

NEW KENT COUNTY
AIRPORT ADVISORY COMMISSION AGENDA

APRIL 27, 1998

7:00 PM

NEW KENT COUNTY AIRPORT

1. CALL TO ORDER
2. ROLL CALL/DETERMINATION OF QUORUM
3. APPROVAL OF MINUTES
 - A. March 23, 1998
4. STAFF REPORT
 - A. Project Status Report
5. CITIZEN COMMENT
6. MEETING SCHEDULE
7. ADJOURNMENT

Meeting Summary
New Kent County Airport Advisory Commission
March 23, 1997

Call to Order

The March 23, 1997 meeting of the New Kent County Airport Advisory Commission was called to order at 7:00 PM. Members present included:

Mr. Cook
Mr. Schutz
Mr. Goss
Mr. Felts

Staff present included:

David P. Maloney
Director of Planning/Assistant County Administrator

Approval of Minutes

The minutes of the February 23, 1997 meeting were approved.

Staff Report

Mr. Maloney stated Hanover Electric was proceeding with the runway lights and was hopeful the project would soon be complete.

Mr. Maloney also stated the state had approved the County's grant request for the replacement of the rotating beacon, and was awaiting a contract from the state. He then went on to state the County had received the amended proposal regarding the replacement of the fuel system from Draper Aden Associates. Although the cost of the basic system was within the preliminary budget, the automated fueling system exceeded the proposed budget, and the County was working on identifying available funding for the extra expenditure. Mr. Maloney said he was hopeful additional funding sources would be identified.

Mr. Maloney also said he had been attempting to get a status report on the repairs to the maintenance hanger door, and the contractor had been somewhat unresponsive to the County's inquiries. Lastly, he said County maintenance staff had examined the hanger roofs, and had ordered material and equipment to effect the repairs. County staff was awaiting a stretch of favorable weather before repair work started.

Several members of the committee inquired about the status of the sale of airport property. Mr. Maloney said the contract was subject to FAA approval, and without FAA approval, future funding could be jeopardized. He also said the County attorneys were in the process of clarifying the issue with the FAA

Citizen Comment

Mr. Gary Green said he was very interested in seeing the County procure the services from an FBO. He said increased activity at the airport would lure additional business, and more business would be good for both the airport and County.

Meeting Schedule

The next meeting of the New Kent County Airport Advisory Commission was scheduled for Monday, April 27, 1998 at the New Kent County Airport.

Adjournment

The meeting adjourned at 7:55 PM

Respectfully Submitted

David P. Maloney, AICP

Director of Planning/Assistant County Administrator



COUNTY
OF
NEW
KENT

MEMORANDUM

Department of Planning and
Community Development

To: Members, New Kent County Airport Advisory Commission

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

Date: April 17, 1998

Subject: **Airport Maintenance Update**

1. **Runway Lights:** Work is continuing on this project. Staff has submitted a reimbursement request to the state for the first part of the work, and has requested the Department of Aviation to increase the grant to complete the work. Staff is awaiting a response from the Department.
2. **Airport Rotating Beacon:** The County has received and executed a grant contract from the state, and is awaiting authorization from the state to proceed with this project. It is expected equipment will be ordered by the time the Commission meets on April 27.
3. **Fuel Farm Replacement:** The County has requested the Department of Aviation increase its tentative allocation by ten percent in accordance with department policies. Such request was made as a result of the revised construction estimates. The County has also submitted the necessary information to come under contract for the funds. The County Administrator has included sufficient funds in next fiscal year's airport budget to complete this project to include the automated payment system. It is hoped the Board of Supervisors looks favorably upon this budget request.
4. **Hanger Roofs:** Materials and equipment have been ordered and received, and public safety personnel will schedule the work in the near future.

/DPM

**NEW KENT COUNTY
AIRPORT ADVISORY COMMISSION AGENDA**

Monday June 29, 1998

7:00 PM

NEW KENT COUNTY AIRPORT

1. **CALL TO ORDER**
2. **ROLL CALL/DETERMINATION OF QUORUM**
3. **APPROVAL OF MINUTES**
 - A. **May 26, 1998**
4. **STAFF REPORT**
 - A. **Revised Airport Policies and Lease Agreements**
 - B. **Airport Inquiry Information**
 - C. **Capital Improvement Plan Hanger Replacement Information**
 - D. **Mainetance Status Report**
5. **CITIZEN COMMENT**
6. **MEETING SCHEDULE**
7. **ADJOURNMENT**

**Meeting Summary
New Kent County Airport Advisory Commission
May 26, 1998**

Call to Order

The May 26, 1998 meeting of the New Kent County Airport Advisory Commission was called to order at 7:00 PM. Members present included:

Mr. Schutz
Mr. Goss
Mr. Felts
Mr. Lipscomb

Staff present included:

David P. Maloney
Director of Planning/Assistant County Administrator

Approval of Minutes

The minutes of the April 27, 1998 meeting were approved with the following correction:

Mr. Felts' motion to recommend purchase of the airport tug should have included "subject to satisfactory inspection by the County".

Staff Report

Mr. Maloney stated the County had received reimbursement from the state for the first phase of the airport lighting work. He also stated he had requested from the state additional funding to complete phase 2, and hoped the second phase work would commence shortly.

Mr. Maloney provided a copy of a memorandum from Charles Loving, County Engineer that the header top and bottom wooden chord trusses had been inspected and replace where necessary, and the pothole in the driveway had been filled with gravel. The memo continued by stating the Engineer would look at the economic of a more permanent repair to the potholes.

Mr. Maloney also stated the new rotating beacon had been installed, and the new beacon corrected the problem with the light pattern noted during the April meeting.

In other matters relating to maintenance, Mr. Maloney stated authorization from the Virginia Department of aviation had not been received to proceed with the second phase of the runway light repair work, and presented a letter dated April 2, 1998 from him to Mr. J. Michael Swain with the department requesting authorization. Mr. Maloney stated he had followed up on the request on numerous occasions, and had not received any affirmative response.

Lastly, Mr. Maloney stated a final contract had been received from Draper Aden for engineering services related to fuel tank removal and replacement, and authorization from the Department of Aviation had also been received to execute the contract and commence engineering services.

Unfinished Business

In regard to the proposed aircraft tug, Mr. Maloney verbally addressed his findings from inspecting the equipment in question. He stated the body and tires appeared to be in very good condition, and the engine clock showed 7 hours. He also stated the seat, battery, and carburetor are missing, and the valve cover had been removed. He further stated the cam shaft did appear to have some corrosion.

Mr. Schutz questioned the need for the purchase of the particular piece of equipment, and stated he felt if a tug or tow device were needed, there were other less expensive alternatives.

Mr. Felts stated there would be no cost to the County, because he was will to donate the funds to the County to purchase the equipment.

Mr. Maloney responded by stating the County could be responsible for liability resulting from the use of the equipment, and would need to provide the ongoing operation and maintenance costs.

Upon request from Mr. Schutz, a motion was made by Mr. Lipscomb to withdraw the recommendation from the Commission to purchase the tug. The motion was approved unanimously.

Citizen Comment

Mr. Maloney stated the County had requested the County Attorney to draft recommendations to be acted upon by the Board of Supervisors during the Board's June 8, 1998 meeting regarding maintenance service to be conducted in individual hangers. Mr. Maloney stated he was expecting a written copy of the recommended procedures, however, no such response had been received. He did state the attorney discussed the recommendation with him and the recommendations included the following:

1. A blanket waiver of the minimum standards
2. The mechanic would be required to provide own tools
3. The mechanic would provide proof of liability insurance to the County
4. The mechanic would be required to provide A&P and A&I certification to County
5. The mechanic would be required to show credit worthiness
6. The mechanic would be required to obtain applicable business and other licenses

Mr. Gary Green and several other pilots emphatically expressed their desire to allow the pilots to bring in a mechanic of their choice without County restrictions. Mr. Lipscomb expressed his concern regarding the liability to the County in the case of a mishap if the mechanic did not have proper insurance.

Mr. Schutz stated he did not feel most of the recommendations were overly restrictive. He and others did not understand the applicability of creditworthiness, but Mr. Schutz stated insurance, provision for tools, and the business license requirement were very straight forward.

Mr. Felts stated as a contractor he is required to obtain a business license from localities in which he does business, and did not see the business license requirement as a major impediment to having work performed on aircraft.

Mr. Green also expressed his concern that the legal advice obtained by the County was unnecessary, and common sense should dictate the actions of the Board of Supervisors, and the Board's actions should not contain overly restrictive legal impediments.

Mr. Pitts suggested the County Airport participate in the Aircraft Owners and Pilots Association (AOPA) Airport Support Network.

Mr. Delk distributed a letter he wrote inquiring as to why the County was evicting Mr. Bahen from the maintenance hanger, and other questions pertaining to maintenance services.

Mr. Goss requested the commission be provided information on extent of County's insurance coverage at airport, and suggested information be posted in terminal.

The commission also requested the County send the pilots copies of their leases, and requested a copy of the lease agreement be distributed to commission members.

The Commission unanimously voted to recommend the following policy language to the Board of Supervisors:

The pilots shall be allowed to bring in aircraft maintenance service of their choice as stated in the hanger lease agreement.

Meeting Schedule

The next meeting of the Airport Advisory Committee was scheduled for Monday June 29, 1998 at 7:00 PM due to scheduling conflicts with commission members.

Adjournment

The meeting adjourned at 8:48 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: Members, New Kent County Airport Advisory Commission

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

Date: June 25, 1998

Subject: **Revised Airport Policies and Lease Agreement**

Attached, please find several documents. The first document is a copy of the current New Kent County Airport Minimum Standards. The second document is a copy of Resolution R-13-98 which was adopted by the New Kent County Board of Supervisors on June 8, 1998. This resolution pertains to a waiver from the minimum standards for essential service and maintenance services. The resolution outlines the criteria under which pilots may individually contract with an FBO for aircraft maintenance services. The third document is an application for aircraft maintenance services. This application is to be completed and signed by the FBO and approved by the Airport Manager and County Administrator prior to the commencement of maintenance work.

The fourth document is an updated hangar lease agreement. New Kent County is canceling all existing leases for hangar space effective July 17, 1998. The County has requested those pilots wishing to retain their current hangar space execute the revised lease agreement, and return it to the County within the termination notification period. The new lease is designed to clarify the terms of the lease, and enable the County to better track the based aircraft. Monthly hangar rent is not affected by the new lease agreement.

Lastly, you will note that under the terms of both the current and revised leases, hangars are to be used only for the storage of FAA licensed aircraft. Automobiles, boats, recreational vehicles, aircraft that are not airworthy for a period exceeding thirty (30) days (with an extension upon request for additional repairs and maintenance not to exceed 60 days) and the like are not to be stored in the hangars. Furthermore, each lessee is only permitted one aircraft per hangar. The County will be conducting a routine inspection of all leased hangar space after the thirty day renewal period. Staff will answer any questions regarding the attached documents during the Commission's June meeting.

/DPM

MINIMUM STANDARDS FOR AIRPORT OPERATORS,
LEASES AND CONCESSIONS AT THE NEW KENT
COUNTY AIRPORT

December 15, 1984

Division 1. Administrative Provisions.

- Sec. 1-1. Definitions.
- Sec. 1-2. Preconditions for Commercial Use of Airport Property.
- Sec. 1-3. Disclaimer.
- Sec. 1-4. Waivers.
- Sec. 1-5. Resolution of Conflicting Requirements.
- Sec. 1-6. Right of Inspection.

Division 2. Application Procedures.

- Sec. 2-1. Application to Board Required; Form of Application.
- Sec. 2-2. Supporting Documents Required.
- Sec. 2-3. Grounds for Denial of Application.

Division 3. General Conditions for All Users.

- Sec. 3-1. Airport Privileges not Transferable.
- Sec. 3-2. Written Agreements Required.
- Sec. 3-3. Restrictions on Operations Areas.
- Sec. 3-4. All Construction to be Approved by Board.
- Sec. 3-5. Refuse and Waste.
- Sec. 3-6. Rates to be Non-Discriminatory.
- Sec. 3-7. Complaints Against Operators.
- Sec. 3-8. Grounds and Procedures for Termination of Operator's Rights.

Division 4. Rules and Regulations for Fixed Base Operators.

- Sec. 4-1. Definition of Fixed Base Operator.
- Sec. 4-2. Requirements, Rules and Conditions for Fixed Base Operators.

Division 1. Administrative Provisions.

SECTION 1-1. DEFINITIONS.

Wherever used throughout these rules the term Board, Board of Supervisors or similar term shall apply to the airport manager or any other agent if the Board has by resolution or other agreement expressly delegated the authority to enforce these rules and regulations to said manager or agent.

SECTION 1-2. PRECONDITIONS FOR COMMERCIAL USE OF AIRPORT PROPERTY.

Subject to applicable orders, certificates or permits of the C.A.B. or the F.A.A., or their successors, no person shall use the airport, or any portion thereof, or any of its improvements or facilities for revenue producing commercial, business, or aeronautical activities who has not first complied with these rules and regulations and obtained the consent and all appropriate permits and licenses for such activities from the Board of Supervisors and entered into such written leases and other agreements prescribed and agreed to by the Board of Supervisors.

SECTION 1-3. DISCLAIMER.

Nothing contained in these rules and regulations shall be construed as requiring the County to maintain, store or replace any structure, improvement or facility which is substantially damaged or destroyed due to an Act of God or other condition or circumstance beyond the control of the County.

SECTION 1-4. WAIVERS.

The Board may, in its discretion, waive all or any portion of these rules and regulations for the benefit of any government or governmental agency or department or for the benefit of any person performing nonprofit, public services upon the airport property or for the benefit of any other person if the Board deems it in the best interest of the County.

SECTION 1-5. RESOLUTION OF CONFLICTING REQUIREMENTS.

In the event of conflicting provisions within these regulations, the most stringent shall apply. These minimum standards shall be construed consistently with any lease agreements whenever possible, but in the event of a conflict between a lease agreement and these minimum standards, the lease agreement provisions shall control.

SECTION 1-6. RIGHT OF INSPECTION.

To the extent necessary to protect the rights and interests of the County of New Kent or to investigate compliance with the terms of these rules and regulations, the Airport Manager, the County Administrator, the County Attorney, the Director of Public Works, and any member of the Board of Supervisors or any agent specifically appointed by the Board shall have the right to inspect at all reasonable times, all airport premises together with all structures or improvements and all aircraft equipment and all licenses and registrations.

Division 2. Application Procedures.

SECTION 2-1. APPLICATION TO BOARD REQUIRED; FORM OF APPLICATION.

Applications for leases of ground on the airport, or for permission to carry-on any commercial, business or aeronautical activity on the airport, with the necessary permits and licenses shall be made to the Board of Supervisors on forms prescribed by the Board of Supervisors. The Board of Supervisors shall consider the application within ninety (90) days of its submission. The Board may, if it deems advisable, have a public hearing upon the application. The applicant shall submit all information and material necessary or requested by the Board to establish to the satisfaction of the Board that the applicant can qualify and will comply with these rules and regulations. The application shall be signed by the owner of every sole proprietorship, or by every general partner of a partnership, or by the president and secretary of a corporation. If a corporation, a resolution of authority must accompany the application.

SECTION 2-2. SUPPORTING DOCUMENTS REQUIRED.

Unless waived by the Board of Supervisors, all applicants shall submit the following supporting documents to the Board of Supervisors and/or such other documents or information as may be requested by the Board.

1. A current financial statement prepared or certified by a Certified Public Accountant.
2. A written listing of the assets owned or being purchased which will be used in the business on the airport.
3. A current credit report covering all areas in which the applicant has done business during the past ten years.
4. A written authorization for the F.A.A. and the C.A.B., and all aviation or aeronautic 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 applicant or his operation. The applicant shall execute such forms, releases and discharges as may be requested by any of these agencies.

SECTION 2-3. GROUNDS FOR DENIAL OF APPLICATION.

