

Rock County, Wisconsin



Airport Board Meeting - Minutes  
Tuesday, January 22, 2019 at 12:00 p.m.  
Southern Wisconsin Regional Airport Terminal Conference Room  
1716 W. Airport Rd.  
Janesville, WI 53546

Call to Order. Chair Fox called the meeting of the Airport Board to order at 12:00 p.m.

Airport Board Members Present. Supervisors Fox, Mawhinney and Richard, Mr. Eric Baker, Mr. Larry Barton, Mr. Dick Cope, Mr. Greg Johnson, Mr. Joe Quint and Ms. Katie Reese.

Members Absent. None

Staff Members: Greg Cullen Airport Director  
Cynthia Hevel Airport Specialist

Others Present: Russ Podzilni County Board Chair  
Rick Leyes Airport Tenant  
David Haas Meisner Aircraft  
Josh Smith County Administrator  
Jim Freeman Helicopter Specialties  
Nick Colombe SC Aviation  
Jim Dillavou SC Aviation  
William Gempler Interested Observer  
Rich Greenlee Rock County Corporation Counsel

Adoption of Agenda. Supervisors Richard and Mawhinney moved the Agenda. MOTION CARRIED.

Election of Vice-Chair. Chair Fox asked for a nomination for the Board's Vice-Chair and stated that it must be a County Board Supervisor. Supervisor Richard made a motion to nominate Supervisor Mawhinney as Vice-Chair and Supervisor Fox Seconded it. MOTION CARRIED (Mr. Barton absent).

Set Meeting Dates and Times. Discussion took place on when to hold regularly scheduled meetings of the Airport Board. Chair Fox suggested that the third Wednesday of every month might work. Mr. Johnson made a motion to set the meeting date as the third Wednesday of every month. Supervisor Mawhinney seconded it. MOTION CARRIED (Mr. Barton absent). The next meeting will be February 19<sup>th</sup>, 2019 at 8:00 a.m.

NOT OFFICIAL UNTIL APPROVED BY COMMITTEE

Chair Fox asked everyone to introduce themselves which they did.

Citizen Participation, Communications, Announcements, and Information. Chair Fox called for any citizen participation, communications, announcements and information. Mr. Rick Leyes stated that he had three things he wanted to say. 1. He welcomed the Board and stated that he felt this would be a pleasant change. 2. He wanted to suggest that the t-hangars not be torn down as they are structurally sound. 3. He also suggested that the year-end rate increase that is tied to inflation be eliminated. Chair Fox stated that these things can be taken under advisement at future meetings.

County Board Chair Russ Podzilni thanked Supervisor Fox for agreeing to Chair this Board and also Supervisors Mawhinney and Richard for agreeing to serve on the Board. He also thanked all of the citizen members for agreeing to serve on this board as this airport's value to the community far exceeds its cost.

#### **Consent Calendar**

Transfers. From 41-4453-4110-6110 Wages \$97,845 to 41-4453-4110-62119 Other Contracted Services \$97,845. Transfer is to cover the cost of the contracted Airport Manager for eleven months in 2018. Supervisor Richard moved to approve the transfer and Ms. Reese seconded it. MOTION CARRIED. (Mr. Barton Absent)

Review of Payments. None

Mr. Barton arrived at 12:10 p.m.

#### **Updates**

Airport Director's Look Ahead. Mr. Cullen verbally went over the handout he provided to the Board. (Copy Attached) Topics included:

- Airport staff
- Airport Facilities
- Airport Budget
- Control Tower
- Part 139-Brief Explanation
- Upcoming Capital Improvement Projects
- Upcoming Events

One event in particular, SAFECON 2019, will bring quite a few aircraft to the airport and create approximately 9,000 aircraft operations in two and one-half weeks. The event is held each year by the members of NIFA and this is the first year it has been held outside of Ohio or Indiana.

Supervisor Richard asked Mr. Cullen to tell the Board a little bit of information about himself for those members that are not familiar with him. Mr. Cullen explained that he grew up in the Milton area, spent 27 years in the Air Force and retired 3 years ago. He is married with four children and has grand-children.

Corporation Counsel Board Expectations. Rock County Corporation Counsel Rich Greenlee introduced himself, he is the lead attorney for the County of Rock. Mr. Greenlee informed the Board that as members of this Board, they are now local government officials. Mr. Greenlee then verbally went over the handout he provided to the Board. (Copy Attached) Topics included:

- Open Meetings
- Public Records
- Ethics
- Board and Committee Process

During Mr. Greenlee's presentation Mr. Barton asked if members of the Board were covered by insurance if they are sued. Mr. Greenlee replied that if they are sued in conjunction with their duties, then they are covered.

Committee Requests and Motions. Chair Fox asked that a discussion on T-hangars be put on the next agenda.

Adjournment. Mr. Cope and Mr. Quint moved to adjourn at 12:50 p.m. MOTION CARRIED.

