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**Grand Junction Regional Airport Authority Board**  
**Board Meeting and Workshop**  
Meeting Minutes  
April 15, 2014

**I. Call to Order**

**II. Motion into Executive Session**

To confer with the Authority's legal counsel for the purpose of receiving legal advice relating to a pending investigation, as authorized by CRS§ 24-6-402(4) (b) and pending contract negotiation, as authorized by CRS§ 24-6-402(4) (e).

**III. Adjourn Executive Session**

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**5:00PM-5:15PM: RECESS**

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**I. Call to Order**

Mr. Steve Wood, Board Chairman, called the Meeting of the Grand Junction Regional Airport Authority Board to order at 5:16 PM on April 15, 2014 in Grand Junction, Colorado and in the County of Mesa.

**Present:**

*Commissioners Present:*

Steve Wood, Chairman  
Tom Frishe, Vice Chairman  
Sam Susuras  
Rick Wagner  
Paul Nelson  
Rick Langley  
Dave Murray

*Other:*

Shannon Kinslow, TOIL  
Drew Armstrong, C1A COA  
Larry Kempton Sr., Kempton Air Service LLC  
Larry Kempton Jr., Kempton Air Service LLC  
Wayne Clark, Citizen  
Bradley Sullivan, CFC  
Bill Pitts, Citizen  
David Hartmann, Armstrong  
David Shepard, GJAUTA  
Brian Harrison, GJRA  
Shawn Stratton, GJRA  
Jason Hofman, BLM  
Dennis Corsi, Armstrong

*Airport Staff:*

Amy Jordan, Interim Director of Aviation  
Victoria Villa, Clerk  
Ben Peck  
Ben Johnson  
Ted Balbier  
Fidel Lucero

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## **II. Approval of Agenda**

*Commissioner Nelson made a motion to approve the amended agenda. Commissioner Wagner seconded. Voice vote: All Ayes.*

## **III. Conflict Disclosures**

Chairman Wood - Hangar Owner

Commissioner Frishe - None

Commissioner Susuras - None

Commissioner Wagner - None

Commissioner Nelson - None

Commissioner Langley – None

Commissioner Murray - None

## **IV. Commissioner Comments**

Chairman Wood welcomed new Board member Dave Murray. Mr. Wood commented that this is the first time in about three months that they have had a full Board and it's a good feeling to have seven of them sitting up there again.

## **V. Citizen Comments.**

None.

## **VI. Consent Agenda**

### **A. Minutes: March 4, 2014 Special Board Meeting**

### **B. Minutes: March 18, 2014 Regular Board Meeting**

Discussion:

Commissioner Susuras asked for clarification on a statement made by Commission Wagner regarding organizational changes.

No changes to minutes.

*Commissioner Susuras made a motion to approve the March 4, 2014 Special Board Meeting minutes and the March 18, 2014 Regular Board Meeting minutes. Commissioner Wagner seconded. Voice Vote. All Ayes.*

## **VII. Discussion Items**

### **A. Geotech Project Update**

The Airports project coordinator Ben Johnson briefed the Board on the status of the Geotech project. Mr. Johnson said that coring took place for five nights and it began on April 7th. Mr. Johnson stated that the phase of the project went pretty smoothly, there were no notable

complications. Ms. Johnson said that the next step is to submit those core samples to the lab for analyzation and expect results in 4-6 weeks.

Discussion:  
None.

## **B. Financial Update**

Interim Airport Manager, Amy Jordan presented a power point to the Board on the Airport's current financial status. Ms. Jordan stated that CFC is an acronym for customer facility charge which is a fee of \$3.25 the Airport collects on each rental car per day and that money goes into an account that is pledged to improve facilities for the rental car companies. Ms. Jordan said that PFC is an acronym for passenger facility charge which is a fee of \$4.50 per enplaned passenger that the Airport collects from the airlines and is dedicated to PFC eligible projects.

