting from the failure of such owner or the pilot of such aircraft to comply with this rule.
- 2.3 Separate areas shall be designated by the county for FBO aircraft and itinerant tie-downs. No person shall use any aircraft anchoring or tie-down facilities when such facilities are already in actual use, rented to or designated by the county for use by another person.
- 2.4 Repairs to aircraft or engines shall be made in the areas designated for this purpose by the county, and not on any part of the landing area, taxiways, ramps or fueling service areas. No person shall allow a person who is not his employee onto the airport to perform maintenance on his owned or operated aircraft unless the aircraft requires a repair which cannot be adequately performed by an authorized full service FBO providing aircraft maintenance and repair services on the airport. An employee is defined as an individual on the normal payroll of the employer, hired to perform a specific function on a full time basis for that employer. Any aircraft owner utilizing an employee to perform aircraft maintenance may be required to provide the county evidence of employment in a form acceptable to the county. Social Security records, corporate identification, etc., shall be deemed acceptable evidence of employment. An aircraft owner shall not contract with a second party, such as an aircraft maintenance company or contractor, to perform "scheduled" maintenance on his aircraft at the airport unless said company or contractor is recognized by the county as an authorized maintenance FBO as defined in these regulations and standards. The pilot or owner of an aircraft shall not be restricted at any time in performing routine maintenance on, or cleaning and servicing his/her aircraft, as long as it does not violate these rules and regulations, nor in any way conflict with county, state or FAA requirements for such work. If other than routine maintenance or service is required, then the pilot or owner may notify the FBO,

and the FBO shall have the opportunity to provide those services, providing the FBO has the capabilities so to do and conforms to these rules and regulations and FAA standards for such work. "Unscheduled" maintenance is limited to the following:

- 2.4.1 Warranted maintenance work that requires repair or additional attention by the warranting company;
 - 2.4.2 A malfunction that prevents the aircraft from being taken to another airport for maintenance and;
 - 2.4.3 maintenance work that requires a specialty service that is not being provided by an existing FBO operating at the airport.
- 2.5 All aircraft maintenance shall be conducted strictly in accordance with these regulations and standards; all federal, state and county fire and safety regulations; all federal, state and county rules and regulations; air worthiness directives and; other applicable rules and regulations.
- 2.6 No aircraft engine shall be started on an aircraft unless a competent operator is in control of the aircraft.
- 2.7 No aircraft engine shall be run up unless the aircraft is in such a position that the propeller or turbine engine blast clears all hangars, shops, other buildings, persons, other aircraft and automobiles or vehicles in the area, and the flight path of landing aircraft.

SECTION 3 TAXIING

- 3.1 All aircraft shall be taxied at the lowest reasonable speed.
- 3.2 Aircraft awaiting take-off shall stop off the runway and in a position so as to have a direct view of aircraft approaching for a landing, and shall give full right-of-way to such approaching aircraft.
- 3.3 No person shall taxi an aircraft until he has ascertained by visual inspection of the area that there will be no danger of collision with any person or object.
- 3.4 Aircraft on the taxiway must stop before entering the runway and allow aircraft which are exiting the runway to clear the runway. Aircraft clearing the runway after landing have the right-of-way over aircraft on the taxiway preparing to enter the runway.
- 3.5 Back taxiing on the runway shall be done only if it can be done safely and only when associated taxiways are closed or when no other taxiing route is available.

SECTION 4 TRAFFIC RULES

- 4.1 All pre-takeoff checks shall be completed before taxiing to takeoff position on the runway.

- 4.2 All aircraft taking off shall proceed straight ahead to an altitude of at least 500 feet AGL and, after ascertaining there is no danger of collision with other aircraft, shall then follow normal practice as outlined in appendix A, and the AIM.
- 4.3 All aircraft intending to remain in the traffic pattern shall continue to climb to the traffic altitude of 1000 feet AGL for singles and light twins, and 1500 feet AGL for heavy twins, following procedures as described in the AIM, and thereafter follow the pattern as set forth on the attached traffic pattern chart (appendix A). Helicopters shall maintain an altitude of 500 feet AGL and remain clear of fixed wing traffic. Aircraft having flight characteristics which make the above procedures impossible shall be flown at approach altitudes for that type of aircraft and shall conform to the pattern shown as nearly as possible.
- 4.4 Operators of ultralight aircraft must be vigilant for other aircraft operating around the airport at altitudes from 600 feet to 1,500 AGL. Ultralight operations must be avoided in close proximity to aircraft of greater speed and weight. When operating within the traffic pattern of the airport (which is uncontrolled), ultralight pilots must be concerned, pay close attention and conform to the landing direction indicators on the airport. It is the responsibility of the ultralight pilot to determine the safe landing direction for his/her aircraft.
- 4.5 Existing residential areas adjacent to, and in close proximity to the airport should be avoided to the fullest possible extent during landings and takeoffs. The established airport traffic pattern should be strictly observed in the interest of safety to persons on the ground and in the interest of noise abatement to residents within the operational radius of the airport. Standard noise abatement procedures should be followed on all takeoff procedures for subsonic turbojet powered aircraft.
- 4.6 All IFR approaches in VFR weather conditions shall be conducted in accordance with the applicable FAR's and recommended procedures in the AIM.

SECTION 5 LANDINGS

- 5.1 Aircraft entering the traffic pattern shall do so as described in the AIM.
- 5.2 All aircraft shall turn off the runway as soon as reasonably possible after landing, and taxi only on designated taxiways.

SECTION 6 FIRE PREVENTION AND AIRCRAFT SELF-FUELING

- 6.1 **General.** The purpose of this section is to provide fire prevention and self-fueling regulations and standards for persons who service or fuel their own aircraft. Persons who intend to use flammable or volatile liquids on the airport and/or fuel their own aircraft shall do so in accordance with the requirements of the National Fire Protection Association (NFPA) 407 Standard for Aircraft Fuel Servicing and FAA Advisory Circular 150/5230-4 (with all changes). The following shall apply except where applicable codes differ, in which case the latter shall prevail.

- 6.2 **Flammable or Volatile Liquids.** No person shall use flammable or volatile liquids having a flash point of less than 100 degrees Fahrenheit in the cleaning of aircraft, aircraft engines, propellers, appliances, or for any other purpose. The procedures and precautions outlined in the criteria of NFPA pamphlet 410-D (Safeguarding Aircraft Cleaning, Painting and Paint Removal) and NFPA pamphlet 410-F (Aircraft Cabin Cleaning and Refurbishing Operations) are hereby incorporated by reference and made part of this section as if fully set out herein, and shall be adhered to in all cleaning, painting and refurbishing operations using flammable and volatile fluids, including the storage of such fluids. No rags soiled with flammable substances shall be kept or stored in any building on the airport with the exception of county approved aircraft maintenance facilities, but only if kept or stored in a manner acceptable to the county.
- 6.3 **Cleaning and Liquid Disposal.** No person shall clean any engines or other parts of an aircraft in any hangar with flammable substances. If flammable liquids are used for this purpose, the operations shall be carried on in the open air in the designated owner maintenance area. Fuels, oils, dopes, paints, solvents and acids shall not be disposed of, or dumped into drains on the aprons, catch basins, ditches (on, or adjacent to the airport) or elsewhere on the airport. Such liquids shall be disposed of at an approved waste disposal point off property.
- 6.4 **Cleaning Floors.** Floors shall be kept clean and free of oil. The use of volatile or flammable solvents for cleaning floors is prohibited.
- 6.5 **Drip Pans.** If required by aircraft design, drip pans shall be placed under engines and kept clean.
- 6.6 **Fueling Operations.** No fixed wing aircraft shall be fueled while its engine is running, or while in a hangar or other enclosed place. Adequate connections for grounding of electricity shall be continuously maintained during fueling. Persons may only self-fuel aircraft owned by them provided such operation is conducted in accordance with NFPA 407 and these regulations and standards. Self-fueling shall be conducted only in those areas so designated. An aircraft owner may service his own aircraft, provided he does so personally, or with his own full time employee and his own equipment in accordance with the established regulations related to such work. Any aircraft owner utilizing an employee to perform aircraft self fueling may be required to provide the county evidence of employment in a form acceptable to the county. Social Security records, corporate identification, etc., shall be deemed acceptable evidence of employment. Full service FBO's may fuel aircraft in areas other than the designated self-fueling area.
- 6.7 **Fuel Storage.** No fuels shall be stored on airport property other than the airport's bulk storage and distribution system (fuel farm) except:
- 6.7.1 Fuel stored in a tank on a maintenance vehicle used for the refueling of grounds maintenance equipment and;
- 6.7.2 a mobile refueling gas tank used by the designated full service FBO for the purpose of refueling the aircraft refueling vehicles.

Fuel Servicing Vehicles. No person shall dispense fuel into his/her own aircraft. All fuel dispensing into aircraft on the airport shall be done by the FBO or his/her designated representative. The FBO shall use only fully approved servicing vehicles (hereinafter referred to as "refuelers") to dispense fuel at any airport location.