The Board of Supervisors may deny any application if, in its opinion, it finds any one or more of the following:

1. The applicant for any reason does not meet the qualifications, standards and requirements established by these rules and regulations; or

2. The applicant's proposed operations or construction will create a safety hazard on the airport; or
3. The granting of the application will require the County to spend County funds, or to supply labor or materials in connection with the proposed operations to an extent which the Board is unwilling to agree to; or the operation will result in a financial loss to the County; or
4. There is no appropriate, adequate or available space or building on the airport to accommodate the entire activity of the applicant at the time of the application; or
5. The proposed operation or airport development or construction does not comply with the master plan of the airport, or
6. The development or use of the area requested by the applicant will result in depriving existing fixed base operators of portions of the area in which they are operating; or will result in a congestion of aircraft or buildings; or will result in undue interference with the operations of any present fixed base operator on the airport through problems involving aircraft traffic or service, or preventing free access to the fixed base operators area; or
7. Any party applying, or interested in the business has supplied the Board of Supervisors with any false information or has misrepresented any material fact in his application or in supporting documents; or has failed to make full disclosure on his application or in supporting documents; or
8. Any party applying, or interested in the business has a record of violating these rules and regulations, or the rules and regulations of any other airport, or the Civil Air Regulations, the Federal Aviation Regulations or any other rules and regulations applicable to the Airport; or
9. Any party applying, or interested in the business has defaulted in the performance of any lease or other agreement with the County of New Kent; or
10. Any party applying, or interested in the business has a credit report which contains derogatory information and does not appear to be a person of satisfactory business responsibility and reputation; or
11. The applicant does not appear to have, or have access to, the finances necessary to conduct the proposed operation for a minimum period of six (6) months; or

12. Any party applying, or having an interest in the business, has been convicted of any crime or violation of any county ordinance of such a nature that it indicates to the Board that the applicant would not be a desirable operator on the New Kent County Airport; or
13. The protection of the health, welfare, safety or morals of the inhabitants of the County of New Kent requires a denial.
14. Nothing contained herein shall be construed to prohibit the Board from granting or denying, for any reason it deems sufficient, an application to do business on the airport for the purpose of selling, furnishing or establishing non-aviation products and supplies or any service or business of a non-aeronautical nature, or the application by a person for an area on the airport for the personal non-profit use of such person.

Division 3. General Conditions for All Users.

SECTION 3-1. AIRPORT PRIVILEGES NOT TRANSFERABLE.

No right, privilege, permit or license to do business on the New Kent County Airport or any lease of any area of the airport shall be assigned, sold or otherwise transferred or conveyed in whole or in part nor shall any controlling interest in a corporation holding such a permit, license, lease or privilege be transferred or conveyed without the prior express written consent of the Board of Supervisors.

SECTION 3-2. WRITTEN AGREEMENTS REQUIRED.

All leases, licenses, permits or other agreements for activities on airport property, shall be in writing and shall be in such form as prescribed by the Board. Any such agreements may include appropriate provisions for the proposed use including indemnification and insurance requirements.

SECTION 3-3. RESTRICTIONS ON OPERATIONS AREAS.

No person authorized to operate or conduct business activities on the airport shall conduct any of its business or activities in any area except those leased to such person or otherwise specified by the Board.

SECTION 3-4. ALL CONSTRUCTION TO BE APPROVED BY BOARD.

No buildings, structures, tie-downs, ramps, paving, taxi areas, or any other improvement or addition on the airport shall be placed or constructed on the airport, or altered or removed without prior approval of the Board of Supervisors. In the event of any construction, the Board may, in its discretion, require an appropriate bond to guarantee the completion of the construction in accordance with the Board's approval.

SECTION 3-5. REFUSE AND WASTE.

No person shall throw, dump or deposit any solid or liquid waste, refuse or garbage on the airport. All waste, refuse or garbage shall be placed and kept in closed containers and all operating areas shall be protected from spills and kept in a safe, neat, clean and orderly manner at all times, and in such a manner as to minimize any hazards. Inoperable vehicles, trailers, or other equipment or personal property not related to airport activity shall not be maintained or stored on the airport property or within hangar facilities on the airport without prior approval of the Airport Manager. Any such items shall be removed immediately at the direction of the Board of Supervisors.

SECTION 3-6. RATES TO BE NON-DISCRIMINATORY.

Rates charged for hangar space, T-hangar rentals, tie-downs, or any other product, item, or service shall not be excessive, discriminatory nor otherwise unreasonable. All such rates and changes thereto shall be filed with the Board of Supervisors.

SECTION 3-7. COMPLAINTS AGAINST OPERATORS.

All complaints against any fixed base operator for violation of these rules shall be made in writing, be signed by the party submitting the complaint and shall specify dates, times and witnesses, if any.

SECTION 3-8. GROUNDS AND PROCEDURES FOR TERMINATION OF OPERATOR'S RIGHTS.

The Board shall have the right, in its discretion, to terminate any lease or other agreement authorizing an operator to conduct any service or business on the airport and to revoke any operator's license, authority or permit to do business upon the airport for any cause or reason provided in these rules or by law, and in addition thereto, upon the happening of any one or more of the following:

A. The filing of a petition, voluntarily or involuntarily, for the adjudication of the operator as a bankrupt.

B. The making by the operator of any general assignment for the benefit of creditors.

C. The abandonment or discontinuance of any permitted operation at the airport by the operator or the failure to conduct such operation on a full-time basis without the prior approval of the Board.

D. The failure to promptly pay to the County, when due, all rents, charges, fees and other payments which are payable to the County by the operator.

E. The operator or any partner, officer, director, employee or agent thereof operates the business in such fashion as to create a safety hazard on the airport for other airport users, aircraft or property on the airport, the general public, or any pilots, students or passengers. In such event the operator shall be provided with written notice of the unsafe condition which notice shall specify the unsafe condition and shall require a remedy satisfactory to the Board of Supervisors to be made within thirty (30) days. The notice shall specifically state what remedy the Board will consider adequate.

F. The operator or any partner, officer, director, employee or agent thereof supplies the Board with any false information or misrepresents any material fact to the Board or fails to make full disclosure to the Board in an application, supporting document, or enstatements or reports to or before the Board.

G. Except for payment of rents, charges, fees and other payments to be paid to the Board, the failure of the operator to remedy any default, breach, or violation by him, or his personnel in keeping, observing, performing, and complying with these rules and regulations or the terms, covenants and conditions of any lease or agreement entered into pursuant hereto within thirty (30) days from the date written notice from the Board of Supervisors has been mailed or delivered to the place of business of the operator at the New Kent County Airport.

In the event of a termination the operator shall forthwith peaceably vacate the airport and surrender possession of the premises to the County and cease and desist all business operations on the airport. Should the operator fail to make such surrender, the County of New Kent shall have the right, at once and without further notice to the operator, to enter and take full possession of the space occupied by the operator on the airport. Upon such termination by the County of New Kent, all rights, powers and privileges of the operator shall cease and the operator shall immediately vacate any space occupied by it under any lease or other agreement. In addition to all other rights and remedies provided in these rules, the County of New Kent shall have any and all other rights and remedies at law or in equity including the equitable remedy of injunction to enforce these rules and regulations, to obtain compliance herewith and to impose the penalties herein provided.

Division 4. Rules and Regulations for Fixed Base Operators

SECTION 4-1. DEFINITION OF FIXED BASE OPERATOR.

A fixed base operator shall be a person who carries on one or more of the following services for profit at the New Kent County Airport:

- A. Aircraft sales.
- B. Parts and accessories sales.

- C. Charter operations which include, without limitation, passenger or "air taxi"; freight or delivery; photography; aerial survey; agricultural spraying, etc.
- D. Aircraft rental.
- E. Flight instruction or ground schools.
- F. Maintenance services which shall include services in one or more of the following:
 - 1. Airframe overhaul and repair;
 - 2. Engine overhaul and repair;
 - 3. Radio and electrical shop;
 - 4. Instrument shop;
 - 5. Aircraft interior work;
 - 6. Refinishing and painting.
- G. Line services which shall include one or more of the following services:
 - 1. Supplying fuel, oil, de-icing or other fluids;
 - 2. Cleaning of aircraft.
- H. Aircraft storage, inside and/or outside.

SECTION 4-2. REQUIREMENTS, RULES AND CONDITIONS FOR FIXED BASE OPERATORS.

A. An applicant for a fixed base operator's lease shall specify all services which the applicant desires to conduct at the airport. Fixed base operators shall conduct only those services for which they are qualified and which are specified in the lease granted by the Board of Supervisors.

B. No person shall conduct business operations on the airport under a business name the same as or deceptively similar to the business name of any other fixed base operator previously established on the airport.

C. For a fixed base operator to qualify for a lease, he must have available sufficient operating funds to conduct the proposed business for a period of at least six (6) months.

D. Each fixed base operator approved shall enter into a written lease agreement with the County which includes an agreement on the part of the fixed base operator to accept, be bound by, comply and conduct his business operations in accordance with these rules and regulations and to agree that

his license and authority to carry-on business on the New Kent County Airport, in addition to all other requirements, shall be subject to the terms and conditions set out in these rules and regulations and the revocation or termination thereof as herein provided.

E. Airport areas on which fixed base operator facilities, if any, are to be constructed or operated shall be specified by the Board of Supervisors in accordance with these rules and the master plan of the New Kent County Airport. The area to be leased to the individual operators shall be designated in the lease agreements.

F. Each fixed base operator shall, upon being authorized by the Board, and as the construction of any required physical facilities permit, immediately commence and conduct on a full time basis all business activities and services authorized.

G. The fixed base operator and personnel and employees shall be competent and shall hold current, valid certificates, permits, licenses or other authorities required by the C.A.B., and the F.A.A., including any required F.A.A. Air Taxi permits. Fixed base operators shall not utilize any pilot in any aircraft operations who does not hold valid and current certificates from the C.A.B. and F.A.A., necessary for him to conduct such activities.

H. Except in cases of fixed base operators offering T-hangar or inside hangar aircraft storage only, each fixed base operator shall provided and maintain an office which shall be staffed and open to the public during the normal business hours of each normal business day which shall be the operator's office or place of business on the airport, a waiting room with appropriate furnishings, separate restrooms for men and women and a public telephone. These facilities and offices shall be kept in a neat clean and orderly condition and properly painted. The office shall contain at least four hundred (400) square feet of inside floor space, less inside partitions. Only one office shall be required of each fixed base operator. No fixed base operator, or its employees, agents, officers, or other persons connected with the business shall use the office, area or other facilities of any other fixed base operator without the consent of said fixed base operator.

I. Plans and specifications for all construction shall be submitted to the Board of Supervisors for approval prior to the commencement of construction. In the event construction is required to meet these minimum standards, then plans and specifications shall be submitted within thirty (30) days after the fixed base operator's application has been approved by the Board. Any construction activity shall be completed by the fixed base operator within one (1) year from the date of approval of the plans and specifications. These times may be extended by the Board upon good cause shown by the fixed base operator. All construction shall comply with all applicable building codes and local ordinances.

J. Unless otherwise specified in the lease agreement, the fixed base operator shall at his own expense provide, construct, install, equip, and maintain all utilities, buildings, structures ramps, tie-down areas, taxiways, fences, and all other facilities and improvements to carry-on the activities and services authorized by the Board.

K. The fixed base operator shall promptly pay, when due, all charges for sewer, water, power, telephone service and all other utilities and services supplied to his operation on the airport, all wages or salaries and all rentals, fees, and payments payable to the County.

L. Unless otherwise provided by the Board, all operations of the fixed base operator shall be confined to those areas leased to or otherwise designated for the use of the fixed base operator. The fixed base operator shall park and store the aircraft in his operations and his customer's aircraft on his assigned areas only unless he arranges for such parking with another fixed base operator or the Board of Supervisors. The fixed base operator shall carry-on his operations strictly within the areas assigned to him by the Board and his operation shall not in any way interfere with the operations of other fixed base operators, agencies or other businesses operating on the airport, the use of the airport by the general public, or with any common use areas.

M. Each fixed base operator shall be responsible for the removal of snow and ice from all his leased areas and areas in which he is authorized to operate and shall keep his leased area and areas in which he is authorized to operate, free and clear of all weeds, rocks and other debris which is unsightly or which could cause damage to aircraft, buildings, persons or automobiles. Those areas for which the fixed base operator is responsible shall be specified in the lease agreement.

N. All fixed base operators shall cooperate with the Board of Supervisors and the airport manager in the operation management and control of the airport and shall do all things reasonable to advance and promote the New Kent County Airport and aeronautical activities thereon and to develop the airport into an attractive, efficient and modern airport.

O. The fixed base operator shall furnish all services authorized or licensed by the Board on a fair, equal and not unjustly discriminatory basis to all users and shall charge fair, reasonable and not unjustly discriminatory prices for each unit of service; provided that the fixed base operator may make reasonable and non-discriminatory discounts, rebates or other similar types of price reductions to volume purchasers, if permitted by law.

P. In order to qualify for the respective services mentioned below, the fixed base operator shall, in addition to meeting all other requirements and qualifications set out in these rules and regulations meet the following minimum qualifications:

1. AIRCRAFT SALES. The fixed base operator shall provide the office required by these rules, and shall lease from the County on the airport an area of sufficient size to permit the storage and/or display of all aircraft for sale or used in the aircraft sales business.
2. PARTS AND ACCESSORIES SALES. A fixed base operator shall be licensed to conduct one or more other fixed base operator services and provide suitable space for the display and sale of such items.
3. CHARTER OPERATIONS. A fixed base operator shall provide the office required by these regulations; shall own at least one aircraft based on the New Kent County Airport which is so equipped and maintained as to comply with the applicable rules and regulations of the C.A.B. and the F.A.A.; and shall lease from the County an area on the airport of sufficient size to accommodate all such buildings, and all aircraft that will be used in such charter operations.
4. AIRCRAFT RENTAL. A fixed base operator shall provide the office required by these rules and shall lease from the County an area on the airport of sufficient size for the buildings and to accommodate all aircraft that will be used by the fixed base operator. The fixed base operator shall have available at least two (2) rental aircraft. At a minimum, one shall be a two (2) place trainer and one shall be a four (4) plane utility aircraft with a power plant of at least 150 horsepower.
5. FLIGHT INSTRUCTION OR GROUND SCHOOL. A fixed base operator shall provide the office building required by these rules which shall be of sufficient size so as to provide a suitable classroom in addition to other required areas. The classroom area shall consist of a minimum of four hundred (400) square feet of inside classroom space, less inside partitions; the operator shall lease from the County an area on the airport of sufficient size to accommodate the buildings and all aircraft that will be used by the fixed base operator and shall own or lease and have based upon the airport one or more aircraft suitable for flight instruction which comply with the rules and regulations of the F.A.A. and the C.A.B. At least one (1) F.A.A. certified flight instructor must be employed on a full or part-time basis.
6. MAINTENANCE SERVICE. A fixed base operator shall provide a shop building which is separated by a fire wall from any hangar, building or area in which aircraft are stored, of sufficient size to accommodate at least one twin-engine private aircraft together with

all tools and equipment and the office required by these rules, which building shall contain at least 1,200 square feet of inside floor space, less inside partitions. In addition, the fixed base operator shall equip the shop with such tools, machinery, equipment, parts, and supplies normally necessary to conduct a full time business operation in connection with the maintenance service being offered. The operator shall have the capability of removing damaged aircraft from active runways or taxiways. Such shop shall be staffed by mechanics and personnel who are qualified and competent and who hold any and all certificates on a regular business and shall be open for repairs daily during normal business days and hours with competent personnel on duty. At least one (1) full-time certified A and P mechanic must be employed. In addition, he shall lease from the County an area on the airport of sufficient size to accommodate aircraft used by the fixed base operator, or which are placed with him for repairs. Aircraft may be stored in the shop building.