Discussion:

Commissioner Langley stated that they will start working on the January, February and March Financial statements as soon as they can wrap up 2013 which will be in progress this week and will be preparing for the annual audit in the beginning of May. Mr. Langley stated that they requested documents back from the FBI and they were very cooperative provided copies of the documents that were requested.

## **C. Finance & Audit Committee Update**

Commissioner Langley briefed the Board and said that after the departure of the previous finance manager the Airport needed to engage in an independent CPA to help close the 2013 books. Mr. Langley stated that the finance and audit committee agreed upon and have secured the services of an independent CPA to help with the task.

Discussion:

Commissioner Susuras asked why a CPA based out of Denver was being used instead of a local CPA.

Commissioner Langley stated that he personally called a few CPA's in Grand Junction and they had no interest and EKS&H recommended an independent CPA that could handle the task and has governmental experience. Mr. Langley stated that if they had more time they could have possibly done some more searching for a local CPA but the Airport is up against a tight time frame.

Commissioner Susuras asked if there was a reason that they didn't use the same firm the Airport has used for several years.

Commissioner Langley stated that that was addressed at the last Board meeting. Mr. Langley stated that the finance and audit committee didn't have a lot of interest from local firms but had interest from Denver firms.

The Board reviewed the engagement agreement for the independent CPA.

#### **D. Security Solution Committee Update**

Chairman, Steve Wood, briefed Board and stated that they met with the applications engineer that they have worked with for the technology of the proposed security solution. Mr. Wood stated that committee members also met with staff and Denis Corsi with Armstrong and after that meeting they followed up with a meeting with Steve Gilmore. Mr. Wood stated that all meetings were positive and a compliance individual arrived today and a meeting will take place tomorrow to sort out the Airport Security Program amendment.

Discussion:

Commissioner Wagner stated that he would like to add that TSA has been very cooperative with this.

#### **E. Director Search Committee Update**

Commissioner Tom Frishe briefed the Board and stated that the job posting expires on this date at midnight. Commissioner Frishe stated that the job has been posted for 30 days and right now there are 62 applicants. Commissioner Frishe said that either this week or next week the committee will meet and examine the applications and figure out what the next step is.

Discussion

None.

### **VIII. Action Items**

#### **A. Administration Building Project Update**

Chairman, Steve Wood, stated that he, Mr. Johnson, and Mr. Peck met with Shaw early in the week following the last board meeting where the decision was made to suspend the project. Mr. Wood said that Shaw was very congenial, helpful and proactive. Mr. Wood stated that they have also had meetings with city personnel, one on April 8<sup>th</sup> to discuss the city's interest in having a North area fire bay and possibly ambulance as well. Mr. Wood said that a tour took place at the construction site with the city attorney, city manager, three city council and staff to brainstorm and discuss the possibility. Mr. Wood said that they would like to extend their thanks for their willingness to discuss this.

Airport Facilities Manager, Ben Peck, briefed the Board on items pertaining to the Administration building. Mr. Peck stated that staff would like to rescind their recommendations on the AIS for the storm water permit transfer as well as the safety inspections. Mr. Peck stated that they would like to have more discussions before transferring the storm water permit. As for the safety inspection Mr. Peck stated that the FAA has a requirement for a daily safety inspection to take place, to look for anything that would affect aircraft operations. Mr. Peck said that with

the project being suspended, Marc Miller with the FAA has agreed to have those done on a weekly basis. Mr. Peck said that on he would be happy to conduct those inspections on behalf of the Authority.

Discussion:

Commissioner Wagner asked if there is time frame on the storm water permit.

Mr. Peck stated that he believes it expires 1 year after it was pulled.

Chairman Wood stated that unless there were any objections, the Board will go with the staff's recommendation relative to the storm water which is to continue to allow Shaw to be the holder of the storm water permit, until such time that staff would feel comfortable to take it over.