- 6.8.1 Refuelers and their systems shall be maintained and operated in accordance with Environmental Protection Agency (EPA), federal, state and local codes covering fuel dispensing on airports, and NFPA 407 (latest edition). The applicable sections of FAA Advisory Circular 150/5230-4 (with revisions) shall be followed.
- 6.8.2 The FBO shall purchase and maintain in force insurance that will, in the opinion of the county, protect the FBO and the county from claims which may arise out of, or result from the fueling services performed, whether such services be performed by refueler operator's officers or employees, or by anyone for whose acts any one of them may be liable. The insurance coverage shall be such as to fully protect the county and the general public from any and all claims for injury or damage, or both, resulting, or arising from any actions or omissions on the part of the refueler operator, its officers or employees. The refueler operator shall furnish the county with a certificate of insurance naming the county as an additional insured for all coverage, in addition to updated certificates of insurance reflecting any and all changes to the refueler operator's insurance coverage, including, but not limited to changes in coverage terms, coverage limits, insured risks, agents or insurers. Should any of the coverage be canceled, the issuing company or its agent will mail a 30 day written notice of such cancellation to the county.
- 6.8.3 The FBO shall be accountable for any damage, fuel spills or environmental contamination resulting from its negligent operations or equipment malfunction. All such damages shall be paid for by the FBO. Adequate environmental insurance, or proof of financial ability to clean up a major spill, must be provided to the county prior to bringing a fuel servicing vehicle onto airport property and conducting refueling activity. Refueler operators shall be fully responsible for the protection of all persons, including members of the public, employees of other contractors or subcontractors, and all public and private property which are affected by work performed by, or on behalf of the refueler operator.
- 6.8.4 An annual fee of \$500.00 will be paid to New Kent county to obtain a permit to conduct volume fueling operations at the airport. Volume fueling shall be defined as fueling of more than one owner aircraft, or aircraft larger than a single, reciprocating engine type.
- 6.8.5 Each refueler shall be conspicuously marked in letters of contrasting color, with the word "flammable" on both sides and rear of the cargo tank, and with the wording "emergency shutoff" and other appropriate operating instructions required at the emergency operating devices in letters at least two inches. Each refueler will also be conspicuously marked on both sides and rear with the type and grade of fuel it contains in appropriate color schemes.

- 6.8.6 A refueler cargo tank shall be supported by, attached to, or be part of the vehicle upon which it is carried.
- 6.8.7 Refueling with non-public refuelers shall be conducted only in those areas designated in writing by the county.
- 6.9 **Contracts Prohibited.** An aircraft owner shall not contract with, or permit a second party, such as a fuel service company or fuel contractor, to refuel his aircraft. Refueling by such a second party is considered a commercial aeronautical activity.
- 6.10 **Fuel Flowage Fee.** The FBO, or any full service FBO, shall pay a fuel flowage fee to the county, as defined below, for all fuel pumped in excess of 500 gallons in a calendar year. A fuel flow report, invoice or receipt with the appropriate remittance shall be provided to the Airport Manager by the last day of each month for the fuel dispensed on the airport during such month.

Fuel Flowage Fee: New Kent County Airport

Gallons Pumped Per Year	Fee in \$ Per Gallon
0 - 500,000	0.05
500,001 - 1,000,000	0.10
1,000,001 - 1,500,000	0.125
1,500,001 and above	0.15

SECTION 7 NON-COMMERCIAL SAILPLANE OPERATIONS

No glider, sailplane, ultralight, hang-glider or similar aircraft will be allowed to operate at the airport without the express written consent of the county.

CHAPTER III

AIRPORT OPERATORS, LEASES, CONCESSIONS AND MINIMUM STANDARDS

SECTION 1 BUSINESS ACTIVITIES

Subject to applicable orders, certificates or permits of the FAA, or its successors, grant agreements with the FAA or VDA and the laws of the Commonwealth of Virginia, no person shall use the airport or any portion thereof, or any of its improvements or facilities as a primary base for operations for commercial, business or aeronautical activities who has not first obtained the consent and required approval and/or licenses for such use from the county and entered into such written leases and sub-leases and other agreements as may be required by the Board of Supervisors.

Notwithstanding any other provisions of these regulations and standards, and any FBO lease agreement now or hereafter approved by the county, the requirements of the latter shall prevail.

SECTION 2 APPLICATION PROCEDURES

Any applicant wishing to establish an aeronautical activity on the airport shall be furnished a copy of these Minimum Standards, and all amendments thereto, and shall make application in writing to the county, setting forth in detail the following:

- 2.1 Name and address of the applicant.
- 2.2 A current financial statement prepared by financial entities approved by the county.
- 2.3 A certified written listing of the assets owned or being purchased which will be used in the applicant's operation business at the airport.
- 2.4 A current credit report covering all business in which the applicant has engaged during the past five years of business. If business has not been in existence for five years, the report shall cover all businesses in which the principals have engaged in the past five year period.
- 2.5 A description of previous experience in airport services, a listing of key personnel to be assigned to the New Kent County Airport, and a description of the duties, responsibilities and prior experience of such personnel.
- 2.6 A written and signed authorization permitting the FAA, all aviation or aeronautical commissions, administrators or departments of all states in which the applicant or its key personnel has engaged in aviation business, and all airports at which the applicant or its key personnel has been, or, at time of application, is conducting a business, to supply the county with all information in their files relating to the application, the applicant's operations or the applicant's key personnel. The applicant shall execute such forms, releases and discharges as may be requested by any of these agencies or by the county.
- 2.7 Tools, equipment, services and inventory, if any, proposed to be furnished in connection with such activity.

- 2.8 Requested or proposed date for commencement of the activity and the term of conducting the same.
- 2.9 Estimated cost of any structures or facilities to be furnished, the proposed specifications for same, and the means or method of financing such construction or acquisition of facilities in connection with this proposal and required Fixed Base Operations Agreement.

SECTION 3 NOTICE AND HEARING

Upon the filing of such an application with the county, it shall be immediately referred to the Airport Advisory Commission and considered at the next scheduled meeting. If no meeting is scheduled within 30 days from the filing of such application, a meeting shall be called for considering same and notice thereof given to the applicant.

If such application involves conduct of an aeronautical activity for commercial purposes, all other persons then conducting commercial aeronautical activities on the airport shall also be notified of the filing of such application, and the time and place of the Airport Advisory Commission meeting to consider the same.

Upon consideration of the application, the Airport Advisory Commission shall determine whether the applicant meets the standards and qualifications as herein established, and whether such application should be granted in whole or in part, and if so, upon what terms and conditions, and shall make a report and recommendations to the Board of Supervisors concerning the same.

Upon receipt of recommendation of the Commission, the Board of Supervisors shall include said matter on the agenda of the next regular meeting and, at such meeting or at a subsequent meeting to which it may be passed, shall approve, modify or reject such recommendations and application and immediately advise the applicant of the disposition in the matter.

SECTION 4 ACTION ON APPLICATION

The county may deny any application, or reject any bid or proposal to operate any activity on the airport if, in its opinion, it finds any one or more of the following:

- 4.1 The applicant does not meet the qualifications, standards and requirements established by these regulations and standards.
- 4.2 The applicant's proposed operations or construction will create a safety hazard.
- 4.3 The granting of the application will require the county to spend funds or to supply labor or materials which the county is unwilling to spend or supply.
- 4.4 There is no appropriate, adequate or available space or building on the airport to accommodate the applicant at the time of the application.
- 4.5 The proposed operation, airport development or construction does not comply with the FAA approved Airport Layout Plan for the airport.

- 4.6 The development or use of the area requested by the applicant will result in depriving existing FBO's of portions of the area in which they are operating; will result in congestion of aircraft or buildings or; will unduly interfere with the operations of any present FBO on the airport or prevent free access to the FBO's operations.
- 4.7 The applicant has supplied the county or any other person with any false information, has misrepresented any material fact, or has failed to make full disclosure in his application or in supporting documents.
- 4.8 The applicant has violated any of these regulations and standards, or the regulations and standards of any other airport, or the Civil Air Regulations, the Federal Aviation Regulations or any other statutes, ordinances, laws, orders, rules or regulations applicable to the airport or any other airport.
- 4.9 The applicant has defaulted in the performance of any lease or other agreement with the county.
- 4.10 The applicant's credit report contains negative information. The applicant does not appear to be a person of satisfactory business responsibility and reputation.
- 4.11 The applicant does not have, or appear to have access to operating funds necessary to conduct the proposed operation.
- 4.12 The applicant has committed any crime or violated any county ordinance.
- 4.13 The applicant is unable to obtain sufficient insurance, financial sureties or guarantors to protect the interest of the county, the Commonwealth of Virginia, the FAA or other appropriate governmental entities.
- 4.14 The applicant's activities or operations have been, or could be detrimental to the airport or another airport.
- 4.15 Nothing contained herein shall be construed to prohibit the county from granting or denying, for any reasons it deems sufficient, an application to do business at, or otherwise use the airport.

SECTION 5 AIRPORT LICENSE AND LEASES NON-TRANSFERABLE

No right, privilege, permit or license to do business at the airport, or any lease of any area of the airport or a part thereof shall be assigned, sold or otherwise transferred or conveyed in whole or in part without the prior express written consent of the county. No lease, or portion thereof may be assigned or sublet without prior approval of the county. All assignees or subleases approved by the county shall comply with these regulations and standards.

SECTION 6 RATES

Product prices, service charges or rates charged by FBO's at their leaseholds for hangar space, t-hangar rentals, tie downs, etc., shall not be excessive, discriminatory or otherwise unreasonable, and shall be

filed with the county.

SECTION 7 REFUSE

No person shall throw, dump or deposit any waste, refuse or garbage on airport grounds. All waste, refuse and garbage shall be placed, and kept enclosed in garbage cans or containers, and all areas of operations shall be kept safe, neat and clean at all times.

