

IAHA Board Meeting

July 31, 2014

The meeting was called to order at 7:00 PM by President Gary. Present were: Dave Martin, Craig Cowles, Gary Van Horn, Robert English, Gail Hill, John Horn, Kelly Wilson, Alan Wright and Herb Jolliff. Norm Rainey and Mitch Swecker were guests. The audience this evening included approximately 30 people from the airpark.

SECRETARY: The draft minutes from the April meeting have been posted on the web and all have had a chance to read it. **Gail Hill made the motion to approve the minutes as posted, and Herb Jolliff seconded. All approved by voice vote.**

ISSUES: Marquis Expansion

Dave Martin and Steve Scheck started the discussion regarding the expansion of Marquis Spa. The City has approved Marquis' plan to build "lap pools" in a building that used to be owned by Forest Products. Several hundred of these pools are planned to be made in this building each year, and the company's existing DEQ allowance for pollution will include the emissions from this new building and still be within their allotment. The attempt that the City made to contact folks in the airpark by mail before the approval hearing were not successful at all, since only two households received this communication. Discussion centered around the upcoming EPA regulations tightening emissions of this kind down to 1/5 of the current allowance. The smell of styrene and the proposed hours of operation (starting at 6 AM) were a concern. Alan contributed some info: in 2004 Marquis did an expansion, and raised the height of the stacks after the DEQ requested a study of the increased stack height on emission concentrations sensed at ground level from the plant as it existed at that time. Alan and Gary agreed to talk to the City and the DEQ about this new issue on the behalf of the airpark.

North Airpark CC&R and Bylaws Upgrade

Norm Rainey spoke next, describing what the North Annex had done about modernizing their CC&R and their ByLaws by using interns from Willamette University. The result was clean documentation that could be clearly understood. Gary said the reason he brought Norm in to describe this process was there were some things we needed to fine-tune in our own CC&Rs and ByLaws.

ODA Comments by Mitch Swecker

Mitch spoke, first by saying that the current situation with the FAA was much more secure than it was a few years ago, when the FAA wanted to shut down all residential airparks around the country. He said that if there was an enforcement issue they would rather not bring in the FAA, and he would rather the citizens in the airpark work out these issues themselves rather than the ODA being an enforcement body. He also said that the ODA has enforcement authority over the Homeowners Association as a whole, and not over individual members within it. John asked if the ODA certification had been made to the FAA, regarding the compliance of Independence to the FAA's Compliance Guidance letter, and Mitch replied that this had been done some time ago. Gary brought up the fact that the FAA representatives came here a few years ago, and they originally had the idea that the airpark was a direct beneficiary of Federal money, but we were able to show them documents showing that no FAA money supported the airpark or the ingress/egress connections, and that the airpark had made significant contributions to the airport development.

He went on to talk about other issues, such as no new hangar space being available here, and the recent closing of Crescent Lake airport since the tarmac has buckled to a point where fixed-wing aircraft cannot use it safely. He also mentioned fencing plans, since the FAA had mentioned this as a good idea for this airport,

but the FAA will not pay for fencing between the residential part and the airport itself. There were specific questions about hangar space rental cost, which Mitch described as "the best deal in town," and the possible timetable about fencing - Mitch said he and his agency were in no hurry to fence, and the presence of "constrained operations" (jet traffic, etc.) would be the sort of activity that would put fencing on the table. Since nothing like that happens here, a new fence is not likely any time soon. John asked what was required for the ODA to approve commercial use of an airport hangar, and Mitch replied that the occupant would have to conform with local government regulations, meet fire marshal requirements, and have proper insurance.

Other topics

Airpark resident Jake Theissen spoke about the frustrations he felt regarding what he believes to be ongoing "commercial" operations out of private hangars, taking pains to not mention names, and he said he himself would go to the FAA if nothing was done. Mitch reminded everyone that the access agreement was with the Homeowners Association, not with individual members, and if the FAA heard about this they would simply tell the ODA to "solve the problem." The only tool the ODA has to solve a problem of this sort is to deny airport access to the entire airpark, and they would rather not have to do that. Gary said the process the Board was following was to put some solid data on the table and not rely on innuendo.