Mr. Peck briefed the Board on the masonry. Mr. Peck stated that approximately 2/3 of the exterior masonry, which totals \$78,000.00, has been purchased and has been billed on the March pay application. Mr. Peck said that the remaining 1/3, which is about \$40,000.00, has not been manufactured and could create a slight color mismatch if it is decided to suspend any further payment. Mr. Peck said that the Airport does have the option to cancel the remaining portion. Mr. Peck discussed storage and delivery fees. Mr. Peck stated that the question before the Board for this particular item is if they would like everything to match and pay \$40,000.00 or would it be ok for it to not match.

Discussion:

Commissioner Susuras asked if there was adequate storage space.

Mr. Peck said that seeing it is an exterior component of the building it could be stored outside on site.

Commissioner Susuras stated that in his opinion, they should purchase it if the \$40,000.00 is not going to hurt the Airport financially.

Commissioner Langley asked if it would be likely for additional material to be needed if changes that were discussed earlier were to happen.

Mr. Peck said it would be hard to know at this time without knowing what the architects vision for the possible addition but there very well could be additional material needed.

Commissioner Susuras asked for clarification because he thought the only change would be for internal use not external.

Chairman Wood stated that if the building were to become a fire station, the fire bay(s) would have to be added on onto the landside of the building.

*Commissioner Langley made a motion to not accept the additional \$40,000.00 1/3 of masonry. Commissioner Frishe seconded. Voice vote. All Ayes.*

Mr. Peck briefed the Board on the elevator for the building. Mr. Peck stated that the elevator is currently under production and is scheduled to be completed by the end of the month. Mr. Peck said that there is an option to deliver the elevator to the site for storage, or pay the manufacture \$1000.00 per month to store it. Mr. Peck said that the remaining balance to complete it elevator is \$21,000.00 which include delivery.

Discussion:

Commissioner Susuras asked if it included installation.

Mr. Peck stated it is just for production and delivery.

Chairman Wood said that there is an elevator shaft so his opinion would be to complete the elevator and it can be stored in the basement of the building.

Chairman Wood stated that if there are not objections the Board will advise to pay the \$21,000.00 for the completion of the elevator.

Mr. Peck briefed the Board on the garage doors. Mr. Peck said that they are manufactured and are awaiting delivery. Mr. Peck stated that there is a one time delivery fee of \$125.00 or a storage fee of \$300.00 a month to store them at the manufactures. Staff recommends that the garage doors be delivered to the site.

Chairman Wood stated that if there are no objects, the Board will advise the staff to have the garage doors delivered.

Mr. Peck briefed the Board on the roofing and siding. Mr. Peck stated that the raw materials have been purchased and they are stockpiled at the manufactures. Mr. Peck said that it is all coiled steel and has not been shaped, formed or cut. Mr. Peck said that for them to be stored at the manufactures it would cost the airport \$525.00 a month or they could see about shipping them to Grand Junction for \$5,120.00 to store but then if the building construction starts up again the Airport would have to ship the material back which would be at least another \$5120.00. Mr. Peck stated that it is unknown if this material can be shipped back but Shaw was going to research whether or not that is possible and if so the airport would have to pay a restocking fee. At this time staff has no recommendation.

Discussion:

Chairman Wood said that he thinks the best option is to pursue the possibility of paying a restocking fee and sending it back.

Chairman, Steve Wood, briefed the Board on the job site trailer. Mr. Wood stated that it would be fairly more expensive to move the trailer off the job site than to just leave it where it is. Mr. Wood stated that with regard to the temporary fencing the question would be should the airport continue to let the contractor provide this and be billed on a monthly basis or should the airport take over and pay to have a fence there. Mr. Wood stated that his opinion on both of these items would be to leave them as they are until further notice.

## **B. Federal Mineral Lease District Grant**

Project Coordinator, Ben Johnson, briefed the Board on the status of the Federal Mineral Lease District Grant. Mr. Johnson stated that at the last meeting permission was granted to submit an application for this grant. Mr. Johnson said that the application was submitted and on April 9 he and Ms. Jordan attended the board meeting where they made the decisions on the grants. Mr. Johnson stated that the Airports grant was accepted and funded in the full amount of \$50,000.00 with a local match \$10,000.00 which was already budgeted for scheduled replacements of ARFF equipment. Mr. Johnson said that they are waiting on the grant agreement. Mr. Johnson briefed the Board on the two purchase request that will be done under this grant; one for four new and four refurbished SCBA's, and the other for seven sets of fire fighter turnouts.