SECTION 8 APPROVAL OF CONSTRUCTION

No building, structure, tie down, ramp, paving, taxi area or any other improvement or addition on the airport shall be placed or constructed, enacted, altered or removed without prior written approval of the county. Prior to such work being done, the county may, at its discretion, require a work bond, letter of credit or other surety to guarantee the work. The form of such bond, letter of credit or surety shall be subject to the approval of the county attorney. The county shall consider conformance to the Airport Master Plan and Airport Layout Plan prior to the approval or denial of any construction or development at the airport. All construction shall comply with the Virginia Procurement Act.

SECTION 9 OPERATIONS AREA

No person authorized to operate or conduct business activities at the airport shall do so on any area except that approved in writing by the county or its authorized agent.

SECTION 10 FIXED BASE OPERATORS (FBO)

10.1 General FBO Regulations

10.1.1 Except in cases of an FBO offering t-hangar or inside hangar aircraft storage only, each FBO is required to provide and maintain an office which shall be staffed and open to the public during normal business hours of each normal business day. Such office shall be the operator's office or place of business on the airport. This office shall include a waiting room with appropriate furnishings, separate restrooms for men and women and a public telephone (unless adequate facilities currently exist as determined by the county). These facilities and office shall be kept in a neat, clean and orderly condition and properly painted. The office shall contain at least 300 square feet of inside floor space, less inside partitions. Only one office shall be required of each FBO. No FBO, its employees, agents, officers or other persons connected with the business shall use the office area or other facilities of any other FBO without consent of said FBO and the county.

10.1.2 Each FBO shall enter into an agreement with the county which shall include an agreement on the part of the FBO to accept, be bound by, comply with and conduct its business operations in accordance with these regulations and standards and to agree that this approval and authority to carry on business at the airport shall be subject to these regulations and standards.

10.1.3 Unless otherwise provided in a lease agreement with the county, the FBO shall, at its own expense, provide, construct, install, equip and maintain all utilities, buildings, structures, ramps, tie-down areas, taxiways, fences and all other facilities and

improvements requested or approved by the county for the FBO to carry on the activities or services authorized by the county.

- 10.1.4 The FBO shall pay when due all charges for water, sewer, power, telephone service and all other utilities and services supplied to this operation at the airport. The FBO shall also promptly pay, when due, all wages or salaries to his employees, and all rentals, fees and payments to the county.
- 10.1.5 Plans, specifications and FAA Form 7460-1 for any construction required by the FBO, shall be submitted to the county for review and approval within 60 days from the issuance of the airport business permit, and construction thereon shall commence within 60 days from the FAA and county's approval of the plans and specification. Unless otherwise provided in an FBO lease agreement, the deadlines provided in this paragraph may be extended by the county for good cause upon request of the FBO. All construction shall comply with applicable building codes and other ordinances, and the proper permits shall be secured and the fees shall be paid by the FBO.
- 10.1.6 Unless otherwise provided by the county, all operations of the FBO shall be conducted in an area of sufficient size to accommodate all services for which the operator is approved, allowing for growth in the foreseeable future and additional services as contemplated by the county. The FBO shall conduct its business operations strictly within the areas assigned it by the county and its operations shall not in any way interfere with the operations of the other FBO's, agencies or other businesses operating on the airport, the use of the airport by the general public or any common use areas. The FBO shall not use any common use areas except as authorized by these regulations and standards or by the county.
- 10.1.7 The FBO shall provide financial assurances or security (including personal guaranties) determined by the County to provide financial protection to the County against failure of the FBO to perform its obligations.
- 10.1.8 An FBO shall cooperate with the county and Airport Manager in the operation, management and control of the airport, and shall do all things necessary to advance or promote the airport and to develop and maintain the airport as an attractive, efficient and modern facility.
- 10.1.9 All complaints by any person other than the county against any FBO for violation of these regulations and standards, or the terms of an FBO agreement, shall be in writing and filed with the Airport Manager. All complaints shall be signed by the person making the complaint and shall specify dates, times, facts and witnesses, if any.
- 10.1.10 The FBO agrees to indemnify, defend, save and hold harmless the county, its agents, officers, representatives and employees, from, and against any and all actions, penalties, liability, claims, demands, damages or losses arising directly or indirectly out of acts or omissions of the FBO, its agents, officers, representatives, employees, servants, guests or visitors.
- 10.1.11 To guarantee performance of paragraph 10.1.10 above, the FBO shall secure, at its expense, public liability and property damage insurance on which the county

and its agents, officers, representatives and employees shall be named as additional insured. Such policies of insurance shall be maintained in full force and effect during all terms of existing leases, agreements or business licenses or renewals or extensions thereof. Such policies shall be in minimum amounts of \$5,000,000 on account of bodily injuries to, or death of one person, and \$5,000,000 on account of bodily injuries and \$5,000,000 on account of damage to property, and shall be placed with a reputable company approved by the county. Copies of all such policies of insurance shall be delivered to the county and shall be held for the benefit of the parties as their respective interests may appear. The amounts of said insurance shall not be deemed a limitation on the FBO's liability to the county. If the county or any of its authorized agents, officers, representatives or employees becomes liable for an amount in excess of the insurance, the FBO agrees to indemnify, defend, save and hold harmless the county, its agents, officers, representatives and employees for the whole thereof.

- 10.1.12 The FBO shall furnish all services authorized or approved by the county on a fair, and not unlawfully discriminatory basis to all persons, and shall charge fair, reasonable and no unlawfully discriminatory prices for each unit of service; provided that the FBO may make reasonable discounts, rebates or other similar types of price reductions to volume purchasers, if permitted by law.
- 10.1.13 Each FBO, upon being fully authorized by the county to construct any required physical facilities, shall immediately commence and conduct on a full time basis, all business activities and services upon completion of said facility.
- 10.1.14 The county may, at its discretion, terminate any lease or other agreement authorizing the FBO to conduct any services or businesses at the airport, which said termination shall automatically revoke the FBO's lease, for any cause or reason provided in these regulations and standards, or of the terms of any agreement between the county and the FBO, and in addition thereto, upon the happening of any one or more of the following:
1. Filing of a petition, voluntarily or involuntarily, for the adjudication of the FBO as bankrupt;
 2. the FBO making any general assignment for the benefit of creditors;
 3. abandonment or discontinuance of any permitted operation at the airport by the FBO, or the failure to conduct operation on a full time basis without the prior approval of the county;
 4. failure of the FBO to remedy any default or breach of violation by it or its personnel in keeping, observing, performing and complying with these regulations and standards and the terms, covenants and conditions in any lease or agreement entered into pursuant hereto on the part of the FBO to be performed kept or preserved, within 30 days from the date written notice from the county has been mailed, or delivered to the place of business of the FBO at the airport;

5. failure to promptly pay to county, when due, all rents, charges, fees and other payments which are payable to the county by the FBO;
 6. operation of the business of the FBO so as to create a safety hazard on the airport for other airport users, aircraft or property at the airport, the general public or any pilots, students or passengers;
 7. the discovery that the FBO has misrepresented, misstated, falsified, withheld or failed to make full or accurate disclosure of any information, and;
 8. any action or omission of the FBO or its principals which adversely affects, or may adversely affect the mission of the airport.
- 10.1.15 In the event of such termination, the FBO shall immediately and peaceably vacate the airport and surrender possession of the premises to the county and shall cease and desist all business operations at the airport. Should the FBO fail to make such surrender, the county shall have the right at once and without any notice to the FBO to enter and take full possession of the space occupied by the FBO at the airport by force otherwise, and to expel, oust and remove any and all persons that may be found within, or upon the space property at the sole expense of the FBO and without being liable to prosecution, or to any claim for damages. Upon such termination by the county, all rights, powers and privileges of the FBO shall cease and the FBO shall make no claim of any kind whatsoever against the county, its agents or representative by reason of such termination or any act or omission related thereto.
- 10.1.16 In addition to all other rights and remedies provided in these regulations and standards, the county shall have any and all other rights and remedies at law or in equity, including the equitable remedy of injunction, to enforce these regulations and standards, to obtain compliance herewith and to improve the penalties herein provided.
- 10.1.17 The Airport Manager, or any authorized agent of the county, shall have the right to inspect, at any time, all airport premises, together with the structures or improvements, and all aircraft, equipment, all licenses and registrations and all records of the FBO or its officers, agents, or representatives of agents.
- 10.1.18 The FBO shall park and store the aircraft used in its operations and its customers' aircraft only on areas assigned by the county, unless alternate arrangements for such parking or storage are made with another FBO or the Airport Manager.
- 10.1.19 The FBO will provide an owner maintenance area for minor authorized, or other minor maintenance procedures by owners.
- 10.1.20 The FBO will provide written lease agreements for all hangar space. The

agreements will outline limitations and responsibilities of both lessee and lessor.

10.1.21 The FBO will be responsible for establishing and maintaining a listing of available hangar space and current hangar and tie-down rental rates at the airport.

10.2 FBO Minimum Standards

No person shall use the airport as an FBO until such person has executed a lease agreement approved by the county. The FBO must meet the qualifications, standards and requirements of these regulations and standards, pay all required fees and receive approval from the county. As appropriate, the county will accept requests to combine space from individual specialty provider FBO's who provide more than one commercial aeronautical activity. FBO's desiring to provide retail aviation fuel and oil sales are required to comply with Section 11 of this chapter entitled "Full Service FBO's: Minimum Standards." An FBO shall be a person who carries on, or conducts one or more of the below listed services at the airport, meets the applicable minimum standards for each service provided, and adheres to all general FBO regulations. All FBO's shall carry insurance coverage acceptable to the county, and shall comply with all certifications, notices of cancellation, additional insured requirements and other requirements or recommendations of the county.