7. LINE SERVICES. The fixed base operator shall be licensed to provide at least one other fixed base operator service and shall provide the office required by these rules. In addition, the fixed base operator shall provide and maintain all necessary pumps, tanks, and/or mobile gas trucks, gassing islands and areas, ramps and other gassing facilities that may be necessary. Provided, however, the fixed base operator shall not place or maintain any fuel facility on the airport, mobile or fixed, which is not previously approved by the Board of Supervisors. The fixed base operator shall not deliver fuel into any aircraft unless the fuel has first been placed in a suitable and approved filtration tank. There shall be no fueling direct from a common carrier transport truck into a refueler without filtration. The fixed base operator shall keep a current, complete, and accurate record of all gasoline, oil and other products sold in connection with his line services and shall, at the request of the Board, make available all invoices and records of purchases and sales by the fixed base operator of gasses, oils and products sold in connection with the line services, for up to one year prior to the request. Failure to keep an accurate record of all purchases and sales of line service products by the fixed base operator shall be reason for the Board of Supervisors to revoke the fixed base operator's license and authority to do business on the New Kent County Airport in connection with all services. Each fixed base operator offering line services shall maintain enough full time attendants on duty to service aircraft without unreasonable delay during the normal times and weather for this type of service. The fixed base operator with gassing facilities shall at all times maintain an adequate supply of the gasses, oils, and fluids normally called for on an airport such as the New Kent County Airport. If the fixed base

operator maintains a mobile gas truck, he shall operate this truck only on the area leased to him and such other areas as the Board of Supervisors may designate from time to time. The fixed base operator must have an area of sufficient size to accommodate the line services and flow of traffic in and out of the line services, for all buildings and for the parking or storing of all aircraft used by the fixed base operator in his operations, and for his customer's aircraft.

8. AIRCRAFT STORAGE. For outside storage, the fixed base operator must be licensed to supply at least one other fixed base operator service and in addition to the qualifications therefore, have a tie-down area of sufficient size to accommodate all aircraft used by the fixed base operator in his operations and all aircraft that will be parked or stored by the operator. If the fixed base operator will offer inside hangar or T-hangar storage, then he shall provide a storage building or buildings sufficient to accommodate at least ten (10) aircraft, the construction cost of which shall not be less than \$70,000.00. He may have an office in the storage building. If no office is maintained, the fixed base operator shall post in conspicuous places on the hangar facilities, the name address and telephone number of the fixed base operator and of the person managing or operating the hangar facilities. The operator shall have an area of sufficient size to accommodate the building with proper access.

Q. The fixed base operator shall indemnify, defend or save the County, its authorized agents, officers, representatives and employees and save harmless from and against any and all actions, penalties, liabilities, claims, demands, damages, or losses, resulting from claims or court actions, whether civil, or criminal and arising directly or indirectly out of the acts or omissions of the fixed base operator, his (its) agents or employees. The fixed base operator shall secure public liability and property damage insurance on which the County of New Kent shall be named as an additional insured with the fixed base operator. 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 have a combined single limit of not less than \$500,000 for personal injury or property damage and shall be placed with a reputable insurance company approved by the County of New Kent. Copies of all such policies of insurance shall be delivered to the County of New Kent and shall be held for the benefit for the parties as their respective interest may appear. The amount of such insurance shall not be deemed a limitation on the fixed base operator's liability to the County and if the County of New Kent or any of its authorized agents, officers, representatives or employees becomes liable for an amount in excess of the insurance, the fixed base operator will save and hold them harmless for the whole thereof.

**BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA**

R-13-98

**RESOLUTION APPROVING WAIVER FROM MINIMUM STANDARDS
FOR ESSENTIAL SERVICES - MAINTENANCE SERVICES**

At a meeting of the Board of Supervisors of the County of New Kent in the Boardroom of the County Administration Building in New Kent, on the 8th day of June 1998:

Present:	Vote:
James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb	Aye

Motion was made by Mr. Burrell, which carried 5:0, to adopt the following resolution:

PURSUANT to §1-4 of the Minimum Standards of New Kent County Airport, it is hereby found that it is in the best interest of the County to waive certain of the Minimum Standards in order to facilitate bringing a Fixed Base Operator ("FBO") on to the Airport for maintenance services.

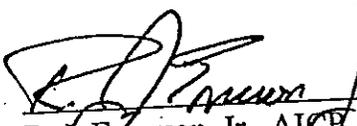
NOW, THEREFORE, BE IT RESOLVED that FBOs for maintenance services shall not be required to meet the following provisions of the Minimum Standards: §1-2, 3-4, 4-2.D-F, H-J, L, and P6.

NOTWITHSTANDING THE WAIVERS SET OUT HEREIN, each such FBO shall provide comprehensive general liability insurance in the minimum amount of \$500,000.00, airport liability and property damage liability insurance with minimum amounts of \$100,000.00 per aircraft and \$300,000.00 per occurrence, and all other insurance requirements set out in the Minimum Standards, or State or Federal Law or Regulation.

BE IT FURTHER RESOLVED that any applicant for FBO service shall obtain a business license. The FBO shall have, at minimum, a current A&P rating. An Applicant for an FBO license shall demonstrate that he or she has an Aircraft Inspector available to provide any required inspections of work performed on aircraft.

THE PROVISIONS OF THIS WAIVER shall be incorporated into any agreement for any Fixed Based Operator maintenance service. The provisions of this waiver shall apply for no more than twelve months.

A Copy Teste:

 6/10/98
R. J. Emerson, Jr., AICE
County Administrator

NEW KENT COUNTY AIRPORT
Application for Aircraft Maintenance Services

Name of Applicant: _____

Address: _____

Phone Number: _____

1. Please provide copies of the following documents:

A. Certificate of insurance indicating the following coverage:

1. General liability in the minimum amount of \$500,000; and,
2. Airport liability and property damage liability coverage with amounts of \$100,000 per aircraft and \$300,000 per occurrence; and,
3. all other insurance requirements set out in the Minimum Standards, or State or Federal Law or Regulation.

B. A copy of your firm's New Kent County or applicable business license issued by another locality.

C. A copy of your current A&P certificate, and documentation that you have a certified Aircraft Inspector available to provide any required inspections of work performed on aircraft.

2. I certify that I will comply with the insurance coverage limits listed in 1.A. and will maintain the licenses identified in 1.B. and 1.C.

Signature of Applicant: _____

Date: _____

The above applicant has met the applicable minimum standards and is hereby authorized to provide individual aircraft maintenance service at the New Kent County Airport. Such services shall be performed in the leased space of the aircraft owner only.

Signature of Airport Manager: _____

Date: _____

Signature of County Administrator: _____

Date: _____

HANGAR LEASE AGREEMENT

THIS LEASE AGREEMENT (the "Lease") is made this _____ day of _____, 19____, by and between THE COUNTY OF NEW KENT ("Lessor"); and _____ ("Lessee") and provides as follows.

1. Lease. For and in consideration of the mutual covenants and agreements hereinafter set out, Lessor hereby agrees to lease to Lessee and Lessee hereby agrees to lease from Lessor certain hangar space for storage of the following aircraft (the "Leased Premises"):

Hangar _____

Aircraft Make and Model _____

N-Number _____

The Leased Premises shall be the hangar space set forth above and located at the New Kent Airport. Lessee shall further have rights of common access across the property of Lessor for access to and use of the Leased Premises.

2. Rent Amount and Term. This Lease will be on a month-to-month basis beginning the date set forth above. Lessee shall pay rent in the amount of \$ _____ per month, in advance, on the first day of each calendar month throughout the term of this Lease. The first month's rent (pro-rated as necessary) shall be due and payable upon signing of this Lease. Either party shall have the right to terminate this Lease, at any time, for any reason, upon thirty (30) days written notice. Lessor may change the monthly rent at any time upon thirty (30) days notice.

3. No Other Aircraft. This Lease shall be for the aircraft identified above, only. Lessee agrees to notify Lessor of any change or replacement of the aircraft, and to provide Lessor the type, N-number and color of any replacement aircraft.

4. Use. Lessee shall not use, nor permit the use of, the Leased Premises for any purpose other than the storage of and maintenance on the above identified aircraft. Specifically, but without limitation, automobiles, boats, recreational vehicles, or other property shall not be stored in the Leased Premises or any other of Lessor's airport facilities, except that a vehicle used for transportation to and from the airport may be kept in the Leased Premises while Lessee's aircraft is in use. Personal property related to storing aircraft may be kept in the Leased Premises, subject to the terms of this Lease, and the Minimum Standards for the Airport (the Minimum Standards), which, as amended from time to time, shall be incorporated into the terms of this Lease. Neither the Lessee nor any agents, employees, invitees, guests or contractors may carry out any maintenance, repair or other activities in or around the hangar which may cause harm or danger to the Lessor's property or to the property of any other user of the airport. Spray painting, sandblasting, welding and burning are strictly prohibited in the Leased Premises. Lessee shall not carry on any illegal or hazardous activities in or around the Leased Premises.

5. Responsibility for Securing Aircraft. Lessee shall be responsible for proper securing of the aircraft. Neither Lessor nor any of its officers, directors, agents and employees shall have any liability to Lessee or any other person for any loss or damage resulting from any such movement of the aircraft or from any failure to move the aircraft, whether occurring by negligence or otherwise, and Lessee waives any rights against Lessor, its officer, directors, agents and employees by reason of such movement.

6. Repair and Maintenance. Lessee agrees that the aircraft shall be kept airworthy at all times, except during periods for repair or maintenance. The maximum time during which an aircraft may be allowed to remain in a non-airworthy condition shall be thirty (30) days. Upon request by Lessee, Lessor, at its sole option, may extend the time period for maintenance or repairs for an additional period not to exceed sixty (60) days.

7. Hazardous Substances. Lessee shall not cause or permit to exist, as a result of an intentional or unintentional act or omission on his or her part or on the part of any of his or her guests or invitees, a releasing, spilling, leaking, pumping, emitting, pouring, emptying or dumping of a Hazardous Substance on or about the Leased Premises. Lessee shall immediately notify Lessor should Lessee become aware of a releasing, spilling, leaking, pumping, emitting, pouring, emptying or dumping of any Hazardous Substances. "Hazardous Substances" shall mean and include all hazardous and toxic substances, wastes or materials, any pollutants or contaminants, or other similar substances, or materials which are included under or regulated by any local, state or federal law, rule or regulation pertaining to environmental regulation, contamination or clean-up, including, without limitation, "CERCLA", "RCRA", or state super lien or environmental clean-up statutes, including without limitation, the following named substances: paint, paint chips, oil, gasoline, engine coolants and fluids of every kind or garbage. Lessee shall not store any flammable materials, including oil and gasoline in the Leased Premises at any time except as permitted by the Minimum Standards and other regulations.

8. Insurance, Loss or Damage. Lessee agrees that the aircraft identified above, and/or any replacement aircraft stored in the Leased Premises, shall carry insurance, at a minimum, in amounts and coverages as required by Virginia Code §§ 5.1-88.1 through 88.4, as amended from time to time. Lessee hereby assumes and shall bear the entire risk of loss or destruction or damage to aircraft (including its contents, gear and equipment) vehicles and any other of Lessee's property, from any and every cause whatsoever, (including but not limited to fire, theft, vandalism, water damage and any negligent acts or omissions by Lessor).

9. Indemnification. Lessee agrees to assume all liability for, to indemnify and hold harmless Lessor, its officers, partners, agents and employees from and against, all losses, damages, penalties, claims actions, suits, costs and expenses, including court costs and attorney fees imposed on, incurred by or asserted against Lessor in any way relating to or arising from Lessee's possession and use of the Leased Premises, including, but not limited to bent or broken interior walls, damage to floors or damage to doors by Lessee, his agents, employees, invitees and guests. Further, Lessee shall be liable for any damage to Lessor's other property and to any other aircraft caused by or arising from Lessee's use of the Leased Premises or other airport property. The indemnification in this paragraph shall not apply to the negligent or willful acts or omissions of the parties indemnified hereunder or any of them. The indemnification in this paragraph shall survive the expiration or sooner termination of this Lease.

10. Rules and Regulations. Lessee agrees to comply with the Minimum Standards (as defined above) and any other of Lessor's rules and regulation which concern the storage of the aircraft and the use of the Leased Premises, including but not limited to all signage posted about the Leased Premises. Lessor reserves the right to modify its rules and regulations from time to time.

11. Right of Entry. Employees of the Lessor may enter the premises to inspect, repair, alter or improve the premises. Except in the case of an emergency, Lessor will give reasonable notice before entering the premises, and will enter only during normal business hours.

12. Termination. On termination of the Lease, Lessee shall immediately remove the aircraft from the Leased Premises and shall remove all other personal property, if any. If Lessee fails to remove the aircraft and any personal property within ten (10) days after termination of this Lease, Lessee agrees that Lessor may (but is not required to) cause the aircraft and personal property to a location of Lessor's choice, and Lessee shall pay or reimburse to Lessor all costs incurred or charged by Lessor and any third-party by reason of such removal. Lessee agrees that Lessor, its officers, directors, agents and employees shall have no liability to any person for any loss or damage resulting from any such removal or failure to remove, whether occurring by negligence or otherwise, and Lessee waives any rights against all such persons and entities by reason of such removal.

13. Default. If Lessee (1) fails to pay when due any rent due hereunder and such failure shall continue for ten (10) days after such due date, (2) defaults in any other covenant or agreement to be performed by Lessee under the terms and provisions of this Lease, or (3) petitions to be or be declared bankrupt or insolvent according to law, or (4) fails to regularly store the aircraft identified in this Lease in the Leased Premises for a period of thirty days (collectively, an "event of default"); then Lessor immediately or at any time thereafter and without further notice or demand may declare this Lease forfeited and may thereupon re-enter and take full and absolute possession of the Leased Premises free of any right of Lessee hereunder. Upon an event of default, Lessor will have all other legal and equitable rights available to it, including, but not limited to, the right to sue for past and future rent and for other damages, including interest and attorney fees and costs. In the event that this Lease is terminated upon an event of default, Lessor shall have the right remove the aircraft and other property of Lessee from the Leased Premises, store the aircraft at an itinerant aircraft tiedown location, charge Lessee for the storage at the then-current transient tiedown rate and immediately relet the Leased Premises.

14. Assignment or Sublease. This Lease shall not be assigned by Lessee, and the Leased Premises or any portion thereof shall not be sublet by Lessee, except with the express written permission of Lessor, which permission it shall be under no obligation to give. All rights of Lessor under this Lease may be assigned, pledged, mortgaged, transferred or otherwise conveyed without notice to Lessee. In the event that Lessee is permitted to sublet the Leased Premises, the sublessee, prior to entering into a sublease, must agree, in writing, to be subject to the terms of this Lease. Lessee shall remain fully responsible for compliance with all provisions of this Lease during any sublease term. Any sublease permitted hereunder shall not exceed a period of six (6) consecutive months or six (6) months in any single calendar year.

15. Notice. Any notice required or permitted under this Lease shall be sent by certified mail, return receipt requested to Lessor as follows:

Assistant County Administrator
New Kent County
PO Box 50
New Kent, Virginia 23124

and to the Lessee as follows:

Name _____

Street
Address _____

City/State _____

Phone / Work _____ Home _____

16. Successors and Assigns. All the terms, conditions, and covenants contained in this lease shall inure to the benefit of and be binding upon the successor and assigns of Lessor and Lessee.

17. Governing Law. This lease shall be governed and interpreted in accordance with the laws of the Commonwealth of Virginia.

18. Entire Agreement. This Lease contains the final agreement of the parties with respect to the leasing of the Leased Premises and supersedes all previous negotiations and agreements for hangar or tie-down space at the New Kent Airport.

Each person signing this Lease as a Lessee shall be jointly and severally liable for all terms and obligations of this Lease. If Lessee is a corporation, partnership, limited liability company or similar entity, the signatory for such entity agrees to be personally responsible for all obligations of such entity set out in this Lease.

LESSEE: _____
(Print or Type Name)

By: _____
(Signature)

LESSOR: COUNTY OF NEW KENT

By: _____
(Signature)

(Print or Type Name)



COUNTY
OF
NEW
KENT

Department of Planning and
Community Development

MEMORANDUM

To: Members, New Kent County Airport Advisory Commission

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

Date: June 25, 1998

Subject: **Board of Supervisors Airport Information Request**

Attached please find a memorandum from the County Administrator referencing several letters of inquiry drafted at the request of the Board of Supervisors (copies of referenced correspondence also attached). As indicated, the letters were created at the request of the Board of Supervisors so the Board could obtain information to make informed decisions concerning the future of the New Kent County Airport.