Operations Supervisor Ted Balbier stated that he is very grateful for this and is a great thing for the airport.

Discussion:

Commissioner Frishe stated that this gear does expired so it is required for them to be replaced in a timely fashion so this grant is a huge plus.

*Commissioner Frishe made a motion to approve the two purchase requests. Commissioner Susuras seconded. Voice Vote. All Ayes.*

## **C. Organizational Change Recommendations**

Interim Airport Manager, Amy Jordan, briefed the Board and presented a power point slide with a picture of the organization chart with the recommended salary ranges and recommended staff for each position. Ms. Jordan stated that there were a few small changes to some of the salary ranges since it was last presented at the March 4<sup>th</sup> Board meeting but there has been no structural changes. Ms. Jordan said that additionally, there has been a title change to what was the "Comptroller" position is now the "Finance and Compliance Manager".

Discussion:

Commissioner Murray stated that about two years ago the DOJ issued a letter stating that there is an inherent conflict with compliance and finance but they did clarify that it is not illegal to have that type of arrangement but if you come under scrutiny with federal investigation, one of the mitigating factors that can be used is that there is an effective compliance program and if you have compliance with finance you will not be deemed to have an effective compliance program.

Ms. Jordan said that she thinks that the idea was for the finance and compliance manager be responsible for compliance with all funding regulations.

Commissioner Murray stated that he would like to see the job description because if that is the extent of the compliance then that makes sense as to why that was done that way.

Commissioner Wagner briefed Commissioner Murray a little more as to how and why the reorganization was done and explained the responsibility of the finance and compliance manager position.

Commissioner Susuras asked if the compliance manager position is also responsible for all authority policies such as procurement.

Commissioner Wagner stated that a procurement policy has to be instituted on behalf of the entire airport.

Commissioner Susuras said that someone has to make sure that all policies are in place and are current and asked if this is part of the job description for the finance and compliance manager.

Commissioner Wagner said it could certainly be in that job description if the compliance part of it relates to finance.

Chairman Wood stated that this org chart indicates changes that will be necessary for change in the by-laws, for instance, the reinstatement of the Finance and Audit Committee.

Commissioner Wagner said that another thing that will probably need to be changed is that the finance position, while working under the direction of the Airport manager and remaining an employee at will never the less for employment actions involving terminations or hiring it will require approval from the finance and audit committee or the whole board.

Commissioner Susuras asked if Commissioner Wagner was referring to that applying now or after an Airport Manager is hired.

Commissioner Wagner said after an Airport Manager was hired.

Commissioner Murray stated that he feels like the title of the finance and compliance manager should be revisited so it doesn't raise the same question he had.

Commissioner Frishe asked what Commissioner Murray's recommendation would be for the title.

Commissioner Murray stated that his recommendation would be to take off compliance and just leave it as Finance Manager but to put compliance as a key function in the job description.

Chairman Wood said that while in the act of finding an Airport Manager, he feels it would be fine if this org chart were adopted with a small question mark next to the compliance portion of this title. Mr. Wood stated that this was a title proposed and selected from a list fairly recent and are open to altering the title.

Further discussion took place on recommended staff placements and current vacancies for the Finance Manager position, the Ground Supervisor position and the Project Coordinator position.

*Commissioner Frishe made a motion to approve the first reporting tear beneath the Board of the organizational chart. Commissioner Murray seconded. Voice Vote. All Ayes.*

#### **D. Ethics and Conflict of Interest Policy**

Chairman, Steve Wood, stated that the Airport's legal counsel, Mike Morgan, notified him that morning and said he would not be able to attend the Board meeting. Mr. Wood opened the topic up for discussion.

Discussion:

Commissioner Susuras asked if the policy was designed for employees as well as Board of Directors.

Chairman Wood confirmed that it was.