10.2.1 Aviation Fuel Sales

Except as otherwise provided in any agreement between the FBO and the county, an FBO conducting aviation fuel and oil sales or service to the public on the airport shall be required to provide the following services and equipment;

1. Appropriate grades of aviation fuel including 100 octane low lead (100 LL);
2. an adequate inventory of generally accepted grades of aviation engine oil and lubricants;
3. fuel dispensing equipment, properly maintained, meeting all applicable federal, state and county requirements for such equipment for all types of fuel dispensed;
4. proper equipment for repairing and inflating aircraft tires, servicing oleo struts, changing engine oil, washing aircraft and aircraft windows and windshields and for recharging or energizing discharged aircraft batteries and starters;

5. safe storage and handling of fuel in conformance with all federal, state and county requirements and fire codes pertaining to safe storage and handling of fuel;
6. adequate towing equipment and parking and tiedown area to safely and efficiently move aircraft and store them in all reasonably expected weather conditions;
7. lawful and sanitary handling and timely disposal, away from the airport, of all trash, waste and other materials including, but not limited to used oil, solvents and other waste. (The piling and storage of crates, boxes, barrels and other containers will not be permitted within the leased premises.);
8. permanent restroom facilities for personnel and customers;
9. where flight operations are expected, a flight planning area with appropriate seating, work areas, communications facilities, directories and all items necessary for complete flight planning separate from other public areas;
10. adequate grounding wires installed, continuously inspected and maintained at all fueling locations, to eliminate the hazards of static electricity and;
11. an adequate supply of properly located fire extinguishers and other precautions and/or equipment required by county fire codes.

10.2.2 Aircraft Charter

Except as otherwise provided in any agreement between the FBO and the county, an FBO conducting aircraft charter and/or air taxi service shall be required to provide:

1. Passenger lounge, rest rooms and telephone facilities;
2. adequate table, desk or counter for checking in passengers, handling ticketing or fare collection and handling of luggage;
3. passenger liability insurance of at least \$100,000.00 per passenger seat and property damage liability of at least \$3,000,000.00;
4. at least one aircraft that:
 - a. has a seating capacity of at least four;
 - b. is certified for IFR flight;
 - c. meets exclusive use requirements as defined in FAR part

- 135.25 paragraphs (b) and (c) and;
- d. the operation must meet all requirements of FAR, part 135.

10.2.3 Aircraft Maintenance and Repair

Except as otherwise provided in any agreement between the FBO and the county, an FBO offering aircraft engine, airframe and accessory sales, maintenance and repair facilities to the public shall provide:

1. In case of airframe and/or engine repairs, sufficient hangar space to house any aircraft upon which such service is being performed;
2. suitable storage space for aircraft awaiting repair, maintenance or delivery;
3. adequate enclosed shop space to house the equipment and adequate equipment and tools, jacks, lifts and testing equipment to perform overhauls as required for FAA certification and repair of parts not needing replacement on all single engine land and light multi-engine land general aviation aircraft;
4. at least one FAA certificated air frame and power plant mechanic available eight hours per day, five days per week, and on call at all other times, with inspection authority for the work to be performed;
5. the ability to remove, or have removed, any disabled aircraft from the public landing area (as soon as permitted by FAA, NTSB and Virginia State Police authorities);
6. adequate provisions for the removal/disposal of solutions, cleaning agents, lubricants and other wastes in compliance with federal, state and county regulations;
7. access to at least one qualified avionics mechanic or repair facility;
8. facilities for washing and cleaning aircraft meeting Environmental Protection Agency requirements for stormwater discharge and;
9. storage of aircraft undergoing repair. Aircraft shall not be stored for salvage operations unless screened from public view.

10.2.4 Aircraft Rental

Except as otherwise provided in any agreement between the FBO and the county, an FBO conducting aircraft rental activity shall provide:

1. Suitable office space at the airport for consummating rentals and keeping proper records in connection therewith;
2. at least one airworthy aircraft suitably maintained and certificated;
3. hangar storage space for at least one aircraft to be used for rental purposes, if available;
4. adequate facilities for servicing and repairing the aircraft;
5. adequate arrangements for parking the aircraft being rented;
6. during eight hours minimum of each calendar day, a properly certificated pilot capable of conducting flight checks of prospective renters must be available;
7. adequate public liability and property damage insurance sufficient to protect the operator and the county from legal liabilities involved;
8. proper checklist and operating manual for all aircraft rented;
9. an adequate supply of properly located fire extinguishers and other precautions and/or equipment required by county fire codes and;
10. auto parking for customers and employees.

10.2.5 Flight Training

Except as otherwise provided in any agreement between the FBO and the county, an FBO conducting flight training activities shall provide:

1. At least one training aircraft that:
 - a. Has a minimum of two seats;
 - b. is maintained in accordance with Federal Aviation Regulations;
 - c. is kept in a clean and presentable manner and;
 - d. is available for training and rental.
2. at least one four place training and rental aircraft which complies with 1(b), (c), and (d) above;
3. equipment for IFR flight and training in at least one (1) of the

aircraft in 1 and 2 above, with the following equipment:

- a. a NAV/COMM radio;
 - b. transponder;
 - c. ADF;
 - d. marker beacon and;
 - e. current FAR 91.411 and 91.413 inspections.
4. at least one full-time (eight hours per day, six days per week) properly certificated flight instructor available on call for single engine land airplanes;
 5. at least one properly certificated instructor providing scheduled ground school instructions sufficient to enable students to pass the FAA written examinations for private pilot and commercial ratings;
 6. adequate public liability and property damage insurance sufficient to protect the operator and the county from legal liabilities involved;
 7. adequate office and classroom space, separate from public areas, for at least five students.
 8. adequate mock-ups, pictures, slides, film strips or other visual aids necessary to provide proper ground school instructions;
 9. current certificates required by the FAA for flight instruction;
 10. adequate facilities or arrangements for storing, parking, servicing and repairing all its aircraft and;
 11. auto parking for customers and employees.

10.2.6 Independent Flight Instructor

An independent flight instructor providing a commercial aeronautical activity to the general public, and/or advertising to the general public, will be permitted to provide aircraft flight instruction without meeting the requirements of Subsection 10.2.5 (Flight Training), above, provided that:

1. A New Kent county business license is obtained (if applicable);
2. an airport business permit is acquired;

3. an airport independent flight instructor permit is acquired from the Airport Manger which requires:
 - a. Proof of the proper and current FAA licenses and certificates;
 - b. proof of a **New Kent county** business license and;
 - c. proof of adequate public liability and property damage insurance sufficient to protect the operator and the county from legal liabilities involved, as stipulated by the county, and;
4. training or business activities are not conducted in the public areas of the airport terminal building or in the leased space of another FBO without written approval of the county.

10.2.7 Crop Dusting and Spraying

Persons or companies seeking to conduct crop dusting or spraying of agricultural chemicals shall be required to satisfy the county that:

1. Suitable arrangements have been provided for the safe storage and containment of noxious chemical materials in agreement with EPA guidelines; no poisonous or inflammable materials shall be kept or stored in close proximity to other facility installations at the airport;
2. the operator shall have available properly certificated aircraft suitably equipped for the agricultural operation undertaken and;
3. the operator shall make suitable arrangements for servicing the aircraft with adequate safeguards against spillage on runways and taxiways or pollution or dispersal of chemicals by wind to other operational areas on the airport;
4. adequate public liability and property damage insurance sufficient to protect the operator and the county from legal liabilities involved.

10.2.8 Combination Activities

A person or company conducting a combination of the specific activities listed hereinabove shall not be required to duplicate the requirements of the individual activities. Where the requirement of one activity is sufficient to meet the requirement of a separate activity to be conducted, the one facility shall be sufficient to meet both requirements.

10.2.9 Aircraft Sales

The FBO shall provide the office required by these regulations and standards and shall lease from the county or applicable FBO an area of sufficient size to permit the storage and/or display of all aircraft for sale or used in the aircraft sales business. All inventory must be insured with liability coverage acceptable to the county and include all aircraft that overnight, or are based at the airport.

10.2.10 Parts and Accessories Sales

The FBO must have a lease to conduct one or more additional FBO services listed in this section, and provide suitable space for the display of the parts and accessories for sale.

10.2.11 Aircraft Outside Storage

The FBO must have a lease to conduct one or more additional FBO services listed in this section, and provide suitable space for tie-down area of sufficient size to accommodate all aircraft used by the FBO in its operations and all aircraft that will be parked or stored by the operator.

10.2.12 Aircraft Inside Storage: T-Hangar

An FBO shall provide a storage building of sufficient size to accommodate at least ten single engine GA aircraft. The FBO may have an office in the storage building. If no office is maintained, the FBO shall post in conspicuous places on the hangar facilities the name, address and telephone number of the FBO and of the person who shall be managing or operating the hangar facilities. The operator shall have an area of sufficient size to accommodate the building with proper access and construct said facilities in locations stipulated in the Airport Master Plan with specific plans approved by the county. Aircraft hangars will be used solely for registered aircraft and aviation equipment.

