

MINUTES
ABERDEEN REGIONAL AIRPORT BOARD
Special Meeting
July 10, 2009

MEMBERS PRESENT: Mike Erickson, Nate Zeeb, Rolf Johnson

MEMBERS ABSENT: Steve Kaiser, Chuck Bensen

OTHERS PRESENT: Dave Osborn, John Aman, Kevin Braun, Adam Altman, Rhea Ketterling

Chairman Erickson called the special meeting of the Aberdeen Regional Airport Board to order at 1:37pm on Friday, July 10th, 2009.

Osborn stated the issues are with the Hangar 9 contract. The Board offered the contract to the party with a 30 day time limit which expired on July 3rd. The contract was not received at the City nor at Osborn's office prior to this time. What happens is that we will have to do one of two things. Either allow an extension of time. The contract was delivered to the City Attorney's office the morning of July 8th with requesting changes. The City Attorney came to the Board meeting yesterday and made some changes to the contract and has them here. Osborn emailed this contract out to all Board members with the changes. The Board members present did acknowledge receipt of the updated contract and had reviewed the changes. Osborn stated first we need to deal with that the contract was not received within the 30 day timeframe which the minutes of our meeting do clarify they had 30 days to sign the contract. Osborn asked the Board's comment on this issue. Chairman Erickson stated he has no problem approving some type of extension to get this done. Aman representing Hangar 9 stated the issue was that the contract was given to Bill Sauck for counsel's review. Sauck then called and faxed the information to John Bormes after reviewing it. Dr. Bormes then gave the contract to Aman Tuesday night when he got back from Mobridge. Aman then brought the contract back immediately to Altman, City Attorney on Wednesday morning and also given Erickson a call to let him know what is going on realizing yes they were over the 30 days, but did not think anybody was working on Friday to begin with. Johnson stated he also did not have a problem with given them an extension. Johnson moved to allow and grant an extension to accept the contract, seconded by Zeeb. Motion carried.

With the extension being granted, Osborn stated the next issue is the changes in the contract which pertaining to attorney's fees. Altman, City Attorney stated this is the only change of any substance at all. The contract is substantially the same form as it was yesterday with the removal of one part about attorney's fees. Altman stated he had reviewed the contract and have no problem with its acceptance. Johnson moved approval of the Hangar 9 contract with the recent changes made by the City Attorney, seconded by Zeeb. Motion carried.

Osborn stated finally the contract is being release to Aman today for signatures. Osborn asked if the Board wishes to put a timeframe for the signature on the contract. Johnson stated he does not think we need one and would take advice if it is necessary. Aman stated indications from Dr. Bormes was if the changes were made there should not be any issues with getting signatures back for approval within 7 to 14 days. Aman will deliver the corrected contract to Dr. Bormes with a note. Also the fact that Sauck and Altman had spoken today, Sauck is fine with the contract. Dr. Bormes can then contact Sauck for any clarification and all of their request had been met. Aman stated again he thought that 7 to 14 days he could have the signed contract back to Osborn for Board's action in August and then to City Council. Osborn stated if the Board is limiting it to 14 days like Aman had suggested and if the Board agrees with the extension of 14 days for this timeframe, Osborn would probably just move this right to the Council so we do not delay the signature process at that time rather than waiting for the August meeting. The Board had no problem with this.

Osborn stated the last item he has is that this is a pending contract and we are up for Airport renewal. The Certification Officer will be here Monday. We are recognizing Hangar 9 as an FBO pending contract. There maybe a request from the Certification Officer to review their building and or things with them. Osborn needs to make sure who he need to contact. Aman stated he will be the contact.

Johnson moved to adjourn, seconded by Zeeb. The meeting adjourned at 1:45pm.