Commissioner Susuras stated that he thinks it should be required for everyone to sign and agreement that they will support this policy.

Commissioner Wagner stated that normally you would sign something that you have read and understand the policies and procedures of the entity you are working for. Mr. Wagner said he does not want to approach something to make it look like a contractual agreement between an at will employee and the Authority.

*Commissioner Frishe made a motion to approve the Ethics and Conflict of Interest Policy as long as the document can be altered at a later time if necessary. Commissioner Susuras seconded. Voice Vote. All Ayes*

#### **E. Quimby and Associates Contact Revisions**

Chairman, Steve Wood, briefed the Board on the revisions. Mr. Wood stated that a draft was presented at the March meeting and has been revised in several ways. Mr. Wood said that the biggest change of all is the insurance addition.

Discussion:

Commissioner Susuras asked if the fiscal impact of approximately \$1800.00 per year was a set 1800 or why is it 'approximately'.

Jane Quimby stated that that is the hard number but it could grow depending on the amount of ethical violations.

*Commissioner Nelson moved for approval of the Quimby and Associates revised contract. Commissioner Wagner seconded. Voice Vote. All Ayes.*

#### **F. Creston Aviation Tie-Down Lease Request**

Interim Airport Manager, Amy Jordan, briefed the board on a request from Creston Aviation. Ms. Jordan stated that Creston Aviation is a flight school and has made a formal request to staff to lease two tie-down spaces from the Airport. Ms. Jordan said that the Airport currently has 10 unoccupied tie-down spaces. Ms. Jordan said that she pulled a template from AOPA for tie-down spaces, filled it in and sent it to Mr. Morgan for review. Ms. Jordan said that the 2014 fees and charges state that there is a \$60.00 per month per tie-down space fee. The owner of Crestone Jon Labrum requested a 30 day term so every month it will renew.

Discussion:

Commissioner Susuras asked if the request as well as the form would need to be approved.

Ms. Jordan said that there is a resolution the Board approves every January for standardized agreements and it could be added next January or it could be brought back to the Board at an earlier date to revise that resolution and include this agreement.

*Commissioner Susuras made a motion for the Board to approve Creston Aviation tie-down lease request as presented by staff and this document. Commissioner Frishe seconded. Voice Vote. All Ayes.*

#### **G. Colorado Division of Parks and Wildlife Lease Extension**

Mr. Johnson briefed the Board and stated that this is also a nonstandard agreement. Mr. Johnson presented a slide to the Board with a picture of where the lease is. Mr. Johnson stated that the current lease for CPW expires June 30<sup>th</sup> 2014 but is interested in staying at the airport so they requested the new format lease but there could be some changes to that lease, so staff thought the best option right now is to do a one year extension on their current lease.

Discussion:

None.

*Commissioner Frishe moved to approve the one year extension of the Colorado Division of Parks and Wildlife lease. Commissioner Nelson seconded. Voice Vote. All Ayes.*

#### **H. Fentress Pay Request: February Construction Administration Services**

Ms. Jordan briefed the Board on the February pay request for construction administration services from Fentress Architects. Ms. Jordan stated that the invoice is for \$35,708.53.

Discussion:

Commissioner Wagner stated his continuing objection due to the fact that the Board still doesn't know what exactly Fentress is doing; there has been no accompanied backup or report as to what they are doing in the time they are billing for.

Commissioner Langley stated that he agrees with Mr. Wagner.

Ms. Jordan said that staff will not pay it ask for more detail and bring it back at the next meeting.

Commissioner Wagner stated that it's not to say that work wasn't done but the Board would like to know what was done and was there work duplicated.

## **I. Asset Disposal Request**

Mr. Johnson briefed the Board on a list of assets that staff would like to dispose of. Mr. Johnson said that the lap top that is on the list was turned into the lost and found a long time ago and was never claimed, and the previous director had the IT company wipe it to possibly make it useful for the airport but it is not compatible with the airport's network but since it still works staff would like to donate it to Good Will. Mr. Johnson briefed the Board on a major item on the list which an ARFF truck.