10.2.13 Aircraft Stripping and Painting Facility

Except as otherwise provided in any agreement between the FBO and the county, an FBO offering aircraft stripping and painting services to the public shall:

1. Provide minimum of a 10,000 sq. ft. hangar sufficient to house any aircraft upon which such service is being performed with a paved apron area in front of the hangar and office space with auto parking areas for customers and employees;
2. provide suitable storage space for aircraft awaiting stripping, painting or delivery;

3. provide adequate enclosed shop space to house necessary equipment and tools;
4. have available eight hours per day, five days per week, competent and responsible personnel that are knowledgeable of all phases of aircraft stripping, preparation and treatment of aluminum and painting;
5. comply with, and abide by all standards, rules, regulations and requirements of the FAA, Virginia Department of Environmental Regulation, U. S. Environmental Protection Agency, OSHA and any other federal, state or county agencies having jurisdiction over aircraft stripping and paint operations;
6. comply with NFPA and the National Board of Fire Underwriters on "Paint Spraying and Spray Booth" regulations regarding the arrangement, construction and protection of spray booths, and the storing and handling of materials used in connection with aircraft painting, varnishing and spray painting operations;
7. not allow any stripping, painting, varnishing, doping, materials or agents, or other contaminants to flow into, or be placed in any sewer system;
8. perform all aircraft stripping and painting operations inside the hangar or building designed for such purposes;
9. properly treat and dispose of solutions, cleaning agents, lubricants and other hazardous materials and wastes in compliance with federal, state and county regulations and;
10. provide a written plan for adhering to all these safety and environmental requirements.

10.2.14 Avionics Shop

Except as otherwise provided in any agreement between the FBO and the county, an FBO offering avionics services to the public shall:

1. provide adequate space to be used for shop, storage and test equipment;
2. have available on a full time basis (eight hours per day, five days per week) an FAA certified technician in the field of aircraft electronics and/or aircraft instruments with proper Federal Communications Commission license to conduct complete aircraft transmitter, receiver and antenna repair and;
3. lease sufficient space, or provide satisfactory arrangement for

access to, and storage of aircraft on which work is being performed.

SECTION 11 FULL SERVICE FBO'S: MINIMUM STANDARDS

A Full Service FBO shall provide retail aviation fuel and oil sales and aircraft maintenance services as these services are described in Section 10 of this chapter. In addition to the requirements for these two services and the general FBO regulations contained in Section 10 of this chapter, the following requirements apply to Full Service FBO's:

- 11.1 Sufficient area to perform as a fixed base operator, including, but not limited to a maintenance hangar with a minimum area of 6,000 square feet, tie-down facilities, paved apron and auto parking areas and office space.
- 11.2 A flight planning area separate from other public areas, with appropriate seating, work areas, communication facilities, directories and all items necessary for complete flight planning.
- 11.3 A lounge and waiting area for passengers.
- 11.4 Facilities for safe aircraft storage and towing, hangaring and/or tie-downs of based and transient aircraft.
- 11.5 If mobile refueling equipment is provided, it must meet all safety requirements of the insurance company, FAA, VDA, NFPA and county regulations. This equipment shall have reliable metering devices subject to independent inspection, with a pumping efficiency capable of filling the largest aircraft likely to be serviced within 30 minutes' time.
- 11.6 Adequate grounding wires at all fueling locations to eliminate the hazards of static electricity.
- 11.7 An adequate supply of properly located and functioning fire extinguishers and other precautions and/or equipment required by county fire codes.
- 11.8 A guest register and log of all aircraft using the airport to document airport usage to aid in obtaining state funds.

SECTION 12 REQUIREMENTS FOR SUBLESSORS PERMITTED TO CONDUCT AERONAUTICAL ACTIVITIES

Each FBO proposing to subcontract an aeronautical activity as a sublessor at the airport shall conform to all applicable elements of Section 10 of these "Rules, Regulations and Minimum Standards," and shall meet the following requirements to the satisfaction at the county:

- 12.1 The sublessor shall have previously conducted a similar aeronautical activity in an acceptable manner.
- 12.2 The sublessor must have the financial capability to support the activity.

- 12.3 The sublessor must meet applicable requirements of the FAA, VDA or other authority governing the proposed activity.
- 12.4 The sublessor must furnish suitable insurance acceptable to the county, including liability insurance and bonding, to protect and hold the county, its officials, employees, agents and representatives harmless from any liability arising out of the proposed activity.
- 12.5 No interest in the activity shall be transferred to another party without written consent of the county.
- 12.6 The county will have final approval with regard to any new activity to be conducted on airport property.

SECTION 13 FLYING CLUBS

All flying clubs desiring to base their aircraft and operate on the airport must comply with the applicable provisions of these regulations and standards. However, they shall be exempt from regular fixed base operator requirements upon satisfactory fulfillment of the conditions contained herein.

- 13.1 The club shall be a nonprofit entity (corporation, association or partnership) organized for the express purpose of providing its members with aircraft for their personal use and enjoyment only. The ownership of aircraft must be vested in the name of the flying club (or owned ratably by all of its members). The property rights of the aircraft shall be equal, and no part of the net earnings of the club will inure to the benefit of any member in any manner. The club shall not derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance, insurance and replacement, upgrading or expansion of its aircraft fleet.
- 13.2 The club shall not conduct charter, air taxi or rental operations. The club shall not conduct aircraft flight instruction except for regular members, and only members of the flying club may operate the aircraft. Any qualified mechanic who is a registered member and part owner of the aircraft owned and operated by a flying club shall not be restricted from doing maintenance work on aircraft owned by the club, and the club does not become obligated to pay for such maintenance work except that such mechanics and instructors may be compensated by credit against payment of dues or flight time. Maintenance shall be subject to the provisions of these regulations and standards.
- 13.3 All flying clubs and their members are prohibited from leasing or selling any goods or services whatsoever to any person or firm other than a member of such club at the airport, except that said flying club may sell or exchange its capital equipment.
- 13.4 With its initial application, the flying club shall furnish the county a copy of its charter and by-laws, articles of association, partnership agreement or other documentation supporting its existence; a roster, or list of members, including names of officers and directors; evidence of insurance in the form of a certificate of insurance in the following minimum amounts: Public Liability \$100,000/\$50,000 per person; public liability \$300,000/\$100,000 per accident; property damage \$100,000/\$20,000, with hold harmless clauses in favor of the county, its officers, agents, representatives and employees (ten days prior notice of cancellation shall be filed with the county); number

and type of aircraft; evidence that ownership is vested in the club and; operating rules of the club. Evidence of insurance will be submitted to the county on an annual basis, during the renewal month of the policy. The books and other records of the club shall be available for review at any reasonable time by the county and/or the Airport Manager.

- 13.5 A flying club shall comply with all federal, state and county laws, ordinances, regulations and these regulations and standards.
- 13.6 If a flying club violates any of the foregoing, or permits one or more members to do so, and the violation is not corrected within a reasonable time as determined by the Airport Manager, the club will be required to terminate all operations on the airport and vacate the airport.

SECTION 14 AIRPORT INDUSTRIAL PARK LEASES

Owners or lessors of property in the Airport Industrial Park who desire to access the runway or any airport corporate taxiway which may be constructed on the north side of the runway, shall apply to the county for access. The owner must submit construction plans depicting a corporate taxiway. These plans must show grading, drainage, pavement, fencing, etc. Use of the connection taxiway to gain access to the landing area shall be permitted by written agreement only, and restricted to aircraft use incidental to such business without offering any commercial aeronautical services to the public on airport property. "Through the fence" operations, as referenced in FAA Order 5190.6A: "Airport Compliance Requirements," shall not be permitted to provide aeronautical services to the public.

SECTION 15 PERSONAL AIRCRAFT SALES

Nothing contained herein shall prohibit any person from selling such person's own aircraft.

SECTION 16 WAIVER OF CHAPTER III PROVISIONS

The county may, at its discretion, waive all or any portion of Chapter III of these regulations and standards for the benefit of any government or governmental agency performing non-profit public services to the aircraft industry, or performing air search and rescue operations, or performing fire prevention, fire fighting or law enforcement operations, but only to the extent permitted by the rules of the FAA and the laws of the Commonwealth of Virginia and **New Kent county**.

SECTION 17 REPAIR, RESTORATION AND REPLACEMENT

Nothing contained in these regulations and standards shall be construed to require the county to maintain, repair, restore or replace any structure, improvement or facility which is damaged or destroyed.

SECTION 18 EFFECT ON EXISTING LEASES

All leases of land under written lease agreement at the airport with the county at the time these

regulations and standards become effective, shall be required to comply with these regulations and standards.

SECTION 19 EXPANSION OF SERVICES

When an applicant wishes to qualify as a specialized FBO in order to provide services not already provided at the airport, the foregoing minimum standards may be modified for a limited period of time, subject to the written approval of the county. It is the express purpose of this provision to encourage the expansion of services at the airport where they do not exist, and only to the extent, and for the period of time necessary to create an inducement to the establishment of such services.

CHAPTER IV

PENALTIES

SECTION 1 GENERAL

In addition to any penalties otherwise provided by county ordinance or law, the Civil Air Regulations, Federal Aviation Regulations, Virginia Aviation Law, and all other rules and regulations of the FAA, any person violating these regulations and standards may be promptly removed, either temporarily or permanently, from the airport by the county and/or the Airport Manager. The County Administrator may hear appeals submitted in writing by any person or persons so removed or ejected within ten days of such removal.