/DPM

MEMORANDUM

From the Office of the County Administrator

TO: David P. Maloney, AICP
Director of Planning

FROM:  J. Emerson, Jr., AICP
County Administrator

DATE: 6/23/98

SUBJECT: **New Kent County Airport**

David:

Attached please find several letters concerning the New Kent County Airport. The letters were created and sent at the direction of the Board of Supervisors to obtain information in order for the Board to make educated decisions concerning the future of the New Kent County Airport.

One letter is to the Capital Region Airport Commission inquiring whether or not the commission would be interested in including the New Kent Airport in a system operated by the commission. As you are aware, New Kent County, by legislation, is entitled to a seat on the Capital Region Airport Commission and the Chairman of the Board has requested CRAC also consider allowing the county to assume it's seat along with including the airport in a managed airport system.

In addition, you will find letters sent by the County Attorney to Congressman Scott and Senator Robb inquiring whether or not legislation could be created forgiving New Kent County's grant obligations to the Federal Aviation Administration in order for the Board of Supervisors to have the option of closing the county airport, if it so desires. The Board has not made a decision to close the county airport, it has only requested it's representatives in the United States Legislature to make inquiries into the possibilities of closure.

I request you share this information with the Airport Commission at their upcoming meeting so they will be aware of the actions of the Board. If you have any questions or require further assistance, please advise.

RJEJr/jc

Attachments

cc: The Honorable Board of Supervisors

COUNTY
OF
NEW
KENT

Board of Supervisors

Julian T. Lipscomb, Dist. 1
Rebecca M. Ringley, Dist. 2
James H. Burrell, Dist. 3
Mark A. Hennaman, Dist. 4
Frederick G. Bahr, Dist. 5

R. J. Emerson, Jr.
County Administrator

June 17, 1998

The Honorable J. T. Ward
Chairman
Capital Region Airport Commission
Box A-3
Richmond, VA 23231-5999

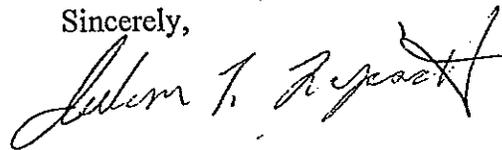
Dear Jack:

After the Inter City Visit to Portland and our trip to the Portland Airport to observe the operation of an airport system, I have become interested in reopening the possibility of New Kent County taking it's seat on the Capital Region Airport Commission and including the New Kent Airport in a system operated by CRAC. I believe it will be advantageous to both New Kent County and CRAC to reexamine this idea because of recent changes that may make this a more plausible idea than perhaps it was in the past.

If you would please consider reappointing a subcommittee of the Commission to work with New Kent County officials to determine if there's an interest in this project, it would be appreciated.

Please let me know your thoughts where this is concerned as soon as possible.

Sincerely,



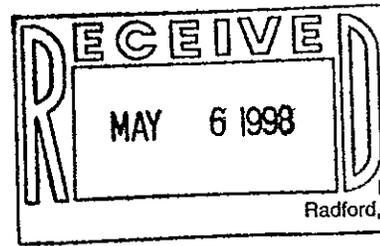
Julian T. Lipscomb
Chairman, Board of Supervisors

JTL/jc

cc: The Honorable Board of Supervisors
David Blackshear
R. J. Emerson

The Ross Building
801 East Main Street, Suite 1400
Post Office Box 1998
Richmond, Virginia 23218-1998
Tel: (804) 648-1636
Fax: (804) 783-7291/783-2926

LAW OFFICES
**SANDS ANDERSON
MARKS & MILLER**
A PROFESSIONAL CORPORATION



206 Norwood Street
Post Office Box 1052
Radford, Virginia 24141-0052
Tel: (540) 639-1601
Fax: (540) 639-6802

Reply to Richmond Office
P.O. Box 1998
Richmond, Virginia 23218-1998

Mark K. Flynn
Direct Dial: (804) 783-7232
e-mail: mkflynn.samm@mcimail.com

May 5, 1998

Attention Nkechi George

The Honorable Robert C. Scott, Congressman
Jackson Building
501 North 2d Street
Suite 401
Richmond, Virginia 23219

Re: New Kent Airport Closure Legislation

Dear Congressman Scott:

This letter is written to follow up on the conversation that Nkechi George of your staff recently had with Joe Emerson, New Kent County Administrator about the possibility of your sponsoring legislation to authorize forgiving the obligations of New Kent County to the Federal Aviation Administration for the New Kent County Airport and to authorize the closing of the airport.

The continued operation of the airport is not in the best interests of the citizens of New Kent County or the public generally.

The airport is a small, general aviation field that can serve light aircraft only. Because of the topography of the area, the runway cannot be lengthened or significantly widened. As a result, the airport cannot be expanded to attract corporate aircraft for economic development purposes.

Richmond International Airport is less than ten miles from the airport. Richmond airport is the economic development airport for the area of the county where the New Kent airport is located.

The County has the right to become a member of the Middle Peninsula Regional Airport Authority, which is being formed to own and operate the West Point Airport. If the New Kent Airport is closed, the County plans to become a member of that Authority. As part of its membership, the County will work to insure that the aircraft now based at New Kent

Congressman Scott
May 5, 1998
Page 2

will have space at the Middle Peninsula Regional Airport. In addition, the County will help located space at the other airports in the Richmond area if such help is needed.

Despite the need at the airport for major updates and repairs, for the reasons set out above, the County cannot justify spending large amounts of local money on the airport. It cannot afford to repay the federal grants, in order to be able to close the airport. In addition, grant funds were used to acquire the airport property. According to the FAA rules, the County is under a perpetual obligation to operate the airport since it acquired airport property with grant funds.

The only way the County could continue to operate the airport is by accepting more federal grants. This would make it even more difficult to close the airport, since the County would be committing its citizens to additional grant obligations. Spending additional money on the airport is not in the County's best interest or the best interests of the public.

Over the past sixteen years, New Kent County has received federal grants through the Federal Aviation Administration (FAA) for the purchase of land at the airport and for airport improvements. For the period from 1982 to present, FAA has participated in projects totalling approximately \$2,833,097. The federal portion amounts to approximately \$2,549,787.

For these reasons, the County requests your help in sponsoring legislation to:

- i. forgive the federal grants which the County has received for the airport;
- ii. release the County from any such grant obligations; and,
- iii. authorize the County to cease operation of the airport.

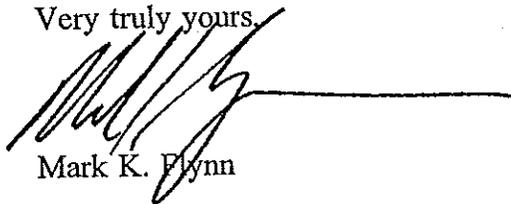
The federal grants were made for public purposes. The County intends to continue to dedicate the airport property to public use if it is allowed to close the airport. Specifically, the County plans to use the property for public recreational uses if it is allowed to close the property.

New Kent needs recreation facilities for its citizens. Currently, the County does not have any such facilities. The need is demonstrated in the attached article from the May 4th edition of the Richmond Times Dispatch. The airport property would become the first recreational facility to meet this need. It is located in the part of the County which has the greatest population. Therefore, it is a valuable resource to help the County address the current need for park land.

Congressman Scott
May 5, 1998
Page 3

If you need additional information on the matters set out in this letter, please advise.
On behalf of New Kent County, I appreciate your assistance in accomplishing this important goal.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Mark K. Flynn', is written over a solid horizontal line. The signature is stylized and cursive.

Mark K. Flynn

MKF/amg

cc: R.J. Emerson, Jr., AICP
James E. Cornwell, Esquire

New Kent group pushes recreation

No parks system exists in county

BY DORINE BETHEA

TIMES-DISPATCH STAFF WRITER

Cpl. Danny Patterson is a former jock, a product of recreational and school sports. As a youth, he played football and basketball. Now he's the drug prevention officer for the New Kent County's Sheriff's Office, and he wants youths in New Kent to have the same recreational opportunities he had.

But New Kent has no parks and recreation department, leaving a void Patterson has been working to fill. He serves with seven others on the county Parks and Recreation Commission, a group the Board of Supervisors formed in 1996.

"I'm a product of recreation, and I had good parenting," said Patterson, who spent his childhood in Newport News public housing. "I was fortunate enough to be an athlete. If you are not involved in school athletics, or are not an athlete, there is not a

lot for you to do."

New Kent, situated between Richmond and Williamsburg, faces challenges similar to those of many rural counties that are emerging as bedroom communities for nearby cities. With a 1996 population of about 12,000 people and a negligible industrial tax base, it has no parks system and little organized recreation outside the school system.

Patterson, the school/community liaison for the county's Drug Abuse Resistance Education program, and commission members spent the past two years examining the need for a county parks and recreation system and developing a plan to meet those needs. Recreational youth activities are one of several issues the commission studied as it fulfilled the charge to examine the potential need and cost to create a recreation department.

The commission also examined funding sources, which raised the question of a tax increase to help pay for it.

"We will not be raising taxes this

PLEASE SEE GROUP PAGE B2 ▶

Group in New Kent County aims for recreation program

▼ GROUP FROM PAGE B1

year. The taxes are already high because there are no services," county Supervisor Frederick G. Bahr said. "As far as next year is concerned, I'll take the Fifth. This is very important in our plans for the future."

Results of a New Kent survey conducted in 1995 by Virginia Commonwealth University graduate students showed 49 percent of respondents thought a parks and recreation program "very important," with 33.4 percent who found it "somewhat important."

Nearly 18 percent said it is not important. Some said the county itself is a park that already provides recreation.

"We want to make the parks and recreation department or program as encompassing as possible. We don't want to leave out any population," said Lee J. Tyson, a county planner and staff representative on the commission. "Everywhere, the pace of life has just gotten faster," he said, throwing his hands in the air. "People need to take time for themselves and go veg out in the park... see their kids play ball just to stay sane."

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The county Sheriff's Office, using drug-sniffing dogs, conducted a surprise search last month at New Kent High School and found no illegal drugs, alcohol or firearms.

That was particularly encouraging in light of a survey of New Kent students conducted earlier in the year. The survey results indicated that among some segments of New Kent youths, drug use is higher than the national average.

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The plan calls for the county to:

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- protect areas of scenic beauty and historic interest;
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grant the commission's request for about \$30,000 and benefit costs to hire a director to get the program started.

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In addition, Tyson said, the commission is recommending that developers provide recreational amenities in any large real-estate developments they propose.

Patricia Townsend, Planning Commission vice chairwoman, said the county could qualify for state grants to support the program, but nothing can be done without a director in place.

"It seems to me that we got a loud impression that people want parks here and somebody has to pay for it," Townsend said. "We've got to offer our citizens something. I don't see how it is going to take off if we don't have someone in place."

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"The parents are really the ones to thank for organizing the leagues, coaching and participating. We want to recognize that and expand it," Tyson said. "The children have needs, but we also recognize there are people who are not interested in playing ball, but would want to take an art class. That's the philosophy behind it."

Patterson added: "I don't think people will mind paying more in taxes if they know where it is going. If we get this director, we'll have a formal department."

LAW OFFICES
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A PROFESSIONAL CORPORATION

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Reply to Richmond Office
P.O. Box 1998
Richmond, Virginia 23218-1998

Mark K. Flynn
Direct Dial: (804) 783-7232
e-mail: mkflynn.samm@mcimail.com

May 5, 1998

Attention: Amy Anderson

The Honorable Charles S. Robb, Senator
The United States Senate
The Ironfronts, Suite 310
1011 East Main Street
Richmond, Virginia 23219

RE: New Kent County Airport Closure Legislation

Dear Senator Robb:

This letter is written to follow up on the conversation that Amy Anderson of your staff recently had with Joe Emerson, New Kent County Administrator about the possibility of your sponsoring legislation to authorize forgiving the obligations of New Kent County to the Federal Aviation Administration for the New Kent County Airport and to authorize the closing of the airport.

The continued operation of the airport is not in the best interests of the citizens of New Kent County or the public generally.

The airport is a small, general aviation field that can serve light aircraft only. Because of the topography of the area, the runway cannot be lengthened or significantly widened. As a result, the airport cannot be expanded to attract corporate aircraft for economic development purposes.

Richmond International Airport is less than ten miles from the airport. Richmond airport is the economic development airport for the area of the county where the New Kent airport is located.

The County has the right to become a member of the Middle Peninsula Regional Airport Authority, which is being formed to own and operate the West Point Airport. If the New Kent Airport is closed, the County plans to become a member of that Authority. As part of its membership, the County will work to insure that the aircraft now based at New Kent

Senator Charles S. Robb
May 5, 1998
Page 2

will have space at the Middle Peninsula Regional Airport. In addition, the County would help located space at the other airports in the Richmond area if such help is needed.

Despite the need at the airport for major updates and repairs, for the reasons set out above, the County cannot justify spending large amounts of local money on the airport. It cannot afford to repay the federal grants, in order to be able to close the airport. In addition, grant funds were used to acquire the airport property. According to the FAA rules, the County is under a perpetual obligation to operate the airport since it acquired airport property with grant funds.

The only way the County could continue to operate the airport is by accepting more federal grants. This would make it even more difficult to close the airport, since the County would be committing its citizens to additional grant obligations. Spending additional money on the airport is not in the County's best interest or the best interests of the public.

Over the past sixteen years, New Kent County has received federal grants through the Federal Aviation Administration (FAA) for the purchase of land at the airport and for airport improvements. For the period from 1982 to present, FAA has participated in projects totalling approximately \$2,833,097. The federal portion amounts to approximately \$2,549,787.

For these reasons, the County requests your help in sponsoring legislation to:

- i. forgive the federal grants which the County has received for the airport;
- ii. release the County from any such grant obligations; and,
- iii. authorize the County to cease operation of the airport.

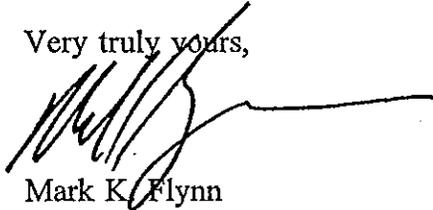
The federal grants were made for public purposes. The County intends to continue to dedicate the airport property to public use if it is allowed to close the airport. Specifically, the County plans to use the property for public recreational uses if it is allowed to close the property.

New Kent needs recreation facilities for its citizens. Currently, the County does not have any such facilities. The need is demonstrated in the attached article from the May 4th edition of the Richmond Times Dispatch. The airport property would become the first recreational facility to meet this need. It is located in the part of the County which has the greatest population. Therefore, it is a valuable resource to help the County address the current need for park land.

Senator Charles S. Robb
May 5, 1998
Page 3

If you need additional information on the matters set out in this letter, please advise. On behalf of New Kent County, I appreciate your assistance in accomplishing this important goal.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark K. Flynn', with a long horizontal flourish extending to the right.

Mark K. Flynn

MKF/amg
Enclosure

cc: R. J. Emerson, Jr., AICP
James E. Cornwell, Jr., Esquire

New Kent group pushes recreation

No parks system exists in county

BY DORINE BETHEA

TIMES-DISPATCH STAFF WRITER

Cpl. Danny Patterson is a former jock, a product of recreational and school sports. As a youth, he played football and basketball. Now he's the drug prevention officer for the New Kent County's Sheriff's Office, and he wants youths in New Kent to have the same recreational opportunities he had.

But New Kent has no parks and recreation department, leaving a void Patterson has been working to fill. He serves with seven others on the county Parks and Recreation Commission, a group the Board of Supervisors formed in 1996.

"I'm a product of recreation, and I had good parenting," said Patterson, who spent his childhood in Newport News public housing. "I was fortunate enough to be an athlete. If you are not involved in school athletics, or are not an athlete, there is not a

lot for you to do."

New Kent, situated between Richmond and Williamsburg, faces challenges similar to those of many rural counties that are emerging as bedroom communities for nearby cities. With a 1996 population of about 12,000 people and a negligible industrial tax base, it has no parks system and little organized recreation outside the school system.