Discussion:

Commissioner asked what happened to the truck and why it went from working to not being worth much.

Mr. Johnson said it has had maintenance issues over the last few years.

Airport Fleet supervisor Fidel Lucero said that the main part is the transmission that has been leaking for a long time. Mr. Lucero stated that it would cost the airport about \$5,000.00 to \$6,000.00 to replace the transmission. Mr. Lucero briefed the Board on the other issues the truck has had.

Commissioner Frishe asked if there were any parts on the truck that can be reused.

Mr. Lucero stated that the truck is stripped of everything that can be reused on the airport.

Commissioner Frishe asked if there is a junk yard that wants it.

Mr. Lucero said at the moment there is only one interested party which is an international dealership company that salvages trucks and use their usable parts but because the truck is so specific in what it does there is very limited market for its components. Mr. Lucero said that it is costing the airport to keep this truck because the transmission is leaking so much the oil that is required cost about \$250 a 5gal bucket and it takes about two of those 5gal buckets to get it running again.

Mr. Johnson said that the truck was purchased in 1986 or 87 with AIP money so whatever decision is made has to go the FAA for their approval.

Chairman Wood suggested for Mr. Lucero to pursue the scrap and then let the Board know what he finds out.

*Commissioner Susuras made a motion for the Board to authorize the staff to dispose of the six items listed subject to FAA approval. Commissioner Murray seconded. Voice Vote. All Ayes.*

**J. Resolution No. 2014-007: Resolution concerning execution of documents pertaining to bank accounts**

Ms. Jordan stated that this is an amendment to Resolution No. 2014-006. Ms. Jordan stated that this resolution needs to be amended again to remove Kathie Lucas from all accounts as a signatory; it also changes the titles of the Director of Aviation and the Deputy Director of Facilities. Ms. Jordan stated that this leaves only one staff signatory.

WHEREAS, the Board of Grand Junction Regional Airport Authority (“the Board”) desires to authorize the deposit of Authority funds, and funds due to the Authority, into Authority accounts in eligible financial institutions in Mesa County which have been designated by the Board as meeting the requirements for deposit of Authority monies under appropriate federal and Colorado laws; and

WHEREAS, the Board desires to authorize the Director of Aviation, Deputy Director – Operations, Deputy Director - Facilities, Deputy Director –Finance/Business or the Accounting Specialist III to transfer funds between Authority accounts within the same Authority Board-designated financial institution; and

WHEREAS, The Board desires to authorize the Chairman, Vice Chairman, Director of Aviation, Deputy Director - Operations, or Deputy Director - Facilities, as designated below, to **execute with only one (1) signature any and all (A) bank documents, checks and other instruments of withdrawal in the sum of less than \$500, and (B) any payroll and payroll related expenditures, including but is not limited to, payments for tax withholding, payments for retirement and 401(k) contributions and garnishments:**

<u>Steve Wood</u>	Chairman
<u>Tom Frishe</u>	Vice Chairman
<u>TBD</u>	Airport Manager
<u>Ben Peck</u>	Facilities Manager

Provided, however, that checks or other instruments of withdrawal (**other than payroll and payroll related expenditures including but not limited to payments for tax withholding, payments for retirement and 401(k) contributions, and garnishments**) in an amount equal to or greater than **\$500 shall have two (2) such signatories, as follows:**

- Chairman or Vice Chairman; AND
- Airport Manager or – Facilities Manager

AND,

WHEREAS, The Board desires to require three (3) signatories, as follows, **to execute any promissory note or other evidence of indebtedness** at any financial institution:

- Chairman or Vice Chairman; AND
- Airport Manager or –Facilities Director; AND
- one (1) of the following Commissioners:

<u>Sam Susuras</u>
<u>Paul Nelson</u>

NOW THEREFORE, IT IS RESOLVED that the Board authorizes the deposit of Authority funds, and funds due to the Authority, into an Authority account in a eligible financial institution in Mesa County which has been designated by the Board as meeting the requirements for deposit of public monies under appropriate federal and Colorado laws; and