CHAPTER V

GOVERNMENT AGREEMENTS

SECTION 1 WAR OR NATIONAL EMERGENCY

During time of war or national emergency, the county shall have the right to lease the airport, the landing area, or any part thereof to the United States Government for military use, and any license or authority granted under these rules, and any lease agreement executed pursuant hereto, shall be subject to such government lease. The provisions of the government lease shall control insofar as they are inconsistent with the said operators agreement, lease or authority.

SECTION 2 LEASES SUBORDINATE TO GOVERNMENT LEASE

Any license, authority, lease or agreement entered into pursuant to these regulations shall be subject and subordinate to the provisions of any existing or future agreement between the county and the United States, relative to the operation or the maintenance of the airport, the execution of which has been, or may be required as a condition precedent to the expenditure of federal funds for the development of the airport.

SECTION 3 DISADVANTAGED BUSINESS ENTERPRISES

It is the policy of the FAA, and enforced by New Kent county to utilize Disadvantaged Business Enterprises (DBE) in all aspects of contracting at the airport. This commitment can be demonstrated by the efforts taken in the development of a DBE Plan and in correspondence with New Kent county stating such position. The plan will be made available upon request.

CHAPTER VI

AIRPORT MASTER PLAN

SECTION 1 FBO APPROVAL NOT REQUIRED

The county may, without the knowledge, consent or approval of any FBO or other person licensed to do business or use part of the airport, make changes in the Master Plan of the airport and in these regulations and standards. However, it is the county's intent to inform FBO's and other businesses of any such changes which are significant.

CHAPTER VII

RESERVATION OF RIGHTS TO INDIVIDUAL USERS

SECTION 1 EXPLANATION OF RIGHTS AND DUTIES IMPOSED

Notwithstanding anything to the contrary contained herein, the following rights, privileges and duties are hereby conferred and imposed upon individual users of the airport facilities, including, but not limited to individual pilots, aircraft owners, tie-down and t-hangar renters.

- 1.1 Each individual user as defined herein shall meet and maintain all requirements, regulations and standards for licensing, maintenance and repair of aircraft established by Federal Aviation Regulations (FAR's) safety bulletins, FAA advisory circulars, Virginia Aviation Law, and all other federal and state regulations and standards for licensing, maintenance and repair of aircraft.
- 1.2 It shall be the duty of each individual user of the airport to fully inform herself/himself of, and to keep current on, all federal, state and county aviation regulations and standards, and to completely and promptly comply therewith.

NEW KENT COUNTY AIRPORT

W 96

NEW KENT COUNTY, VIRGINIA

APPENDIX A

AIRPORT TRAFFIC PATTERN MAP

PURPOSE

The purpose of the Airport Advisory Commission is to assist and advise the New Kent Board of Supervisors in aviation-related matters. The primary desires of the Commission are to promote the airport for the use and enjoyment of the entire community and especially citizens interested in using aviation assets. The Commission will exert most of its efforts toward airport promotion and use and will respond to requests for assistance in administrative matters only as requested by the Board of Supervisors or a member of County Administration as a representative of the Board.

SPECIFIC DIRECTIVES

1. The Airport Advisory Commission should direct its efforts primarily toward airport promotion. Its role there should be to inform the citizens of the County of the operation of the airport, availability of services, as well as education and business promotion.
2. The Airport Advisory Commission should take on as its major task in the immediate future the review and comment on the Airport Planning Study to be initiated over the next 12 months.
3. The Airport Advisory Commission should advise the Board concerning any safety issues that come to their attention.
4. The Airport Advisory Commission shall not concern itself with the day-to-day operations and management of the airport.
5. All inquiries and questions concerning New Kent County Airport shall be directed to County Staff. Direct contact with the State Department of Aviation, Federal Aviation Administration or with the airport manager are prohibited.

Other duties as assigned by the Board of Supervisors from time-to-time.

NEW KENT COUNTY
AIRPORT ADVISORY COMMISSION AGENDA

SEPTEMBER 23, 1996

7:00 PM

NEW KENT COUNTY AIRPORT

1. CALL TO ORDER
2. ROLL CALL/DETERMINATION OF QUORUM
3. APPROVAL OF MINUTES/REVIEW OF REVENUE AND EXPENSE REPORT
4. AIRPORT MANGER'S REPORT
5. CITIZEN COMMENT
6. UNFINISHED BUSINESS
 - A. REVIEW OF AIRPORT ADVISORY COMMISSION MISSION STATEMENT
 - B. REPORT FROM FELTS/SNYDER FULL FBO RFP REVIEW COMMITTEE
 - C. REPORT FROM SCHUTZ/GOSS INDIVIDUAL FBO SERVICES COMMITTEE
7. NEW BUSINESS
 - A. SCIENCE MUSEUM OF VIRGINIA'S *AIRMOBILE* EDUCATION PROGRAM
8. MEETING SCHEDULE
9. ADJOURNMENT

Meeting Summary
New Kent County Airport Advisory Committee
August 26, 1996

Call to Order

The August 26, 1996 meeting of the New Kent County Airport Advisory Committee was called to order at 7:00 PM. Members present included:

Mr. Felts
Mr. Schutz
Ms. Snyder
Mr. Cook
Mr. Goss
Mr. Lipscomb

Staff present included:

David P. Maloney, Director of Planning/Assistant County Administrator
Rusty Harrington, Airport Manager

Mr. Felts requested a moment of silence in memory of Mr. E. David Ringley.

Unfinished Business and Approval of Minutes

There was considerable discussion regarding meeting requirements as set forth under the Virginia Freedom of Information Act. The "Act" was included as part of the Commission's agenda package. The Commission also reviewed the County's property leasing requirements as well as the Commission's mission statement. The Commission requested staff post the meeting agenda on the bulletin board in the terminal building. Following the discussion, the Commission approved the minutes from the July meeting.

Airport Manager's Report

Mr. Harrington, Airport Manager presented his monthly report to the Commission. The commission requested a monthly financial summary for the airport to be included as part of the agenda. Several questions were raised regarding maintenance work items. Mr. Maloney stated such questions should be addressed to the Mr. Gallaher, Director of Public Safety. Mr. Maloney also stated he would request Mr. Gallaher be present during the September meeting.

New Business

There was an extensive discussion regarding the fliers' club. It was generally agreed that before the County could consider any proposal from the club, the club would have to be formed, bylaws adopted, and officers elected. Until the time such action takes place, there is no entity with

which the County could negotiate.

Mr. Lipscomb suggested a committee be formed to examine in detail a plan to again obtain FBO services, and establish a timetable for getting under contract with an FBO. Mr. Maloney suggested the committee examine several scenarios. The first scenario would be to review the published RFPs to determine if any more flexibility could be built into the process. The second scenario was to advertise for individual services such as maintenance and flight instruction under separate contracts.

To this end, the Commission formed two committees. The first committee was comprised of Mr. Felts and Ms. Snyder. This committee was charged with reviewing the original RFPs for full FBO services. The second committee was comprised of Mr. Schutz and Mr. Goss. This committee was charged with examining options for individual services. The committees were to report back to the full Commission during the September meeting regarding their progress.

In other business, Mr. Lipscomb mentioned the County should repair the septic system for the farm house, and begin leasing the dwelling again. This would bring additional revenues into the County.

The Committee members agreed space on the agenda should be added for the purpose of receiving citizen comment from the public.

Meeting Schedule and Adjournment

The next meeting was scheduled for September 23, 1996 at 7:00 PM at the New Kent County Airport. The meeting adjourned at 8:25 PM

Respectfully Submitted
David P. Maloney, AICP
Director of Planning/Assistant County Administrator

NEW KENT AIRPORT

JULY REPORT

1996

Once again July was a rather successful month for the airport. Although weather spawned from Hurricane Bertha slowed down the flying during the first of the month, funds collected at the airport totalled \$4,212.39. That brings the year to date total to \$26,307.22. These figures do not reflect funds collected through the treasurer's office.

Currently there are 40 aircraft based at the airport on a full time basis, with 2 more being based on a part time basis. Also 39 aircraft visited New Kent during the month.

On July 22, 1996, the Airport Advisory Committee held a public meeting to take comments on the airport. Concerns discussed were the PCS Primeco Tower, hangar renovation, the fliers club, and the possibility of getting an FBO, or at least some mainenance, capability.

Larry and I are working with VA DOAV to get the lights and our rotating beacon fixed. We should be up and running very shortly.

There was no reported vandalism during the month.

Rusty Harrington

PURPOSE

The purpose of the Airport Advisory Commission is to assist and advise the New Kent Board of Supervisors in aviation-related matters. The primary desires of the Commission are to promote the airport for the use and enjoyment of the entire community and especially citizens interested in using aviation assets. The Commission will exert most of its efforts toward airport promotion and use and will respond to requests for assistance in administrative matters only as requested by the Board of Supervisors or a member of County Administration as a representative of the Board.

SPECIFIC DIRECTIVES

1. The Airport Advisory Commission should direct its efforts primarily toward airport promotion. Its role there should be to inform the citizens of the County of the operation of the airport, availability of services, as well as education and business promotion.
2. The Airport Advisory Commission shall provide input and guidance on special airport related projects as Citizen Advisers to the Board of Supervisors. Such actions shall be taken only at the request of the Board of Supervisors.
3. The Airport Advisory Commission should advise the Board concerning any safety issues that come to their attention.
4. The Airport Advisory Commission shall not concern itself with the day-to-day operations and management of the airport.
5. All inquires and questions concerning the New Kent County Airport shall be directed to County Staff. Direct contact with the State Department of Aviation, Federal Aviation Administration or with the airport manager are prohibited.