Patterson, the school/community liaison for the county's Drug Abuse Resistance Education program, and commission members spent the past two years examining the need for a county parks and recreation system and developing a plan to meet those needs. Recreational youth activities are one of several issues the commission studied as it fulfilled the charge to examine the potential need and cost to create a recreation department.

The commission also examined funding sources, which raised the question of a tax increase to help pay for it.

"We will not be raising taxes this

PLEASE SEE GROUP PAGE B2 ▶

Group in New Kent County aims for recreation program

▼ GROUP FROM PAGE B1

year. The taxes are already high because there are no services," county Supervisor Frederick G. Bahr said. "As far as next year is concerned, I'll take the Fifth. This is very important in our plans for the future."

Results of a New Kent survey conducted in 1995 by Virginia Commonwealth University graduate students showed 49 percent of respondents thought a parks and recreation program "very important," with 33.4 percent who found it "somewhat important."

Nearly 18 percent said it is not important. Some said the county itself is a park that already provides recreation.

"We want to make the parks and recreation department of program as encompassing as possible. We don't want to leave out any population," said Lee J. Tyson, a county planner and staff representative on the commission. "Everywhere, the pace of life has just gotten faster," he said, throwing his hands in the air. "People need to take time for themselves and go veg out in the park. I see their kids play ball just to stay sane."

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COUNTY
OF
NEW
KENT

Department of Planning and
Community Development

MEMORANDUM

To: Members, New Kent County Airport Advisory Commission

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

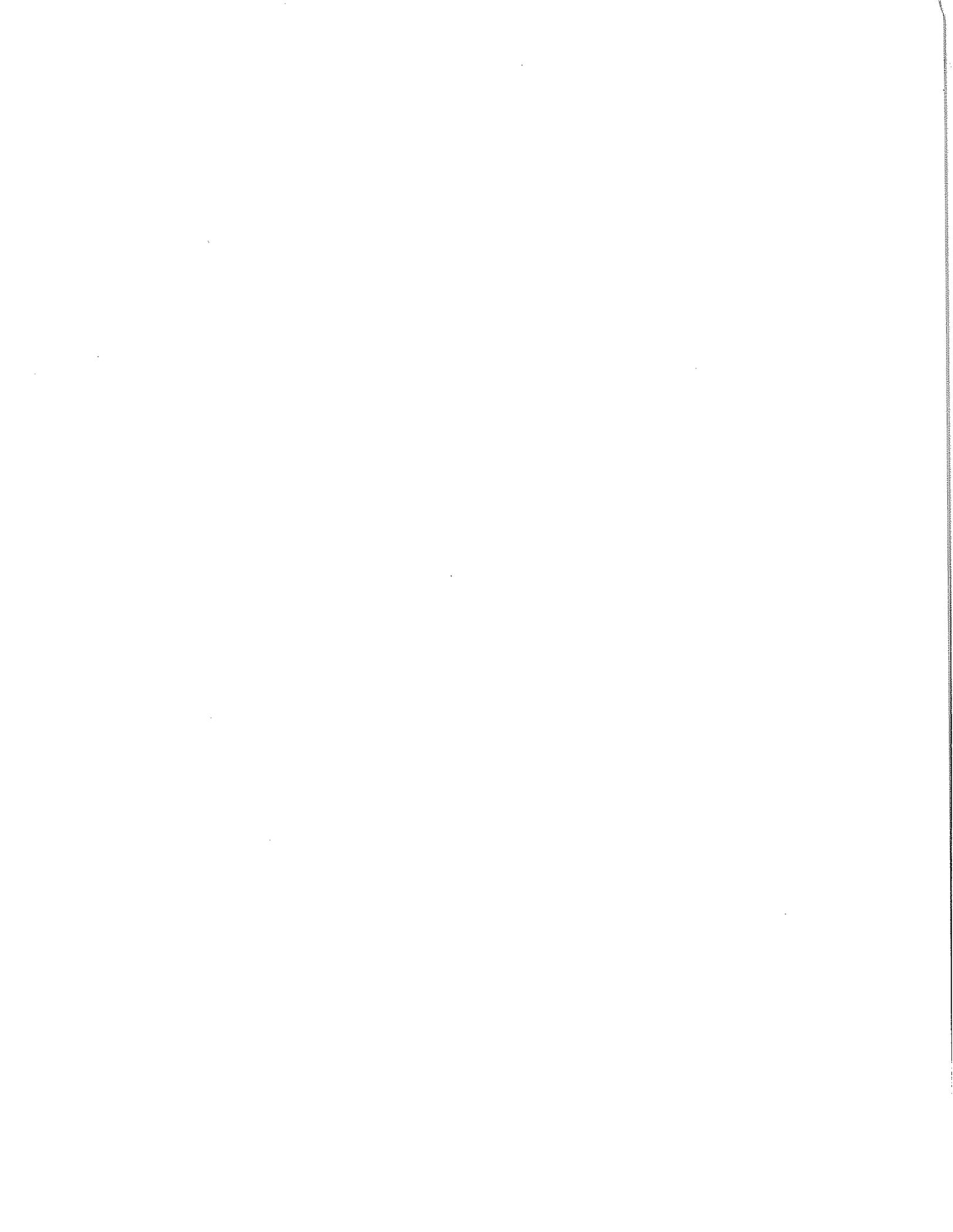
Date: June 25, 1998

Subject: **Capital Improvement Plan Hanger Replacement Information**

Attached please find a copy of a Project Identification form for hangar replacements at the New Kent County Airport. The information contained on this form will be used to develop a County wide Capital Improvement Plan (CIP). The information contained on the form was generally derived from the draft Airport Layout Plan prepared by Delta Airport Consultants which is currently under review by the FAA. The figures represent the demolition of the three hangar structures containing a total of 20 hangars which are located along the entrance road into the airport. These structures would be replaced by thirty units housed in three structures containing 10 units each (refer to conceptual plan I attached).

The County's CIP is being developed by the County's financial consultant, Robinson, Farmer, Cox Associates. The plan will be updated on an annual basis, at which time projects may be added, deleted, or reprioritized. In accordance with state code requirements the plan will be reviewed by the Board of Supervisors and Planning Commission. Staff will address specific questions or comments during the Advisory Commission meeting.

/DPM





COUNTY
OF
NEW
KENT

MEMORANDUM

Department of Planning and
Community Development

To: Members of the Airport Advisory Commission

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

Date: June 25, 1998

Subject: **Maintenance Status Report**

The following is a status report for the various maintenance items being addressed:

1. **Runway Lights:** Staff received authorization from the Department of Aviation to continue work on the runway lighting system. The authorization (copy attached) was sent to the County by fax and unsigned. Staff has requested Mr. Jim Bland, Manager Airport Services Division, to clarify if the authorization is valid. Staff has informed Hanover Electric that authorization has been received, and requested work proceed. It is hoped this issue will be resolved by the time of the June meeting.
2. **Fuel Farm Replacement:** As a result of the inquiry to the County's Congressional representatives, the Virginia Aviation Board voted not to authorize the issuance of the County's grant contract until the airport closure issue is resolved. The tentative allocation for the project authorized by the Aviation Board has, however, been carried into the next fiscal year beginning July 1, 1998. Staff is diligently working with the FAA and Department of Aviation to resolve the outstanding questions so the Board of Supervisors can make an educated decision regarding the airport, and the tank removal/replacement project can move forward.
3. **Maintenance Hangar Door Repair:** Repair work to the maintenance hanger door has been completed. The work included replacement of the cable with a larger diameter cable, replacement of cable pulleys, and installation of safety sensors to cut power to the door in case of malfunction.

Should the committee members know of any additional maintenance needs, please advise. Staff will respond to those needs as appropriate.

/DPM

June 3, 1998

Via Facsimile

Mr. David P. Maloney
County of New Kent
P.O. Box 50
New Kent, VA 23124

Re: Airfield Lighting Repairs, DOAV Project No. FM0041-06

Dear Mr. Maloney:

An increase of \$7,461.00 (\$8,290.00 project increase) in funding for the above referenced project has been approved from the Virginia Department of Aviation's Facilities and Equipment Maintenance Program. The Department's total funding shall not exceed \$12,501.00 nor 90% of the total project cost without prior written approval of this office.

Copies of itemized invoice(s) and a completed reimbursement request form must be submitted for reimbursement. Payment can be expected within 30 days of the Department receiving such invoices.

If there should be any questions or comments, please call me at (800) 292-1034, or (804) 236-3641, extension 124.

Sincerely,

J. Michael Swain, P.E.
Airport Facilities and Equipment Engineer
Airport Services Division

cc: Vernon W. Carter, DOAV
S. Morgan Harris, DOAV

**NEW KENT COUNTY
AIRPORT ADVISORY COMMISSION AGENDA**

Monday August 31, 1998

7:00 PM

NEW KENT COUNTY AIRPORT

1. **CALL TO ORDER**
2. **ROLL CALL/DETERMINATION OF QUORUM**
3. **APPROVAL OF MINUTES**
 - A. **JULY 27, 1998**
4. **STAFF REPORT**
 - A. **Preliminary Year End Financial Summary**
 - B. **Presentation RE: Information provided to FAA**
 - C. **Maintenance Status Report**
5. **OLD BUSINESS**
 - A. **Discussion RE: Recommendation for Board to Pursue Discussions with CRAC**
6. **CITIZEN COMMENT**
7. **MEETING SCHEDULE**
8. **ADJOURNMENT**

Meeting Summary
New Kent County Airport Advisory Commission
July 27, 1998

Call to Order

The July 27, 1998 meeting of the New Kent County Airport Advisory Commission was called to order at 7:00 PM. Members present included:

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

Staff present included:

David P. Maloney
Director of Planning/Assistant County Administrator

Approval of Minutes

The minutes of the June 29, 1998 meeting were approved with the following correction:

The minutes were changes to reflect the airport is classified as a B-I rather than B-II airport as reflected in the minutes.

Election of Officers

Mr. Schutz voiced concern raised by Supervisor Bahr regarding a potential conflict of interest on the part of those Commission appointees that serve on both the Commission and New Kent Airport preservation group. The commission members generally did not believe a conflict of interest existed, however, Mr. Lipscomb did state he did not think individuals serving on both bodies should hold an office in both organizations.

The nominations for Chairman were:

Mr. Goss
Mr. Pratt
Mr. Felts
Ms. Snyder
Mr. Schutz

After a motion to close nominations, the Commission elected Mr. Schutz Chairman.

The nominations for Vice-chairman were:

Mr. Goss
Mr. Felts
Ms. Snyder

After a motion to close nominations, the Commission elected Mr. Goss Vice-chairman.

Staff Report

Mr. Maloney stated in addition to the information included in the agenda, he had materials presented to him by the county administrator that he wished to hand out. The materials included an article from the June 30, 1998 Culpepper Star-Exponent, materials distributed to the FAA during the County's meeting with the agency held on July 22, 1998, and meeting follow-up letters from the County Administrator to the meeting attendees as well as to Keith McCrea with the Virginia Department of Aviation.

Mr. Maloney explained the article had been included for the Commission's information, and to demonstrate other localities were facing similar operation issues at their airports. Mr. Maloney also stated the meeting between the County and FAA was very productive. Although the FAA did not support closure of New Kent Airport, they were extremely interested in pursuing the option of CRAC taking over the airport. Mr. Maloney also stated the meeting served to open lines of communication between New Kent, the state, and the FAA. He stated he felt both the state and the FAA had a better understanding of the situation at New Kent Airport.

Mr. Schutz and Ms. Snyder asked if there was a role for the Commission during discussions with CRAC. Mr. Maloney stated the Commission may wish to consider voting on a recommendation and statement to the Board of Supervisors indicating its support for the County to negotiate with CRAC, but stated he did not see an active role for the Commission during discussions and negotiations. Mr. Goss expresses concern about airport operations and management until resolution of the CRAC proposition was resolved.

Mr. Maloney responded by stating the County would continue to meet the safety and maintenance needs at the airport, but the management situation would most likely remain the same. The Commission requested the matter concerning CRAC operating New Kent Airport be placed on the August agenda for further discussion.

Mr. Maloney also stated Mr. Schutz had requested staff to obtain data base information on registered pilots in Virginia. The information would be used by the Commission to identify potential hangar tenants. Mr. Maloney stated he had contacted the FAA and the FAA referred him to a firm named Aero Data. Aero data had the information available on CD-ROM for \$114. The Commissioners asked if the information could be obtained from the Internet. Mr. Maloney stated the County did not have access to the Internet at this time. Commission members stated they could investigate this matter individually. Mr. Reese Mitchell, a New Kent resident, stated he could obtain the information directly from the FAA and offered to do so.

In regard to the Commission's request to obtain minimum liability coverage requirements for other airports, Mr. Maloney presented information obtained from RIC, Chesterfield, Hanover, Petersburg/Dinwiddie, Leesburg Municipal, Manasas, Norfolk, Suffolk, and Winchester. Mr. Maloney also presented a letter from Hargrove Insurance commenting on the County's liability limits and insurance costs. The Commission asked if the information was truly comparable to New Kent. Mr. Maloney asked the Commission if there were any specific airports from which the Commission wanted information. After some discussion, staff was directed to explore the possibility of the County obtaining blanket coverage for any mechanical service providers. Mr. Maloney stated the cost of the coverage would ultimately be borne by the pilots, and the cost would likely be reflected in hangar lease rates and fuel prices.

Mr. Maloney also presented information concerning the fuel farm schedule. Mr. Maloney explained Mr. McCrea with the Department of Aviation indicated the County's grant funds for the fuel farm project could probably be released if the County submitted a letter explaining it was exploring the option of CRAC managing the airport (A copy of this letter from the County was included in the supplemental information). Mr. Maloney then presented a tentative schedule for the project. The schedule reflected a timetable to meet EPA compliance. Mr. Schutz expressed concern that unforeseen circumstances may extend the schedule. Mr. Maloney responded by stating it is possible for problems to arise on any construction project, but it is difficult to predict what they may be. As such, the County should proceed with the project and address any problems when they arise. Furthermore, the schedule had been reviewed by Dale R. Totten, P.E., with the engineering firm of Draper Aden Associates. Mr. Totten concurred that the schedule was feasible.

Lastly, Mr. Maloney reviewed the maintenance status report. He stated he had just received notification from Hanover Electric the lighting work outlined in the County's contract had been complete, and the work was inspected by Mr. Morgan Harris from the Department of Aviation. Mr. Maloney stated he had not had the opportunity to confirm the status of the project with Mr. Harris. Mr. Maloney also outlined the results of the County's annual 5010-1 safety inspection.

Mr. Felts stated he felt the lighting project took an excessive amount of time to be complete, and questioned if a replacement system should be considered. Mr. Maloney stated he had a similar conversation with the Department of Aviation, and stated a replacement system probably needs to be evaluated should the airport experience similar lighting failures in the near future. Mr. Pratt also noted the beacon light had not been replaced. Mr. Maloney stated he notified the County building and grounds maintenance coordinator and stated he would follow up with him to try to get the bulb replaced quickly.

Citizen Comment

Mrs. Huvad asked if any staff or Board of Supervisors member was truly interested in the New Kent Airport. Mr. Maloney responded by stating the County recognized the importance of aviation in the County's economic future, but stated the discussion was how the County could most cost effectively meet its aviation needs. The County could continue to operate the airport, close the airport and join the Middle Peninsula Regional Airport Authority, or let CRAC operate New Kent Airport. All options were being evaluated by staff for Board consideration.

Mr. Trout updated the Commission on the status of the Western Area Management Plan and stated the Planning Commission would hold a work session at 7:00 PM on August 10 in the Board room, and a public hearing could be scheduled for September 21, 1998.

Meeting Schedule

The next meeting of the Airport Advisory Committee was scheduled for Monday August 31, 1998 at 7:00 PM at the New Kent County Airport.