IT IS FURTHER RESOLVED, that the Board authorizes the Airport Manager, Facilities Manager, or the Accounting Specialist to transfer funds between Authority accounts within the same Authority Board-designated financial institution; and

IT IS FURTHER RESOLVED that the Board authorizes the Chairman, Vice Chairman, –Airport Manager, or Facilities Manager to execute with one (1) signature **any and all (A) bank documents, checks and other instruments of withdrawal in the sum of less than \$500, and (B) all payroll and payroll related expenditures, including but not limited to, payments for tax withholding, payments for retirement and 401(k) contributions, and garnishments:**

<u>Steve Wood</u>	Chairman
<u>Tom Frishe</u>	Vice Chairman
<u>TBD</u>	Airport Manager
<u>Ben Peck</u>	–Facilities Manager

Provided, however, that checks or other instruments of withdrawal (**other than payroll and payroll related expenditures, including but not limited to payments for tax withholding, payments for retirement and 401(k) contributions, garnishments**) in an amount equal to or greater than \$500 shall require two (2) such signatures as follows:

- Chairman or Vice Chairman; AND  
Airport Manager or Facilities Manager  
AND,

IT IS FURTHER RESOLVED that the Board requires three (3) signatures, as follows, **to execute any promissory note or other evidence of indebtedness** at any financial institution:

- Chairman or Vice Chairman; AND
- –Airport Manager or Facilitates Manager; AND
- one (1) of the following Commissioners:

<u>Sam Susuras</u>
<u>Paul Nelson</u>

*Commissioner Wagner made a motion to approve Resolution No. 2014-007: Resolution concerning execution of documents pertaining to bank account. Commissioner Langley seconded. Roll call vote. Commissioner Frishe, Aye; Commissioner Susuras, Aye; Commissioner Wagner, Aye; Chairman Wood, Aye; Commissioner Nelson, Aye; Commissioner Langley, Aye; Commissioner Murray, Aye. Motion passes unanimously.*

#### **K. Deadline to Request New Standard Form Lease**

Chairman Steve Wood, briefed the Board on a letter received from Dave Shepard. Mr. Wood stated that the end of May is the deadline for further discussion on the standard lease and the concern is May is coming up and no formal action has been taken.

Discussion:

Commissioner Susuras asked if there was a suggested date to extend it to.

Discussion:

Mr. Shepard stated that GJAUTA understands that there are more pressing issues that the Board is dealing with at the moment, so their thought was to allow the Board time to deal with these issues and then revisit GJAUTA's concerns about the standard leases, when the Board is ready or sometime after August 1<sup>st</sup> 2014.

Commissioner Frishe said that he's not sure what difference it makes to have a deadline on this.

Commissioner Wagner stated that what he thinks the Boar should just remove the deadline all together and just keep it to when the leases need to be renewed.

*Commissioner Wagner made a motion to remove any deadline requirement for resigning of leases and ask that the interim airport manager designate staff to enter into a discussions with The Tenants Users Association, and any other individual tenant that would like part in the discussion, and report back on possible changes and addendums to what has been tentatively looked at as a standard lease agreement by the August Board meeting. Commissioner Susuras seconded. Voice Vote. All Ayes.*

### **Resolution No. 2014-008 Resolution Delegating Negotiating Authority to the Special Litigation Committee**

Chairman, Steve Wood, read the following resolution:

WHEREAS, the Grand Junction Regional Airport Authority (the "Authority") was created by the City of Grand Junction and County of Mesa to operate the Grand Junction Regional Airport (the "Airport"), and pursuant to the Colorado Public Airport Authority Act, C.R.S. §41-3-107(1) is a political subdivision of the State of Colorado exercising essential governmental powers for a public purpose.

WHEREAS, pursuant to C.R.S. §41-3-105(1) all power and duties of the Authority are exercised by and through its Board of Commissioners (the "Board"), and such powers and duties inherently include taking action to ensure the Airport is operated at all times in compliance with applicable state and federal laws and regulations.

