

IAHA Board Meeting

January 22, 2009

The meeting was called to order by President Kelly at 7:00 PM. Present were: Kelly Wilson, John Horn, Herb Jolliff, Robert English, and Alan Wright. Andy Andersen, Gary Van Horn, and Rena Peck were guests. There was no quorum at this meeting, so it was for advisory purposes only.

The primary business before the Board this evening was to review the pending ODA agreement as it stands as of tonight. Harry Malette had phoned in a vote of "no" on the existing draft. One thing that is nice about the new draft is the 10% kickback from the ODA for collecting the fees on their behalf. Collecting the "N" numbers on all hangared aircraft, part of the current draft, is not considered acceptable (even though the Board is not held liable if someone withholds this information). This requirement, as written in Federal law, is for commercial operations and not residential airparks like us.

Alan's primary concern with the current agreement was the definition of "developed lot:" for years it was understood that a lot wasn't developed until a year after a permit had been granted to build on that property but, as it is written now, it is defined to mean when streets are paved and utilities are made available to the lot. The meeting when the "developed lot" language was decided was back around April of 2003, so this breaks with past practice. The intent of the Aviation Board seems to be changing with the definition as it currently reads. The original intent of the old definition was to take pressure off the developer, as he would not be forced to pay the fees, that only the original purchaser paid ingress/egress fees on the lot. With the current definition, there is a built-in penalty for development as the developer has to pay fees before a building permit is granted. Alan did not consider this new definition to be a "deal-breaker" but it is something we need to be aware of.

The "penalty charge" paragraph on page four was also singled out for some concern: the percent rate amounts to 10% per month, which by Oregon statute can be considered usury.

Kelly said that the best action on this version of the agreement, unacceptable to both the North and South, is to simply reject it. Alan, based on his earlier experience negotiating with the ODA, said it was best to keep chipping away and not give up negotiation: the best practice with the ODA is to list the problems we currently have with the existing draft of the agreement, and work on it from there. John said that the draft needed to go back to the attorney, saying that we should talk directly with Dan regarding the changes that need to be made before it is acceptable. Kelly suggested a meeting with the attorneys for next week, go over the existing draft, then contact Dan Clem and let him know that our attorney would be present at the next meeting.

Some concern was brought up about a certain airpark resident making helicopter flights directly from his taxiway apron, and operating a commercial flight instruction service from his house. This is an actual violation of the ODA agreement, and may endanger the airpark. Kelly said he would talk with him.

Discussion centered for a while around the controversy about the local farmer's goose cannon going off at night. There is a meeting about this issue scheduled for next week at the Dallas court house in the first-floor conference room. The Board is against the adoption of a noise ordinance as it will make it easier for residents of Independence to complain about airplane noise. Since the airport is now technically within City limits, and it wasn't until recently, the City cannot beg lack of authority due to the airport being in the unincorporated area. If there is local support for a noise ordinance directed at goose cannon, then it would be very easy to adopt one directed at aircraft.

Alan also mentioned that the AOPA has stated, in an on-line wite paper, that their membership is divided about the benefits of airparks built around a State runway. The document name at the AOPA website is: "Airport through-the-fence operations and residential airparks at publicaly funded airports, by Bill Dunn."

Andy chimed in about the upcoming Memorial Day Fly-By event which is being planned. Rena Peck stated that she had received communication about an addition on an existing house on Luscombe Street, which including a variance from the City for a 13.5 foot setback (instead of 20 feet): this violates the Airpark By-Laws. Kelly straightened that out by saying that the owner who was going to do that has since passed away and his widow won't be pushing this through. The architectural committee originally had reservations about the violation of the setback and did not approve it.

Alan made the motion to adjourn and Herb seconded. The meeting was adjourned at 8:35 PM. Respectfully submitted by Robert English, secretary.