Adjournment

The meeting adjourned at 9:15 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: New Kent County Airport Advisory Commission

From: David P. Maloney, AICP *DM*
Director of Planning/Assistant County Administrator

Date: August 26, 1998

Subject: **Preliminary Year End Financial Summary**

Attached please find the preliminary FY 1998 year end expenditure and revenue summaries for the New Kent County Airport. Revenues totaled \$85,457.43, and expenditures totaled \$85,156.31. The expenditure summary does not include airport administrative costs such as photocopies and postage, nor does it include County administrative staff salary costs associated with airport administration and maintenance.

/DPM
Attachment

MAJOR ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	BALANCE	% REMAIN.
1899	**AIRPORT FUND REVENUES**				250.00	250.00-	100.00-
0001	Local revenues	.00	.00	.00			
0002	FUEL/OIL SALES	10,000.00	10,000.00	1,315.66	20,174.39	10,174.39-	101.74-
0003	HANGAR RENTAL	35,000.00	35,000.00	3,275.00	38,082.23	3,082.23-	8.80-
0004	MOBILE HOME	.00	.00	.00	1,200.00	1,200.00-	100.00-
0006	ELECTRIC SERVICE-REINB.	.00	.00	.00	34.82	34.82-	100.00-
	AIRPORT FUND REVENUES	45,000.00	45,000.00	4,590.66	59,741.44	14,741.44-	32.75-
	AIRPORT FUND REVENUES	45,000.00	45,000.00	4,590.66	59,741.44	14,741.44-	32.75-
2404	State Revenues					3,884.01	13.12
0025	State Revenues	29,600.00	29,600.00	8,091.00	25,715.99	3,884.01	13.12
	State Revenues	29,600.00	29,600.00	8,091.00	25,715.99		
	State Revenues	29,600.00	29,600.00	8,091.00	25,715.99	3,884.01	13.12
3307	Federal Revenues						
41050	Transfer From General Fund	74,600.00	74,600.00	12,681.66	85,457.43	10,857.43-	14.55-
	--FUND TOTAL--	74,600.00	74,600.00	12,681.66	85,457.43		

MAJOR ACCT#	DESCRIPTION	BUDGET AMOUNT	APPR. AMOUNT	CURRENT AMOUNT	Y-T-D AMOUNT	ENCUMBRANCE AMOUNT	UNENCUMBERED BALANCE	% REMAIN.
90000	**AIRPORT FUND**						6,820.56	26.22
1300	PART-TIME SALARIES & WAGES	26,010.00	26,010.00	2,348.70	19,189.44	.00	123.43	17.63
1420	OVERTIME	500.00	700.00	.00	576.57	.00	698.03	31.63
2100	FICA/MEDICARE	2,200.00	2,200.00	109.85	1,503.97	.00	866.00	50.94
2710	WORKMAN'S COMPENSATION	1,700.00	1,700.00	.00	834.00	.00	700.00	41.77
3004	REPAIRS & MAINTENANCE	37,000.00	39,347.18	15,048.22	40,047.18	.00	84.30	42.15
3600	ADVERTISING	200.00	200.00	.00	115.70	.00	2,497.84	32.63
5110	ELECTRIC BILLS	10,000.00	7,652.82	423.40	5,154.98	.00	38.44	5.89
5230	TELEPHONE	1,500.00	1,500.00	239.41	1,411.56	.00	.00	5.89
5231	PAGER	150.00	.00	.00	.00	.00	75.00	3.75
5309	INSURANCE	2,000.00	2,000.00	.00	1,925.00	.00	274.40	68.60
5899	MISCELLANEOUS	500.00	400.00	26.60	125.60	.00	10.12	10.12
6007	REPAIRS & MAINTENANCE	.00	100.00	39.88	89.88	.00	617.57	4.17
6008	GASOLINE CHARGES	15,000.00	14,800.00	6,487.14	14,182.43	.00	11,453.69	11.85
	AIRPORT FUND	96,760.00	96,610.00	24,723.20	85,156.31	.00	11,453.69	11.85
	AIRPORT FUND	96,760.00	96,610.00	24,723.20	85,156.31	.00	11,453.69	11.85
	--FUND TOTAL--	96,760.00	96,610.00	24,723.20	85,156.31	.00	11,453.69	11.85



COUNTY
OF
NEW
KENT

Department of Planning and
Community Development

MEMORANDUM

To: New Kent County Airport Advisory Commission

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

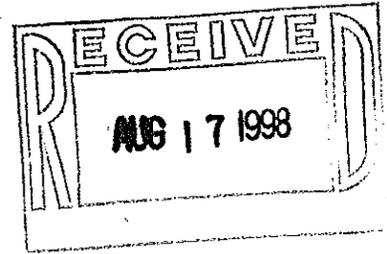
Date: August 26, 1998

Subject: **FAA Presentation**

The Airport Advisory Commission Chairman requested staff make the same presentation to the Commission that was made to the FAA in July and the Planning Commission during its August work session. Please bring the presentation materials that were distributed to you during the July meeting with you to the August meeting. Any questions concerning the materials or presentation will be answered during the meeting. Should you have any questions, please advise.

/DPM
Attachment

August 17, 1998



Mr. David P. Maloney, AICP
Director of Planning/Assistant County Administrator
County of New Kent
P.O. Box 50
New Kent, VA 23124

RE: Inclusion of Agenda Item for the August 31, 1998 Meeting
of the Airport Advisory Commission

Dear David:

Please reference the August 10, 1998 meeting of the New Kent County Planning Commission and specifically the airport versus district park debate in the context of the Western Area Management Plan.

After a brief review of the options available, you elaborated on the preference of County Planning Staff for closure of the airport as well as the underlying rationale for such position. Supported by various visual aids, points touched upon included relative costs of park versus airport, the May 5, 1998 letters to Senator Robb and Congressman Scott, comparison of New Kent fuel sales with surrounding airports, deterioration of the airport building, danger of aircraft overflights of surrounding residential areas, etc.

With the exception of Mr. Felts, whom I have been unable to reach, members of the Airport Advisory Commission have expressed great interest in being the beneficiaries of a similar, unabridged, presentation.

Please include the presentation described above as an agenda item for the August 31, 1998 meeting of the Airport Advisory Commission as scheduled.

Very truly yours,

A handwritten signature in cursive script that reads "Eckart F. Schutz".

Eckart F. Schutz, Chairman
New Kent County Airport Advisory Commission

EFS/r

Copies to: All current members of the Airport Advisory Commission
The Hon. Frederick G. Bahr, District 5



COUNTY
OF
NEW
KENT

MEMORANDUM

Department of Planning and
Community Development

To: Members of the Airport Advisory Commission

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

Date: August 26, 1998

Subject: **Maintenance Status Report**

The following is a status report for the various maintenance items being addressed:

1. **Runway Lights:** Work on this project is complete.
2. **Fuel Farm Replacement:** The County is examining an alternative solution to tank removal. A proposal was received by F. W. Baird to clean and reline the existing tank. The process would entail emptying the tank, cutting a manhole for entry, sandblasting the interior, applying an epoxy coating to the interior, installing leak detection, installing spill containment and overfill protection, and replacing the existing lines. The total cost of the project would be \$11,500. This process would bring the existing tank into EPA compliance. Staff will be able to provide more detail during the Commission's meeting.

Should the committee members know of any additional maintenance needs, please advise. Staff will respond to those needs as appropriate.

/DPM



COUNTY
OF
NEW
KENT

Department of Planning and
Community Development

MEMORANDUM

To: New Kent County Airport Advisory Commission

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

Date: August 26, 1998

Subject: **CRAC Management Recommendation**

The Airport Advisory Commission requested that the topic of a recommendation to the Board of Supervisors for CRAC to manage the New Kent Airport be placed on the August agenda for further discussion. As the Commission is aware, the Chairman of CRAC has appointed a special committee to further investigate this matter. Should the Commission choose to make a recommendation to the Board of Supervisors to continue discussions with CRAC, staff proposes the attached resolution.

/DPM

**Resolution of the New Kent County Airport Advisory Commission
to the New Kent County Board of Supervisors**

WHEREAS, the New Kent County Airport Advisory Commission has been appointed by the Board of Supervisors to promote general aviation activities associated with the New Kent County Airport, and

WHEREAS, the New Kent County Airport Advisory Commission is interested in exploring all options for the continued operation of the New Kent Airport as an aviation facility, and

WHEREAS, the Chairman of the Capital Regional Airport Commission has appointed a committee to study the feasibility of CRAC's management of the New Kent County Airport,

NOW, THEREFORE, BE IT RESOLVED the New Kent County Airport Advisory Commission recommends the Board of Supervisors continue discussions with the Capital Region Airport Commission (CRAC) regarding the possibility of CRAC's management of New Kent Airport, and

BE IT FURTHER RESOLVED such a management arrangement would bring a highly experienced and professional management team to the New Kent Airport, and would promote the creation of a true regional airport system.

NEW KENT COUNTY
AIRPORT ADVISORY COMMISSION AGENDA

Monday July 27, 1998

7:00 PM

NEW KENT COUNTY AIRPORT

1. CALL TO ORDER
2. ROLL CALL/DETERMINATION OF QUORUM
3. APPROVAL OF MINUTES
 - A. June 29, 1998
4. ELECTION OF OFFICERS
5. STAFF REPORT
 - A. Licensed Pilot Data Request
 - B. Comparative FBO Liability Insurance Requirement Information
 - C. Fuel Farm Replacement Schedule
 - D. maintenance Status Report
6. CITIZEN COMMENT
7. MEETING SCHEDULE
8. ADJOURNMENT

**Meeting Summary
New Kent County Airport Advisory Commission
May 26, 1998**

Call to Order

The May 26, 1998 meeting of the New Kent County Airport Advisory Commission was called to order at 7:00 PM. Members present included:

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

Staff present included:

David P. Maloney
Director of Planning/Assistant County Administrator

Approval of Minutes

The minutes of the June 29, 1998 meeting were approved. Mr. Schutz requested election of officers be placed on the July agenda.

Staff Report

Mr. Maloney presented information concerning the revised airport policies and lease agreement. Mr. Schutz expressed concern regarding the lease provision that stipulates aircraft can not remain in a non-airworthy condition for more than 60 days. Mr. Lipscomb suggested the language could be amended to reflect aircraft could remain in a non-airworthy state for longer than 60 days if permission was granted by the County Administrator.

The Commission also expressed concern that the requirement to limit each hanger space to one aircraft was too restrictive. Mr. Lipscomb also suggested the lease could be modified to allow two aircraft in a single hangar if the second aircraft was on a waiting list for an enclosed hangar. Furthermore, if the aircraft owner refused an enclosed hangar when one became available, then the owner would be required to vacate the space in which his aircraft was located.

The commission voted to make the above recommendations to the Board of Supervisors.

In regard to the revised minimum standards pertaining to aircraft maintenance services, Mr. Schutz raised concerns regarding the insurance coverage limits.

Mr. Maloney responded by stating he had contacted Mr. Van Crosby with Hargrove Insurance, the County's airport liability insurance provider, to inquire as to the appropriateness of the County's liability limits for mechanical FBO services. Mr. Maloney stated that Mr. Crosby indicated the

liability insurance limits required by the County were appropriate for a County Airport, and a variety of market forces were driving up insurance costs.

Mr. Goss stated he had contacted AVEMCO, and received an insurance quote in the \$7,500 - \$10,000 range. Mr. Goss expressed concern that the cost was too steep for smaller aircraft maintenance service providers, and therefore pilots would not be able to contract for maintenance services.

Mr. Lipscomb requested staff check with other airports to see what insurance coverage they required for mechanical FBO service providers.

Mr. Grimes, the FBO located at the Farmville airport suggested the County look into "hangar keepers" coverage.

In regard to the County's inquiry to its congressional delegation concerning the possible closure of the airport and forgiving federal grant obligations, Mr. Schutz stated he did not think the information pertaining to the type of aircraft that can utilize the New Kent County airport was accurate. Furthermore, several Commission members expressed concern that they had not been properly consulted prior to the letters being sent.

The commission voted to request that information concerning the type of aircraft able to use the airport that was referenced in the letters be corrected to show business aircraft can use the airport. Specifically, the airport is rated for type B-II aircraft. The Commission also voted to recommend to the Board of Supervisors that the Commission be consulted on any and all matters pertaining to the airport as information is received.

Mr. Pratt inquired as to what the Commission's role was, and referenced the Commission's mission statement. Mr. Reese Mitchell, a citizen, inquired as to how many individuals on the Commission had an aviation background.

In regard to the Capital Improvement Plan presented by staff and taken from the draft ALP, Mr. Schutz stated he felt the numbers were misleading. He and several other Commission members stated they thought the hangars could be replaced for less cost than what was indicated on the Capital Improvement Plan information.

Lastly, Mr. Maloney presented the maintenance status report. Mr. Maloney stated that authorization from the state to continue with the runway lighting repair work had been received from the Department of Aviation, and Hanover Electric had been advised to proceed with the work.

Mr. Maloney also stated the Commonwealth Aviation Board voted to withhold the County's grant for fuel farm replacement until the matter concerning airport closure had been resolved. Both Mr. Schutz and Mr. Goss expressed concern that the County would not be able to meet the EPA deadline for underground tank removal.

Mr. Maloney stated the County was extremely disappointed that the Department had not notified County representatives to advise them the issue of the grant would be discussed at the Board meeting.

Mr. Maloney stated he had met with representatives of the County's consulting engineer on June 26, and they stated that although the deadline was approaching, there was still some time to have the work complete in a timely manner. Mr. Schutz requested staff develop a critical time line for the project to indicate what schedule would have to be met.

Mr. Maloney also stated the hanger door had been repaired, and seemed to be operating very well.

Citizen Comment

Mr. Reese Mitchell expressed concern over airport operations and the condition of the airport since the County took over operation and management of the facility. Mr. Mitchell also expressed concern over the draft lease agreement and restrictions on maintenance services.

Mr. Ed Covington expressed concern regarding the late payment fee being applied only after 10 days, and the 30 day lease termination language.

Mr. Charles Bowery expressed concern that the County was not spending enough time managing the airport. Mr. Maloney stated that about 30 to 50 percent of his time was dedicated to airport related business.

Mr. Kevin Shiree stated he felt the County should allow offsite sales of fuel, and stated the County needed an FBO.

Ms. Susan Brubaker asked if she could store her vehicle in her hanger while she was using her airplane. Mr. Maloney stated vehicle storage under such circumstances was permitted.

Mr. David Nance stated he would like to see the County provide new hangers and additional hangar space. He stated a lease purchase arrangement be utilized.

Mr. Dennis McDonagh expressed concern about the County's policy of only permitting one aircraft per T-Hangar.

Mr. Rod Molina raised concerns that as a result of the Aviation Board's decision to withhold a grant contract for the replacement of the fuel tank, the County may not be able to meet the December 1998 EPA deadline for removal of underground storage tanks. Mr. Molina also spoke in favor of the County hiring an airport manager.

Mr. Ronald White asked if the County could accept unsolicited FBO proposals. Mr. White also expressed concern regarding the lack of training for UNICOM operations among airport attendants.

Mr. Gary Green said he felt the figures for hangar replacement presented in the CIP were too high. He did not believe it would cost the stated 1.915 million dollars to remove the existing hangars, conduct necessary site work for the new hangars, construct 30 new T-hangars, and improve the vehicle parking for the new hangars.

Mr. Green also stated the Board of Supervisors should not have been briefed by legal counsel in executive session.

Mr. Green also announced pilots would have the opportunity to meet with Mr. Chris Hudson from the AOPA at 6:00 PM on July 1, 1998 at the New Kent County Airport.

Mrs. Thelma Wilson expressed a concern about the possibility of converting the airport into a recreation facility.

Meeting Schedule

The next meeting of the Airport Advisory Committee was scheduled for Monday July 27, 1998 at 7:00 PM at the New Kent County Airport.

Adjournment

The meeting adjourned at 9:38 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: New Kent County Airport Advisory Commission

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

Date: July 21, 1998

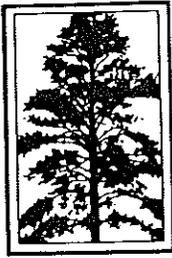
Subject: **Election of Officers**

It is time for the Airport Advisory Commission to elect the following officers for fiscal year 1999:

1. Chairman
2. Vice Chairman

Elections will be held at the beginning of the July 27, 1998 meeting.