WHEREAS, the Board desires to fully cooperate with the investigation so it may be quickly and justly completed with respect to the Authority, and regardless of the outcome of the ongoing federal criminal investigation the Board desires to and has a legal obligation to ensure the Airport is operated in a manner which fully complies with state and federal law and avoids even the appearance of any impropriety.

WHEREAS, the pursuant to C.R.S. §41-3-105(5) (g), the Board is authorized to hire employees and retain such legal and consulting assistance as may be necessary to carry out its powers and duties.

WHEREAS, a Special Litigation Committee consisting of Commissioners Rick Wagner and Paul Nelson has been appointed, to oversee and effectuate (a) the Authority's full cooperation with federal investigators and (b) the Board's internal investigation of the Authority's practices, policies and procedures involving the use of federal and non-federal funds, and Authority property.

NOW, THEREFORE, on motion duly made, seconded and carried, IT WAS RESOLVED, that:

1. The Special Litigation Committee and the Authority's retained legal counsel, William L. Taylor and attorneys in the law firm of Sideman & Bancroft, LLP, are hereby empowered to enter into negotiations with the United States Government, through its Attorneys in the United States Department of Justice, U.S. Attorney's Office for the Federal District of Colorado, Criminal Division, to prepare for the Board's consideration an agreement concerning cooperation with the Government in its continuing investigation and full and final resolution of the federal criminal investigation as to the Grand Junction Regional Airport Authority as an entity (but not as to any individual).

2. William L. Taylor shall report directly to and work under the direction of the Special Litigation Committee. The Special Litigation Committee shall in turn report to the Board from time to time on the progress of negotiations toward consummation of said agreement.

Commissioner Susuras asked if Airport bound by a previous agreement as far as the fees the Airport would pay Mr. Taylor for this.

Commissioner Wagner stated that a retention agreement has been signed that outlines the hourly rate.

Commissioner said that they have now reached a time for the Board and its counsel to work directly with the Department of Justice to make sure that changes and procedures and things involved with the Grand Junction Regional Airport are such that they comply with federal law and satisfy some of the concerns that federal authorities may have. Commissioner Wagner stated that this gives the special litigation committee and airport counsel the authority to enter into those discussions.

*Commissioner Frishe made a motion to approve Resolution No. 2014-008 Resolution Delegating Negotiating Authority to The Special Litigation Committee. Commissioner Murray seconded. Roll call vote. Commissioner Frishe, Aye; Commissioner Susuras, Aye; Commissioner Wagner, Aye; Chairman Wood, Aye; Commissioner Nelson, Aye; Commissioner Langley, Aye; Commissioner Murray, Aye. Resolution passes unanimously.*

#### **IX. Any other business which may come before the Board**

Mr. Johnson made an announcement that May 14<sup>th</sup>, 15<sup>th</sup> and 16<sup>th</sup> the FAA certification inspector will be at the airport do the annual Part 139 certification inspection. Mr. Johnson stated that the following week on May 22<sup>nd</sup> in the evening will be the Airport's triennial drill which is a full scale emergency exercise.

Ms. Jordan announced that she and Commissioner Frishe will be going to Las Vegas April 30<sup>th</sup> for a one on one meeting with Allegiant to discuss the Airport's air service. Ms. Jordan said that Allegiant services seasonally with a direct Grand Junction to LA flight and that is scheduled to start back up June 5<sup>th</sup> and run through September 7<sup>th</sup> 2014. Ms. Jordan also announced that Marissa Fay and West Star Aviation and the Colorado Pilot Association are organizing a fly-in scheduled tentatively for July 11<sup>th</sup>-13<sup>th</sup> 2014.

Chairman Wood thanked the committee members for all of the hard work.

### **XI. Adjournment**

*Commissioner Nelson moved to adjourn the meeting. Commissioner Susuras seconded. Voice Vote. All Ayes.*

The Board Meeting adjourned at 8:12pm

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Steve Wood, Board Chairman

***ATTEST:***

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Victoria Villa, Clerk to the Board