TREASURER: Gail passed around reports that showed the ODA has been paid for the yearly access fees, and the only major expenditure coming up is the taxiway maintenance. **Dave Martin moved that the report be approved, and Herb Jolliff seconded. All approved by voice vote.**

ARCHITECTURE: There is some construction at the Russell house (742 Stinson) which was approved over a year ago, but there was a delay since the son was ill for a while, so the construction just started. Also, Glenn Plymate has received approval from the County to combine his two lots into one, so that he can build a hangar on the second half of the property, and the Committee intends to approve the construction with the caveat that the property not later be subdivided so that the hangar not have a house attached. Gary brought up the potential legal question about whether a potential later split would violate an FAA prohibition on new residential Through-The-Fence, and Mitch said that Congress had instructed the FAA to not prohibit new residential TTF in the future, so that point is moot.

MAINTENANCE: Craig said that the grass was not being mowed in one area since there was a neighbor dumping dirt in there making the surface very uneven, but the area had been freshly mowed so it looks a lot better. Paint has been applied to the various cracks in the taxiway, and these are the cracks that will be filled by the asphalt contractor later in the year. He spoke about the two contractors who have bids on this job, and gave the amounts for each bid that the Board will be evaluating.

Craig then made the motion to approve the bid from Valley Sealcoat. Gary asked for a second to the motion, and there was none. The motion failed for lack of a second. Craig said that he understood that a vote already had been taken. Gary then clarified for Craig by listing the options that had been emailed to each Board member, and that the "votes" were for spelling out the conditions to each contractor for them to clarify their bids, and not to specifically approve either contractor. Alan contributed by saying that asking for a bid clarification is perfectly appropriate for the Board to do. John said he himself had written the specification, and he (along with Gary) had marked each crack with paint: he said conditions and assurances needed to be obtained before the Board could approve either bid.

Alan made the motion to present the new specifications to the Albany contractor first, and if he does not comply then present the specs to Salem. Dave Martin seconded. After further discussion, dealing with the time we currently have before the rainy season starts, **Dave withdrew his second.**

Gail made a new motion that both contractors be given this specification at the same time, and Kelly

Wilson seconded. Dave said putting a time limit in the specs is a good thing, and John said a reasonable time limit would be 14 calendar days; John went on to say that he would review the specifications before they are presented to the contractors. **Gail amended her motion to include the 14 calendar day response time.** **Kelly seconded the amended motion. There was one opposition by voice vote, and all others voted yes.** *Voice vote approved.* Gary gave a thumbnail history of the contractors visits and the results from those. The new specs will be hand-delivered to the bidding contractors and they have 14 calendar days to respond.

Norm described how they plan to handle the surfacing in the North Annex on their two taxiways: they will be removing the old seal coats with water jets, vacuuming it up as they go, and after that dries they will repave over the top with a new sealcoat. They were going to try it with one taxiway this year and see how well it holds up. He invited folks from the South up to watch the operation, and Gary said that the IAHA Board could probably benefit from the experience the North Annex has with this method.

PRESIDENT'S REPORT: Gary said he had said enough throughout the evening.

GOOD OF THE ORDER: Dave said that there would be the Oregon Pilots Association meeting, the 21st of August, and everyone was invited. The Board then expressed their appreciation to the audience for their understanding, patience, and intelligent questions this evening.

The meeting was adjourned to an executive session at 8:54 PM. Emerging from executive session, the motion was made by Gary to re-address the discussion by August 8. There were no objections to this. The meeting was adjourned at 10:20 PM.

ADDENDUM: On Sunday, August 3, 2014 the Board met at 4:30 p.m. with a continuation of the August 31st meeting as agreed that evening. Comments from Jake Thiessen had been received as requested prior to the meeting being continued as a condition of the continuation.

The continuation was called to order by President Gary at 4:30 PM. Present were: Alan Wright, John Horn, Herb Jolliff, Craig Cowles, Dave Martin, Gail Hill, Robert English and Gary Van Horn. Lonnie Kulesia was a guest.

Following extensive discussion, in particular the requirement to exercise due diligence, as well as the exact meaning of the word “commercial” and many other factors, the following motion was approved: **Motion by Dave Martin, seconded by Gail Hill: that the IAHA “Hire an attorney for up to \$10,000.00 to investigate whether Henry Bartle is in compliance with the IAHA Covenants, Conditions and Restrictions (CC&R’s) and the State Access Agreement regarding commercial activity. The vote was approved by a show of hands; the vote was unanimous.**

The session was adjourned at 5:40 PM. Next regularly scheduled meeting is set for October 23 at the EAA hangar at 7:00 PM. Respectfully submitted by Robert English, secretary.