/DPM



COUNTY
OF
NEW
KENT

Department of Planning and
Community Development

MEMORANDUM

To: New Kent County Airport Advisory Commission

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

Date: July 23, 1998

Subject: **Licensed Pilot Data Request**

Mr. Schutz, acting Chairman to the Advisory Commission, requested staff make an effort to obtain a list of all licensed pilots in Virginia. Staff was referred by the FAA to a firm named Aero Data located in Colorado. Aero Data has available for sale a CD-ROM (the data is current through March 1998) of all licensed pilots residing in the United States and their addresses. This information can be sorted in a variety of ways, and the necessary software is also included on the CD. The cost is \$114.

Should the Advisory Commission wish for the County to purchase this data, staff requests the Commission approve a formal request and the request will be forwarded to the County Administrator for approval.

Proposed Motion

I move to request the County of New Kent purchase a licensed pilot data base from Aero Industries for a cost of \$114.

/DPM



COUNTY
OF
NEW
KENT

Department of Planning and
Community Development

MEMORANDUM

To: Airport Advisory Commission

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

Date: July 21, 1998

Subject: **Comparative Insurance Coverage Requirements**

Attached, please find a copy of a letter from Van E. Crosby with Hargrove Insurance Agency Inc. commenting on New Kent County's minimum insurance liability coverages. Staff also obtained the following minimum liability requirements for FBO services at various airports per the Commission's request:

- | | | |
|----|------------------------------------|--|
| 1. | RIC (general aviation FBOs): | \$10 million general liability / \$1 million hanger keepers coverage |
| 2. | Chesterfield County: | \$5 million |
| | Individual Flight Instruction FBO: | \$1 million |
| 3. | Hanover County: | \$1 million |
| 4. | Petersburg/Dinwiddie: | \$5 million |
| | Flight School: | \$1 million |
| 5. | Leesburg Municipal: | \$1 million |
| 6. | Manasas: | \$5 million |
| 7. | Norfolk: | \$5 million |
| 8. | Suffolk: | \$1 million |
| 9. | Winchester: | \$1 million |

/DPM
Attachment

New Kent (804) 966-9690

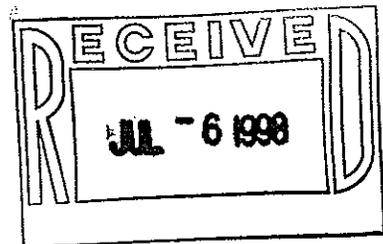
P. O. Box 50, New Kent, Virginia 23124
Toano (804) 564-3480

Fax (804) 966-9370

A.W. Hargrove Insurance Agency, Inc.
10321 Washington Highway
Glen Allen, VA 23059

804-550-3000
FAX: 804-550-3014

**Hargrove
Insurance
Agency**



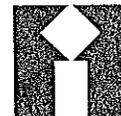
July 2, 1998

Mr. David P. Maloney, AICP
Director of Planning/
Assistant County Administration
County of New Kent
P.O. Box 50
New Kent, VA 23124

Dear Mr. Maloney:

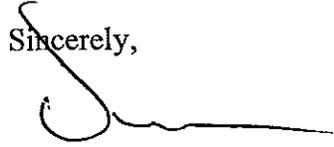
In reference to our telephone conversation on June 26, 1998, regarding aviation maintenance service, following are the items we discussed:

1. Liability limits of \$500,000 are an acceptable requirement for the premises and product exposures at a county airport. Anything over \$1,000,000 is being excessive for a maintenance shop at an airport the size of New Kent.
2. Liability exposures for general aviation maintenance shops have increased in recent years. One cause has been the Federal Liability Protection of Aircraft Manufacturers for aircraft beyond 17 years of their manufactured date.
3. Insurance premiums have risen due to the increase in exposure. Small shops with one or two employees and gross receipts below \$200,000 to \$300,000 are the most affected by this change. Minimum premiums will vary with different insurance carriers ranging from \$3,000 to \$10,000.

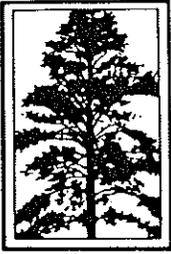


The expenses are substantial for companies doing business on airports, but in this case, I believe New Kent is requiring reasonable limits of insurance.

Sincerely,


Van E. Crosby, CIC
Account Executive
Aviation Department

VEC:jst



COUNTY
OF
NEW
KENT

Department of Planning and
Community Development

MEMORANDUM

To: Members, New Kent County Airport Advisory Commission

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

Date: July 23, 1998

Subject: **Fuel Farm Project Schedule**

Per the Commission's request, the following is a schedule of activities in order for New Kent County to meet the EPA tank removal deadline:

1. Procure engineering and design services for preparation of tank removal project documents and replacement equipment specifications and bid documents.

Status: Complete

2. Prepare replacement system specifications and bid documents.

Status: Work underway
Deadline: September 4, 1998

3. Prepare tank removal plans and specifications and contractor bid documents.

Status: Pending
Deadline: September 4, 1998

4. Issue invitation to bid for tank removal.

Status: Pending
Deadline: September 11, 1998

5. Issue invitation to bid for replacement system.

Status: Pending
Deadline: September 11, 1998

6. Award replacement system contract.

Status: Pending
Deadline: October 2, 1998

7. Award tank removal contract.

Status: Pending
Deadline: October 15, 1998

The above schedule was reviewed by Dale R. Totten, P.E, with the Engineering firm of Draper Aden Associates (the County's consulting engineer for this project). Mr. Totten indicated the schedule would allow for timely completion of the project prior to the EPA's December deadline for UST removal.

/DPM



COUNTY
OF
NEW
KENT

MEMORANDUM

Department of Planning and
Community Development

To: Members of the Airport Advisory Commission

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

Date: July 23, 1998

Subject: **Maintenance Status Report**

The following is a status report for the various maintenance items being addressed:

1. **Runway Lights:** Work is continuing toward completion. Staff anticipates meeting with Department of Aviation staff and the contractor in the near future to inspect the repairs.
2. **Fuel Farm Replacement:** The County's engineering firm has been instructed to proceed with preparation of the system replacement specifications and bid documents.
3. **Annual 5010-1 Inspection Maintenance Needs:** Staff is in the process of coordinating the necessary obstruction removal and runway light repairs noted in the state's inspection report (Copy attached). Staff will review with the Department the pavement items noted to prioritize the needed repairs. Extensive crack sealing and striping work to runway 10-28 was completed within the past two years.

Should the committee members know of any additional maintenance needs, please advise. Staff will respond to those needs as appropriate.

/DPM



COMMONWEALTH of VIRGINIA

KENNETH F. WIEGAND
Director

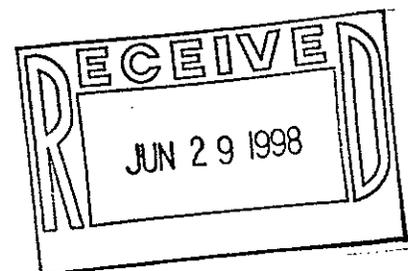
Department of Aviation
5702 Gulfstream Road
Richmond, Virginia 23250-2422

V/TDD - (804) 236-3624
FAX - (804) 236-3635

June 24, 1998

Mr. David P. Maloney
Director of Planning
P.O. Box 50
New Kent, Virginia 23124

Re: Annual Airport Inspection (Form 5010-1)



Dear Mr. Maloney:

On June 18, 1998, the Virginia Department of Aviation conducted the annual airport safety inspection (FAA form 5010-1) at New Kent County Airport. The purpose of this inspection is to identify potential hazards and provide current data for the Airport/Facilities Directory published by the FAA.

Our inspection revealed the following items:

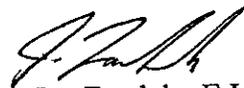
1. The Runway 10 20:1 approach surface is obstructed by a group of trees 18' above the runway end elevation. These trees are located approximately 499' from the runway end, 10' left on approach and penetrate the approach surface by 3'. This group of trees is the controlling obstruction for Runway 10, however there are several other trees obstructing the approach surface to the right and left of this group. All of these trees should be removed.
2. There are several bushes 2-5' above the runway end elevation at Runway 10 which are obstructions to the FAR Part 77 Primary Surface and Runway Object Free Area (close-in obstructions). These are located from 0-200' from the runway end, 50-60' left and right on approach. These bushes should be removed.
3. The Runway 28 20:1 approach surface is obstructed by a tree 5' above the runway end elevation. This tree is located approximately 220' from the runway end, 60' left on approach and penetrates the approach surface by 4'. This tree is the controlling obstruction for Runway 28 and should be removed.

4. There are several trees and bushes 2-8' above the runway end elevation at Runway 28 which are obstructions to the FAR Part 77 Primary Surface and Runway Object Free Area (close-in obstructions). These are located 0-200' from the runway end, 65-125' right on approach. These trees and bushes should be removed.
5. Tall brush is growing around the right approach REIL on Runway 10, obscuring it.
6. The runway edge lights and threshold lights do not respond to radio activation. They are, however, functioning by manual control from the regulator. Recommend that airport personnel manually turn them on for night-time operations and off in the daylight, or NOTAM the airport unavailable for night-time operations.
7. Two of the runway edge lights are not working.
8. ✕ Both REILs on Runway 28, and one REIL on Runway 10 are not functioning. The right approach REIL that does work on Runway 10 flashes erratically. Recommend that the REILs be turned off and out of service until all are working properly.
9. Both PAPI's have a lamp out on each. These burnt-out lamps should be replaced. Also, the PAPI's should be turned off until the obstructions are removed and the aiming can be properly checked.
10. There are several holes and exposed wires around many of the threshold lights on both runway ends.
11. The northern windsock has many trees close to it, obscuring it from sight and probably causing an inaccurate wind direction reading.
12. The runway, taxiways, and apron have severe pavement cracks, as well as vegetation growing through those cracks. These should be cleaned and repaired before they lead to pavement failure.

Please make every effort to correct these problems, and contact us regarding your progress or course of action within the next month. Many of these items are eligible for funding under the Department of Aviation's Maintenance program.

We would like to thank you for your cooperation. Please let us know if we can be of any assistance.

Sincerely,



Joe Faudale, E.I.T.
Airport Engineer
Airport Services Division

cc: Jim Bland, DOAV

NEW KENT COUNTY
AIRPORT ADVISORY COMMISSION AGENDA

Monday October 26, 1998

7:00 PM

OLD COURT HOUSE BUILDING
COURTROOM

1. CALL TO ORDER
2. ROLL CALL/DETERMINATION OF QUORUM
3. APPROVAL OF MINUTES
 - A. August 31, 1998 (mailed September 9, 1998)
4. STAFF REPORT
 - A. Presentation of FY 1998 maintenance projects
 - B. Update on fuel farm upgrade project
 - C. T-Hangar Construction Estimates
5. CITIZEN COMMENT
6. MEETING SCHEDULE
7. ADJOURNMENT

Meeting Summary
New Kent County Airport Advisory Commission
August 31, 1998

Call to Order

The August 31, 1998 meeting of the New Kent County Airport Advisory Commission was called to order at 7:00 PM. Members present included:

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

Staff present included:

David P. Maloney
Director of Planning/Assistant County Administrator

Approval of Minutes

The Chairman stated he had requested Ms. Snyder to take minutes of the meeting, and requested she distribute the minutes to the commission members within one week following the meeting.

Mr. Maloney stated staff generally prepared the minutes within one or two days after the meeting, and if so desired, could distribute the minutes prior to distributing the meeting agenda. Mr. Maloney also stated the meeting could be recorded for better accuracy.

The Chairman asked the Commission if Mr. Maloney's proposal to record the meetings and distribute the minutes within about one week following the meeting was acceptable. The Commission unanimously gave its approval.

The Chairman also stated he and Ms. Snyder met with Doreen Bethea with the Richmond Times-Dispatch to review the airport situation. The meeting took place at the Chairman's home.

The Commission then unanimously approved the minutes from the July 27, 1998 meeting.

Staff Reports

Mr. Maloney presented the preliminary year end revenue and expenditure summaries for the airport. Mr. Maloney stated revenues total \$85,457.43, while expenditures total \$85,156.31. Mr. Maloney also stated the financial summaries did not include administrative staff salary expenses, or postage, copying, and office supply costs, and therefore did not present the complete financial picture for the New Kent Airport.

Mr. Schutz stated the County received some benefits from the airport that also are not shown on the revenue summary. Such benefits were derived from individuals flying into New Kent Airport to patronize Royal New Kent golf course and Colonial Downs. As such, Mr. Schutz stated there were unmeasured benefits as well as unmeasured costs associated with airport operations. Mr. Schutz also stated he would like the financial information to be positively distributed to the public.

There was some discussion concerning the development of a press release, after which the Commission unanimously approved a plan for Mr. Schutz, Ms. Snyder, and Mr. Pratt to develop the press release.

Mr. Goss stated the personal property tax revenues derived from based aircraft were also not reflected in the revenue summary, and therefore there were direct financial benefits beyond those previously discussed.

The commission also discussed fuel sales. Mr. Schutz stated he felt increased fuel sales could be achieved if the County accepted major credit cards, and requested the commission consider a motion to officially request major credit cards be accepted at the airport.

Mr. Maloney stated that is a decision of the County Treasurer, and said he had already talked with her about the possibility of accepting credit cards. Mr. Maloney stated Ms. Burrell had talked with Citizens & Farmers, and had provided him with information regarding the cost of the necessary equipment, and that work was underway within the administration to examine the costs associated with implementing credit card sales. Mr. Maloney stated he expected a final decision to be made within a few weeks.

Mr. Maloney then gave the presentation to the Commission that was given to the FAA on July 22, 1998. Mr. Maloney presented a map of the various airports located within the Richmond Region, and their straight line distances from New Kent County Airport. Mr. Maloney also presented the future land use plan for the Route 33 corridor, and explained the area has been designated as the County's industrial development corridor. Mr. Maloney also indicated that due to the proximity of the Route 33 corridor to the Middle Peninsula Regional Airport (MPRA), MPRA could serve the economic development needs of the County better than the New Kent Airport.

Mr. Maloney also explained a chart comparing the number of based aircraft at New Kent Airport and the number of gallons of fuel sold during FY 1998. This information was compared to similar information obtained from other airports within the region.

Mr. Goss stated that the information may be misleading, because the other airports had corporate aircraft that utilized vast amounts of fuel.

Mr. Maloney agreed that there were a number of factors that determined why New Kent's per aircraft sales were below that of other airports. Mr. Maloney stated the data simply showed activity at New Kent did not appear to be comparable with other airports.

Mr. Maloney also reviewed the FY 1998 budget figures, and the projected revenues and expenditures for FY 1999. The FY 1999 forecasts indicate the New Kent Airport will operate at a deficit of

approximately \$60,000. New Kent expects to undertake several capital improvement projects including fuel farm replacement and demolition of the rear portion of the terminal building.

Lastly, Mr. Maloney reviewed the capital improvements identified in the draft ALP, and explained for the 20 year planning horizon for the period 1996-2016, total identified improvements equaled \$6,982,000, with \$1,338,300 coming from the FAA, \$2,021,627 being provided by the state, a minimum local match of \$597,073, and private or other sources providing \$3,025,000.

The commission questioned the accuracy of some of the cost estimates and the need for some of the identified projects identified. Mr. Maloney stated that although the County may not need all identified projects, the draft ALP demonstrates there is a real capital improvements need at the airport, and a significant percentage of the cost must be borne by the County or other private sources.

The commission then questioned the status of the fuel farm project. Mr. Maloney stated Mr. Lipscomb had requested staff to contact F. W. Baird, General Contractors, to discuss the possibility of having the tank relined rather than replaced. The County had received a proposal, and the cost to replace the lines, reline the tank, and install spill protection was \$11,500. Mr. Maloney also stated he was awaiting additional information from Baird concerning the cost of installing automated spill detection and a card reader pump system. When asked what he thought the total cost would be utilizing the alternative being investigated, Mr. Maloney responded by stating he thought the cost would be at least \$30,000.