Other duties as assigned by the Board of Supervisors from time-to-time.



AUG 28 1996

COMMONWEALTH of VIRGINIA

Science Museum of Virginia

Walter R. T. Witschey, Ph.D.
Director

2500 West Broad Street
Richmond, Virginia 23220-2054

Mr. Joseph Emerson
New Kent County Administrator
P.O Box 50
New Kent, VA 23124

Dear Mr.Emerson:

August 23,1996

This past June, I sent a letter to airport management statewide on our **AirMobile** bookings for the January-June '96 period. A schedule of these bookings was included, which indicated the demand for **AirMobile** programs. I asked that booking requests be made well in advance, as we had to turn down a few due to scheduling conflicts. Sometimes it was not a question of conflicting dates; the weekend dates were open, but an earlier request for an **AirMobile school program** on a preceding Friday (and seven counties away) knocked out the possibility of a weekend airport program. We want to serve as much of the state as possible, but desperately need your help in the scheduling department.

Our available program dates for the Fall '96 season are fast filling up. This is as it should be. All of the weekends in September currently are spoken for. Please take a few minutes to look at your upcoming public events and give us a heads-up as to what to look forward to down the road. We very much want to be part of your Fall '96 plans, and by no means want to be in the position of having to turn down an opportunity due to prior *weekday* commitments. Weekends are limited. **AirMobile** school programs are very important to us; however, schools have a greater latitude as to what month, week and day of the week to schedule an **AirMobile** program. Help us be in a position to give airport public events first choice. I'll work the school requests around your events.

Following is a listing of **AirMobile airport** bookings for the coming months.

DATE	LOCATION	EVENT
7 Sept. (Sat)	Front Royal-Warren County Airport	Airport Grand Re-Opening
14-15 Sept. (Sat/Sun)	Miller Park, Lynchburg	Kaleidoscope Day-in-the-Park
21 Sept. (Sat)	Orange County Airport	Expo '96
22 Sept (Sun)	Manassas Regional Airport	Manassas Air Fair
28-29 Sept. (Sat/Sun)	Danville Regional Airport	Air Fair and Food Festival
12 Oct. (Sat)	Williamsburg-Jamestown Airport	Airport Anniversary Celebration
13 Oct. (Sun)	Suffolk Airport	Suffolk Peanut Festival* (*tentative)

Hope to hear from you soon. I'll keep you posted on developments on this end.

Most sincerely

Dave Reisenwitz
Aerospace Education Outreach Coordinator
Phone: (804) 367-6170

cc: Ken Wiegand, Virginia Department of Aviation
Cherry Evans, Virginia Department of Aviation

NEW KENT COUNTY
AIRPORT ADVISORY COMMISSION AGENDA

OCTOBER 28, 1996

7:00 PM

NEW KENT COUNTY AIRPORT

1. CALL TO ORDER
2. ROLL CALL/DETERMINATION OF QUORUM
3. APPROVAL OF MINUTES
4. FINANCIAL REPORT
5. AIRPORT MANGER'S REPORT
6. CITIZEN COMMENT
7. UNFINISHED BUSINESS
 - A. Report from Mr. Gallaher concerning airport maintenance projects.
 - B. Report from Mr. Gallaher concerning quote for crack sealing and striping from Slurry Pavers, Inc.
7. NEW BUSINESS
 - A. Mr. Jeffrey Breeden with Delta Airport Consultants, Inc. Will be present to give a presentation and update on the effort to update the County's Airport Layout Plan (ALP). This work is being funded by the state. Mr. Breeden will explain the purpose of an ALP and present the preliminary findings and alternatives developed thus far.
8. MEETING SCHEDULE
9. ADJOURNMENT

**Meeting Summary
New Kent County Airport Advisory Committee
September 23, 1996**

Call to Order

The September 23, 1996 meeting of the New Kent County Airport Advisory Committee was called to order at 7:00 PM. Members present included:

Mr. Felts
Mr. Schutz
Ms. Snyder
Mr. Cook
Mr. Goss
Mr. Lipscomb

Others present included:

Mr. Green

Staff present included:

David P. Maloney, Director of Planning/Assistant County Administrator
J. Lawrence Gallaher, Director of Public Safety
Rusty Harrington, Airport Manager

Unfinished Business and Approval of Minutes

On a motion from Mr. Lipscomb, the August meeting minutes were approved.

Airport Manager's Report

Mr. Harrington, Airport Manager presented his monthly report to the Commission. Mr. Harrington's report stated there were 39 based aircraft, and revenues received for July totaled \$4,670. Mr. Harrington also stated NASA had been utilizing the airport to stage air quality tests.

Maintenance Report

Mr. Gallaher stated County was still attempting to have runway lights and beacon repaired. He stated the contractor was very busy, and the work was very specialized. Therefore, it may take sometime before the contractor is available to undertake the necessary repairs.

Citizen Comment

Several members of the public stated they would like to see the lights and runway cracks repaired to prevent further damage.

Unfinished Business

The committee reviewed and approved the revised mission statement.

Mr. Felts stated he has spoken with an individual who may be very interested in submitting a proposal to New Kent County to provide full FBO services.

Ms. Snyder handed out a report regarding the published RFP. Ms. Snyder stated it was the subcommittee's view the RFP continued to much and did not provide adequate flexibility for a prospective FBO service provider. The subcommittee recommended the County should consider leasing the commercial areas only, and the County should maintain the common areas. The subcommittee also suggested the County should offer a lease at a fixed rate/square foot of leased area.

Mr. Goss submitted a report on the County contracting for maintenance services on an as needed basis. Several professional operators were questioned. They responded by stating the County needs to establish a position to operate as airport manager. The same individual should be a licensed mechanic, and therefore could provide mechanic services as an independent contractor. Another contractor suggested the county contract for on site service several days a week and expand as demand increases. Comments from individuals were also discussed.

Mr. Goss stated in his report he would like to be the committees liaison with the Flyers Club and also suggested the County schedule the Airmobile for the same day as the Young Eagles event.

New Business

Mr. Maloney presented a the *Virginia Air Transportation System Plan 1996 Addendum* prepared by the Virginia Department of Aviation. The Plan identifies New Kent as a B-1 airport (light twin and single engine) with serving the GC or General Aviation Community.

In other New Business, Mr. Maloney presented information on the Airmobile. It was pointed out a the cost for the facility is \$500.00, however, the state offers a grant for 50% of the amount. The committee approved to request an appropriation from the Board to fund the remaining 50%. Mr. Felts stated he would personally contribute \$50.00 towards the County's share.

Lastly, Mr. Gallaher presented state maintenance grant information to the Committee and stated funds dedicated in last year would roll-over to the current fiscal year. As such, state grant funds for crack sealing and striping work were available on an 80/20 match basis. The committee approved a motion to request the 20% match funds from the Board, and ask the Board to advertise a bid for the maintenance services.

The meeting adjourned at 8:40 PM

Respectfully Submitted
David P. Maloney, AICP
Director of Planning/Assistant County Administrator

COUNTY
OF
NEW
KENT

Department of Planning and
Community Development

MEMORANDUM

TO: The Members of the Airport Advisory Commission

FROM: David P. Maloney, AICP
Director of Planning/Assistant County Administrator 

DATE: October 23, 1996

SUBJECT: **Budget Summary**

Attached please find a copy of the Airport Fund's line item budget and revenue summaries for the period of July 1, 1996 through September 30, 1996.

DPM/pmt

Attachment

10/23/96 10:58 AM

FUND # -097 AIRPORT FUND

REVENUE SUMMARY
7/01/96 - 9/30/96

MAJOR ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	AI
1889	AIRPORT FUND				
0002	FUEL/OIL SALES	10,000.00	10,000.00	1,314.22	3
0003	HANGER RENTAL	30,000.00	30,000.00	3,610.00	9
0004	MOBILE HOME	.00	.00	150.00	
	AIRPORT FUND	40,000.00	40,000.00	5,074.22	13

10/18/96 *GL060D*
 FUND 4-097 **AIRPORT FUND**

NEW KENT COUNTY
 EXPENDITURE SUMMARY
 7/01/96 - 9/30/96

MAJOR ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT
90000	**AIRPORT FUND**			
1300	PART-TIME SALARIES & WAGES	25,500.00	25,500.00	2,648
1420	OVERTIME	500.00	500.00	171
2100	FICA/MEDICARE	2,200.00	2,200.00	215
2710	WORKMAN'S COMPENSATION	320.00	320.00	
3004	REPAIRS & MAINTENANCE	2,000.00	2,000.00	
3600	ADVERTISING	200.00	200.00	
5110	ELECTRIC BILLS	10,000.00	10,000.00	348
5230	TELEPHONE	1,500.00	1,500.00	40
5309	INSURANCE	1,500.00	1,500.00	
5899	MISCELLANEOUS	100.00	100.00	
6008	GASOLINE CHARGES	15,000.00	15,000.00	
	AIRPORT FUND	58,820.00	58,820.00	3,423
	---FUND TOTAL---	58,820.00	58,820.00	3,423

NEW KENT AIRPORT

AUGUST REPORT

1996

During the month of August we experienced milder than normal temperatures. This directly translated into more flying. Forty aircraft visited the field during the month from all over the state. A total of 39 aircraft are based here at New Kent with 2 on a part-time basis.

Revenues collected at the airport totalled \$4,670.04 bringing the total to date to \$31,262.16. These funds do not reflect those collected through the treasurer's office.

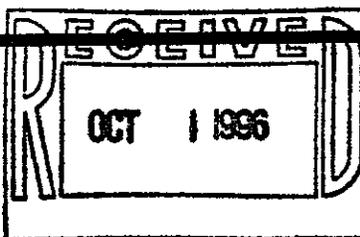
During the month representatives from the Capitol Region Airport Commission, Delta Airport consultants and the Virginia Department of Aviation visited the field. During their visit the VA DOAV conducted their annual airport inspection, with their finding several trees creating hazards, and the runway needing sealing and restriping.

Also visiting New Kent during the month was Raymond Stevens who operates a banner towing service. During this particular visit he was promoting the Virginia Lottery's new big game. Mr. Stevens returned several times during the day to re-fuel, and he was most pleased with our helpfulness and hospitality.

On August 26th, the Airport Advisory Committee met at the airport. During the meeting the committee broke into sub committees to study feasibilities of another FBO search. The findings will be discussed at the September 23rd meeting. Also to be discussed will be the Flier's Club, with a formal final presentation to be delivered to the committee.

Rusty Harrington

I N T E R
O F F I C E



MEMO

To: David P. Maloney, Director of Planning/Assistant County Administrator
From: J. Lawrence Gallaher, CPCA, CEM
Director of Public Safety
Subject: Airport Maintenance Projects
Date: October 1, 1996

A handwritten signature in cursive script, appearing to read "J. Lawrence Gallaher".

David,

Please find attached, information regarding airport maintenance projects for crack sealing and runway re-striping. The obstruction removal (MT0041-14) was completed last spring. In past conversations with a representative of Slurry Pavers, a small decrease in the pricing for the crack sealing and re-striping may be possible. The three projects as shown on the previous grants total \$34,664.58 (state funding). Our share (10%) would be \$3,851.62.

I have instructed Rusty Harrington, Airport Manager, to contact Slurry Pavers to verify project pricing. Mr. John M. Robinson, II, EIT, DOAV Airport Engineer, has advised that the funds approved last year for these projects have been carried over to the current fiscal year and are available for our use.

Please advise if I can be of further assistance in this matter.

J L G

/JLG/attachments

- c. Phillip Felts, Chairman, New Kent County Airport Advisory Commission
Russell N. Harrington, Airport Manager

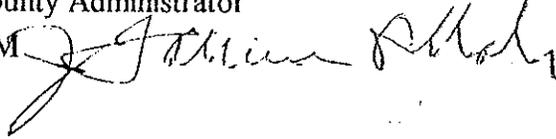
MEMO

To: R. Joseph Emerson, Jr., AICP, County Administrator

From: J. Lawrence Gallaher, CPCA, CEM

Subject: Airport Grants

Date: February 7, 1996



Joe,

Attached is a memorandum that I sent to Mr. Cornwell on December 1, 1995 requesting that the three projects including crack sealing, re-striping runway 10-28 and blackening the threshold on runway 10 be advertised for bid. The original pricing information on relocation of the windsock was not valid so we have therefore obtained new prices on this project and hope to begin the project this spring. The obstacle removal will be awarded this month in order to take advantage of special pricing provided by the vendor.

Please advise if I can be of further assistance in this matter.

J L G

/jlg

COUNTY
OF
NEW
KENT

MEMORANDUM

Board of Supervisors

Julian T. Upscomb, Dist. 1
E. David Ringley, Dist. 2
James H. Burrell, Dist. 3
Mark A. Hennaman, Dist. 4
Frederick G. Bahr, Dist. 5

Office of County Administrator

TO: James E. Cornwell, Jr.
County Attorney
J. Lawrence Gallaher
Director of Public Safety
David B. Maloney
Director of Planning/Asst. County Administrator

FROM: R. J. Emerson, Jr., A.I.C.P.
County Administrator

DATE: February 6, 1996

SUBJECT: Airport Grants

Gentlemen:

Quite a bit of time has elapsed since our last discussion concerning the airport grants awarded to the County. If you would, please advise (in writing) where you currently are in the process of procuring the work needed to move forward with the awarded grants.

I look forward to your prompt response. If you have any questions, or if I can be of assistance, please advise.

RJEJr

RJEJr:slm
cc: The Honorable Board of Supervisors
airgrant.rje

I N T E R
O F F I C E

MEMO

To: James E. Cornwell, Jr., County Attorney
From: J. Lawrence Gallaher, CPCA, CEM
Subject: Maintenance Projects at New Kent County Airport
Date: December 1, 1995

Jim,

Please find attached, information from The Virginia Department of Aviation, Slurry Pavers, Inc., and my office regarding several maintenance projects at New Kent Airport. Please delete the project relocating the windsock, the fence installation project and the obstacle removal projects from my original request to DOAV. The windsock project is ongoing, the obstacle removal will be handled under other procurement procedures and the fence project was not approved. The three remaining projects including crack sealing, re-striping the runway and blackening the old threshold on runway 10, need to be advertised for bid pursuant to the requirements of our procurement policy.

Please advise if I can be of further assistance in this matter.

/jlg

- c. R. Joseph Emerson, AICP, County Administrator
David P. Maloney, Director of Planning/Assistant County Administrator
Lee J. Tyson, AICP, Acting Secretary, New Kent Airport Advisory Commission
Lonzo Cornett, Chairman, New Kent Airport Advisory Commission

COUNTY OF NEW KENT



Building Safety
Fire Safety
Emergency Services
Hazardous Materials Response
Animal Control

J. Lawrence Gallaher
Director of Public Safety
(804) 966-9680

DEPARTMENT OF PUBLIC SAFETY

July 24, 1995

Mr. D. Anthony Cox, Project Engineer
Virginia Department of Aviation
Commonwealth of Virginia
5702 Gulfstream Road
Sandston, Virginia 23150-2502

Re: Proposed Maintenance Projects--New Kent County Airport

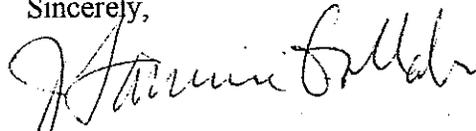
Dear Tony:

I am requesting project numbers for several maintenance projects at New Kent County Airport. For planning purposes, I have attached estimates for each project. After we receive approval, I will be required to follow county policy for procurement of these materials and services. The projects that I need approval for and the estimated costs for each are:

- | | | |
|----|--|----------------------------|
| 1. | Preparation and sealing of pavement cracks
Approximately 31,200 lf at \$0.53/lf | \$16,536.00 |
| 2. | Striping and markings as required
Approximately 24,844 ft ² at \$0.55/ft ²
Re-black previous displaced threshold
Approximately 23,760 ft ² at \$0.35/ft ² | \$13,664.20
\$ 8,316.00 |
| 3. | Remove obstacles (trees) along north side of runway
(& few areas south side) | \$ 3,000.00 |
| 4. | Relocate windsock to south side of runway | \$ 485.00 |
| 5. | Install fence
Approximately 6,000 lf at \$3.00/lf | \$18,000.00 |

Please advise if you have any questions regarding these projects or if you need additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Lawrence Gallaher". The signature is written in black ink and is positioned above the printed name.

J. Lawrence Gallaher, CPCA, CEM
Director of Public Safety

I N T E R
O F F I C E

RECEIVED
OCT 3 1996

MEMO

To: David P. Maloney, AICP, Director of Planning/Assistant County Administrator
From: J. Lawrence Gallaher, CPCA, CEM
Director of Public Safety *J. Lawrence Gallaher*
Subject: Airport Projects
Date: October 3, 1996

David,

Please find attached, pricing information received this date from Slurry Pavers regarding the crack sealing and striping projects at the airport. The prices shown are exactly the same as those submitted last year. Although there was no reduction in price as I had earlier indicated as a possibility, we are fortunate that there was no increase. At any rate, this does provide us with solid numbers and as I stated earlier, the funds are still earmarked for our use.

Please advise if I can be of further assistance in this matter.

J L G

/JLG/attachments

c. R. Joseph Emerson, Jr., AICP, County Administrator

SLURRY PAVERS, INC.

QUOTATION

10/2/96

Company: New Kent County Airport
Office of Public Safety

Attn: Mr. Larry Gallaher

Telephone:

Fax: 804-966-7135

Project: New Kent County Airport

- Slurry Seal
- Latex Modified Overlay
- Coal Tar Seal

- Striping
- Crack / Joint Repair
- Milling

- Fog Seal
- Clean Up

Bid Item	Quantity	Unit	Est. Days	Unit Price	Total
Seal Cracks Per Specifications.	31200	lf	5	\$0.53	\$16536.00
Striping and Markings Per Specs.	?	sf	?	\$0.55	Unknown
Mobilization				Lump Sum	Included in unit prices
Total Project					Unknown

Description:

Sealing cracks and re-striping at the New Kent Co. Airport. All work to be completed per specs. One mobilization included in unit prices. All work to be field measured and paid at unit price.

Night Work: YES NO

Weekend Work: YES NO

Thanks for calling us for a quote, Phil Tarsovich

Accepted By: _____

Date: _____

Remarks:

Terms: Net Upon Completion