Mr. Goss inquired as to what the cost of a new above ground system would be, and Mr. Maloney stated it would be about \$70,000. That figure included tank removal.

There was considerable discussion regarding the pros and cons of either alternative, and the extent of the County's financial obligation with or without the use of state grant funds. The Commission requested the matter be placed on the September agenda when more information was obtained.

Mr. Maloney then stated the runway light project was complete, and the lights appeared to be operating well. He also stated the test results on the system exceeded FAA minimum standards for runway lights. Lastly, Mr. Maloney explained the REILs were not operating, and Mr. Harris from the Department of Aviation had told him indicated they had been problematic. Mr. Maloney also stated Mr. Harris had suggested the County submit a letter to the FAA and state requesting the grant funds for the REILS be forgiven inasmuch as the system has been problematic, and the lights are not part of the FAA approved approach for the airport.

Mr. Schutz asked if this was a matter that needed to be acted upon at this time. Mr. Maloney stated it was not, and he had simply raised the matter for the commissions future consideration.

Mr. Lipscomb requested future meetings be moved to the old Courthouse Building, and the commission unanimously agreed.

Mr. Pratt made a motion to approve a recommendation to the Board which states:

The New Kent County Airport Advisory Commission strongly recommends the Board of Supervisors withdraw the letters to Senator Robb and Congressman Scott

requesting the County be forgiven its federal aviation grant obligations so that the Commonwealth of Virginia will proceed to make available funds already allocated to the fuel farm replacement project, such funds being necessary so the taxpayers of New Kent County will not bear the full cost of replacing the fueling system.

The recommendation was seconded and unanimously approved.

Old Business

Mr. Maloney presented the draft resolution regarding a recommendation for the Board to continue discussions with CRAC concerning the possibility of CRAC taking over New Kent Airport the New Kent County airport. The resolution was unanimously approved by the commission.

Citizen Comment

Mr. George Delk asked the Board members present to respond to the information concerning the airport operating at a profit according to the financial summary. Mr. Bahr and Ms. Ringley responded by stating they were encouraged, however, they had concerns about future airport operations and capital needs. Mr. Bahr stated he was in favor of the airport remaining open, but a viable plan for the long term prosperous operation of the airport needed to be developed.

Ms. Ringley stated she could not support the continued funding of the Airport through the general fund if only a small number County residents were receiving direct benefits. Ms. Ringley also stated she felt if some of the facility and operational improvements the pilots had requested had been made, the financial picture for FY 1998 would not have shown positive revenues.

Mr. Maloney reiterated the budget summaries do not represent the complete financial situation at the airport.

Mr. Schutz suggested the Commission work with staff to approach Colonial Downs and Royal New Kent to more actively promote the airport to serve their customer base. The Commission approved the recommendation for the chairman to work with staff.

Meeting Schedule

The next meeting of the Airport Advisory Committee was scheduled for Monday September 28, 1998 at 7:00 PM in the meeting room of the Old Courthouse Building.

Adjournment

The meeting adjourned at 9:35 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: New Kent County Airport Advisory Commission

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

Date: September 18, 1998

Subject: **Airport Maintenance Projects**

Attached please find correspondence from the Virginia Department of Aviation indicating they have approved the maintenance grants for the obstruction clearing and repairs to the PAPIs. Staff will be available to answer any questions during the meeting.

/DPM

OCT -- 7 1998



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MAINTENANCE PROGRAM FUNDING REQUEST APPROVAL

AIRPORT NAME: NEW KENT

DATE: 10/6/98

ATTENTION: DAVID MALONEY

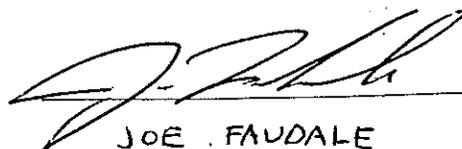
IN RESPONSE TO YOUR REQUEST FOR ASSISTANCE FROM THE MAINTENANCE PROGRAM, THE DEPARTMENT OF AVIATION HAS ALLOCATED STATE FUNDS FOR THE FOLLOWING PROJECT OR PROJECTS:

<u>PROJECT DESCRIPTION</u>	<u>PROJECT NUMBER</u>	<u>STATE FUNDS</u>
OBSTRUCTION REMOVAL	MT0041-16	\$4,500 (90%)
REPAIR PAVIS	MT 0041-17	1,600 (80%)

THIS COMMITMENT IS FOR THIS FISCAL YEAR ENDING JUNE 30, 1999. FOR THIS REASON, THE PROJECT MUST BE COMPLETED, CLOSED AND INVOICES WITH REIMBURSEMENT FORM IN OUR OFFICE BY JUNE 25, 1999. PLEASE NOTE THE PROJECT NUMBER WHICH SHOULD APPEAR ON ALL PROJECT CORRESPONDANCE AND REIMBURSEMENT REQUESTS. A COPY OF THE REIMBURSEMENT FORM MAY BE OBTAINED FROM THE MOST RECENT COPY OF THE POLICY AND PROCEDURE GUIDE FOR AIRPORT SPONSORS MANUAL.

SHOULD YOU HAVE ANY QUESTIONS OR IF WE MAY BE OF FURTHER ASSISTANCE, PLEASE DO NOT HESITATE TO CONTACT MY OFFICE.

SINCERELY,


JOE FAUDALE



COUNTY
OF
NEW
KENT

MEMORANDUM

Department of Planning and
Community Development

To: Members, New Kent County Airport Advisory Commission

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

Date: October 20, 1998

Subject: **Fuel Farm Project Schedule**

The following is an updated schedule of the tank removal and upgrade project:

1. Procure engineering and design services for tank removal and upgrade project.
Status: Complete
2. Prepare tank removal and upgrade specifications and bid documents.
Status: Complete
4. Issue invitation to bid for tank removal and upgrade.
Status: Complete
6. Open bids.
Status: Pending
Deadline: October 23, 1998
7. Award tank removal contract.
Status: Pending
Deadline: October 30
8. Award Contract.
Status: Pending
Deadline: ASAP after bid award

9. Complete tank removal and upgrade.

Status: Pending

Deadline: 60 days after award of contract

Staff will be available to answer questions regarding the status of the project during the October meeting.

/DPM



COUNTY
OF
NEW
KENT

Department of Planning and
Community Development

MEMORANDUM

To: New Kent County Airport Advisory Commission

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

Date: October 19, 1998

Subject: **T-Hangar Replacement Information**

The Chairman of the Airport Advisory Commission requested staff to investigate the costs of installing a new 10 unit T-hangar structure at the airport. The estimate is based on costs provided by Strat-O-Span, Inc. The cost of the structure is \$45,000. Site engineering was estimated at \$5,000, while site work was estimated at \$25,000, for a total project cost of \$75,000.

For purposes of this analysis the financing cost is five-percent per year for a 36 month term. These financing costs were based on a recent lease-purchase arrangement recently entered into by the County for a different project for a similar principle amount. Based on the above assumption, the monthly payment would amount to \$2,397.67, or \$239.77 per month per hangar. Attached is an amortization work sheet.

T-hangar rental rates at Chesterfield County Airport begin at \$180.00 per month, while Hanover County rates are \$150.00 or \$250.00 per month depending on whether it is a new unit or not. The monthly rental rate for New Kent County for an existing enclosed hangar is \$95.00 per moth. The rate for an existing T-hangar tenant to upgrade to a new hangar, without loss of revenue to the County, would be \$334.77 per month. \

Staff will answer any questions commission members may have during the next meeting.

/DPM
Attachment

AMMORTIZATION FOR TEN UNIT T-HANGAR

Hangar	\$ 45,000.00
Engineering	\$ 10,000.00
Site Work	\$ 25,000.00
Rate	5%
Months	36
Payment	(\$2,397.67)



COUNTY
OF
NEW
KENT

Department of Planning and
Community Development

MEMORANDUM

To: New Kent County Airport Advisory Commission

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

Date: December 1, 1998

Subject: **Draft Meeting Summary and Meeting Schedule**

Attached please find a copy of the draft summary of the November 30, 1998 meeting. Also, please be advised a work session for the business plan has been scheduled for 6:30 PM Tuesday, December 15, 1998 in the courtroom of the Old Courthouse Building. The next regular meeting was scheduled for Monday, December 28, 1998 at 7:00 PM in the courtroom of the Old Courthouse Building.

The purpose of the work session is to begin formulating the mission statement, and goals, objectives and strategies of the business plan. Attached is a copy of the business plan outline and the background Analysis of the plan which was approved by the Commission during the November 30 meeting.

Should you have any questions, please do not hesitate to call.

/DPM
Attachments

Draft Meeting Summary
New Kent County Airport Advisory Commission
November 30, 1998

Call to Order

The November 30, 1998 meeting of the New Kent County Airport Advisory Commission was called to order at 7:00 PM. Members present included:

Mr. Goss
Mr. Felts
Mr. Pratt
Mr. Lipscomb

Staff present included:
David P. Maloney
Director of Planning/Assistant County Administrator

Approval of Minutes

On a motion from Mr. Lipscomb, seconded by Mr. Pratt, the October 26, 1998 minutes were approved as presented.

Staff Reports

Mr. Maloney provided the commission with an update on the status of the fuel tank upgrade project. Mr. Maloney stated the contract had been awarded and executed by both the County and F. W. Baird, building permits had been applied for, and tank measurements for the monitoring equipment had been taken.

Mr. Goss stated he heard the general contractor was concerned that they did not have equipment with sufficient capacity to store the fuel from the tank. Mr. Maloney stated no such concerns had been expressed to him, and the bid specifications clearly indicate the contractor is responsible for fuel storage during construction.

Mr. Goss also asked if the County had contingency plans for fuel sales if the project experienced a long delay after construction started. Mr. Lipscomb responded by stating pilots could purchase fuel at West Point airport if need be.

Lastly, Mr. Goss had questions regarding liability if the fuel was improperly transferred and a pilot experienced a problem with the fuel after it was transferred back into the underground tank. Mr. Maloney stated the County would place the liability on the contractor.

Unfinished Business

Mr. Maloney presented Part I – General Background of the draft airport business plan. He stated the information had been taken from the draft ALP and the feasibility study. Mr. Maloney recommended the Commission focus on the mission statement and goals and objectives.

Mr. Goss stated he believed the full commission should be present before any discussions on the mission statement commenced.

Mr. Pratt stated he though the work would be conducted during the work sessions. Mr. Maloney responded by stating the commission should take all available opportunities, including regular meetings, to work on the business plan. He also stated the regular meetings are the appropriate time to formalize decisions, and not the work sessions.

Mr. Pratt agreed, and stated a work session should be scheduled prior to further discussions on the plan. Mr. Pratt made a motion to approve Part I of the plan. The motion passed unanimously.

A work session was scheduled for 6:30 PM, Tuesday December 15, 1998 in the Courtroom.

Mr. Felts requested an update on the status of the Bennett property adjacent to the airport. Mr. Maloney stated he would investigate the matter. Mr. Felts requested a status report be given during the December meeting.

Mr. Goss commended the pilots and participants for the Young Eagles Rally held on November 21, 1998.

Citizen Comment

Ms. Wilson had questions regarding the state funding for the fuel farm project. Mr. Goss and Mr. Maloney provided some background regarding the source of funds. Mr. Maloney stated the County expected state funds for the project, but the state withdrew its grant offer after the letter regarding possible airport closure was sent to the County's congressional delegation.

Ms. Wilson also expressed concern not many members of the public were present at commission meetings. Several commission members asked if the meetings could be publicized in the Chronicle and on cable television. Mr. Maloney stated he would arrange to have the meetings publicized.

There was some additional discussion regarding the location of the meetings. Mr. Maloney stated the courtroom was better situated to accommodate the public, and all other meetings of various commissions were held in the government complex.

Mr. Pratt raised questions regarding the vote of the Board of Supervisors member. Mr. Lipscomb stated that the Board's appointment to all boards and commissions had a vote. Mr. Pratt stated he was concerned that one district could be over-represented, and the Board of Supervisors member could influence his appointees vote. Mr. Lipscomb stated he expected his appointees to vote their conscience.

Meeting Schedule

A work session was scheduled for Tuesday December 15, 1998 at 6:30 PM in the Courtroom located in the Old New Kent County Courthouse.

The next regular meeting was scheduled for Monday December 28, 1998 at 7:00PM in the Courtroom located in the Old New Kent County Courthouse.

Adjournment

The meeting adjourned at 7:55PM

Respectfully Submitted

David P. Maloney, AICP

Director of Planning/Assistant County Administrator

**PROPOSED OUTLINE
NEW KENT COUNTY AIRPORT
BUSINESS PLAN**

- I. Facility Analysis
 - A. General County Background
 - B. General Airport Background
- II. Goal Statement
- III. Objectives and Strategies
- IV. Marketing Plan
 - A. Identify potential users
 - B. Identify promotional opportunities
 - C. Develop strategy to connect users with promotional information
- V. Management Plan
 - A. Identify preferred management structure
 - B. Identify areas of responsibility
- VI. Financial Plan
 - A. Revenues Sources
 - 1. hangar rents
 - 2. fuel sales
 - 3. federal grants
 - 4. state grants
 - 5. local funds
 - 6. other revenue sources
 - B. Expenditures
 - 1. salary/fringe
 - 2. professional services
 - 3. repairs and maintenance
 - 4. advertising
 - 5. utilities
 - 6. telecommunications
 - 7. insurance
 - 8. travel and education
 - 9. fuel and oil purchases
 - 10. miscellaneous
 - 11. debt service
 - C. Capital Improvements
 - 1. hangar improvements
 - 2. access road
 - 3. parking
 - 4. runway overlay
 - 5. apron rehab.
 - 6. taxiway overlay

PART I

GENERAL BACKGROUND

New Kent County is located on the Virginia Peninsula between the Richmond and Hampton Roads metropolitan areas. The County was created in 1654, and is home to many historic sites. New Kent County, being uniquely situated between two dynamic metropolitan areas, has undertaken extensive efforts to capitalize on its many natural and built assets in an effort to increase and diversify the local tax base. The purpose of this business plan is to develop a set of goals, objectives, and strategies for the continued fiscal and administrative management of the airport. It is the intent of this plan to provide a strategy to ensure the airport operates in manner that is beneficial to New Kent County as a whole.

NEW KENT AIRPORT

The airport is located in the east-central portion of the County, approximately three miles southeast of the Quinton community. Access is provided via State Route 686, Terminal Road, which is a two-lane State Secondary Road. Adjacent land uses include agricultural and forested areas, single family residential homes, and a residential subdivision immediately adjacent to and south of airport property.

The New Kent County Airport is owned and operated by the County of New Kent, and was originally constructed in 1955. The County purchased the airport in 1977 from a private owner. The runway has experienced three extensions, and one realignment. The end result is the runway has expanded from 1,200 feet to 3,600 feet. In addition to the runway, the airport facilities also include the following:

- Terminal building
- Parallel taxiway
- Medium intensity runway lighting (MIRL)
- Runway end identification lights (REIL)
- Precision approach path indicator lights (PAPI)
- Rotating beacon
- Tie-down apron
- T-hangar facilities
- Maintenance hangar
- Fueling facilities (100 low lead only)

The airport is classified as a B-I airport under the FAA Airport Reference Code. In accordance with this classification, the airport can accommodate aircraft with approach speeds between 91 and 120 knots, and a wingspan less than 48 feet. Typical aircraft

within this classification include Beechcraft Baron, Beechcraft King Air B100, Mitsubishi MU-2, and Piper Navajo.

A variety of plans and studies have been performed for the airport beginning with the National Plan of Integrated Airport Systems (NPIAS) conducted by the FAA. This report covers the period 1993-1997. The Virginia Air Transportation System Plan (VATSP) was published in 1990, and classifies New Kent County Airport as a general aviation community airport. New Kent County conducted an airport feasibility study utilizing the consulting firm of Buchart-Horn in 1995, and Delta Airport Consultants developed a Draft Airport Layout Plan (ALP) in 1997. As of the date of this plan, New Kent had not received notification from the state or FAA that the ALP has been finalized. The findings of the above referenced documents will be incorporated into this business plan as appropriate.