### Southern Wisconsin Regional Airport

- The airport is managed and operated with 6 full-time Rock County employees. An additional Public Works Parks person is used during snow removal operations.
- There are approximately 1,400 acres, 6 facilities, 3 active runways, multiple connecting taxiways, various sections of aircraft parking areas called ramps, and a wide variety of equipment to maintain, and ensure the airport operates to all FAA standards safely, efficiently and effectively. Classified as a Large General Aviation Airport.
- Revenue comes from fuel flow fees, landing fees, hangar rent, land leases, non-aviation concessions, and occasionally the sale of equipment. FY19 revenue est. ~\$409K. Other revenue sources from Capital funds carried over and County share aren't captured here.
- Expense categories are wages, utilities, repair & maintenance of equipment and facilities, administrative, supplies, fuel/gas, parts, etc. FY19 total expense est. ~\$972K.
- JVL is the airport identifier. Three letter identifiers are an industry standard and unique for each airport in the National Airspace System.
- Midwest ATC is a contractor used to manage and operate the Control Tower. The Tower is operational every day, 6am – 9pm.
- There are several navigational aids located on the airport. FAA Tech Maintenance from the Madison office maintains some of those and airport maintenance maintains some.
- The airport is considered Federal Aviation Regulation Part 139 certified. This means JVL complies with the standards of section 139 and has the capability to have commercial aircraft operations. An FAA inspector from the Great Lakes Region will inspect the airport as a minimum every 24 months. The inspector will look at airfield painted markings, signage, lighting, training records, and ensure staff is following the Airport Compliance Manual. The last inspection was May 2018.

### Capital Projects – Near-term

- Southeast ramp renovation near FBO – estimated start June 1<sup>st</sup>, 2019, budgeted \$160,000 but may need to request amendment for more funds due to scope of work change since original request in 2016.
- Airport Master Plan/Airport Layout Plan update – project initiated 2018 – some expense already occurred – County remaining share budgeted \$6,000.
- Runway 18-36, 5,000' x 75', asphalt condition is deteriorating and needs repair. No money set aside at this time.
- Maintenance facility needs numerous updates and improvements. \$100,000 has been budgeted in past two budget cycles.
- East ramp expansion to allow for economic growth and increase the number of general aviation tie-down points. Budgeted \$120,000.
- Purchase and replace snow removal equipment – 24 year old broom truck. Budgeted – \$32,000.
- Update or replace the older two T-hangars. No money set aside at this time.

### Other Projects – Near-term

- Review/update airport minimum standards, rules and regulations
- Sole owner and commercial hangar construction
- Airport security policies
- SAFECON May 12-19 and Warbird Weekend July 19-21 events

# Airport Board Orientation

Tuesday, January 22, 2019

Richard Greenlee  
Rock County Corporation Counsel

## I. Open Meetings:

<https://www.doi.state.wi.us/sites/default/files/dls/2015-OML-Guide.pdf>

Policy: Public is entitled to the fullest and most complete information regarding the affairs of government as is compatible with the conduct of governmental business.

Applies to all meetings of a government body:

### Government Body

Any group formed by constitution, statute, ordinance, rule or order:

### Meeting

A gathering of members of a government body for the purposes of exercising the responsibilities vested to body. It is determined with a two part test:

1. Purpose Test: Meeting involves exercising the jurisdiction of the body. Can be information gathering, decision making, or discussion.
2. Numbers Test: Meeting involves enough members to determine the outcome. (Quorum or Negative Quorum)

Meetings must be held in compliance with Open Meetings Law

- At least 24 hours notice
- Held in a place accessible by the public
- Notice provided to the local newspaper of record (gazette/BDN)
- Agenda items must provide the public reasonable notice to know what is going to be the subject discussed/acted on at the meeting. *If it is not on the Agenda you cannot act on it, shouldn't even talk about it.*
  - a. Communication from supervisors is for brief one way updates on events or significant news, not for discussion!
  - b. Practice in Rock is the all agendas are due to the Marilyn the Tuesday of the week before so that Agendas can be mailed to supervisors

### Walking Quorum

A series of meetings between members of a government body that individually don't meeting the numbers test but when taken together do. You can't defeat the open meetings law by agreeing to collective action outside of a meeting.

Particularly concerning with:

- Talking before and after actual meetings.
- Using phone calls to talk about Board business with other Board members
- Email to multiple board members if it turns into a contemporaneous discussion
- Instant messaging

Penalties: Forfeitures in \$25-300

Any action taken at a meeting that is not properly noticed is null and void.

## II. Public Records

<https://www.doj.state.wi.us/sites/default/files/dls/2015-PRL-Guide.pdf>

What is a record: Any material that is written, drawn, printed, spoken, visual, or electronic information that is recorded or preserved or is being created or kept by an Authority.

### Custodian

In the County, each department has an official records custodian, usually the Department head or a designated administrative staff that will handle open records requests.

Elected officials are their own custodians for their records. Meaning it is the official's responsibility to produce records if they receive an open records request. The County will try to help you as best we can. If you get an open Records Request call Corp. Counsel or Admin as soon as you can.

Emails pertaining to official County business are subject to disclosure, even if they are only contained in your personal email accounts. It's a good idea to make sure that you CC someone from the County so that the email is captured by our system.

### Response to Request - Timing:

"As soon as practicable and without delay," DOJ guidance says that 10 days is a good rule of thumb but it's entirely fact dependent.

### Exceptions to Disclosure:

1. Must meet a specific statutory exception. Most common, health care or other financial identifying information, certain types of police records; or
2. Balancing Test
3. If you can redact confidential info out and still release then you must release the record.

### III. Ethics

As members of the Airport Board you are now consider "Local Government Officials" There is no County Ethics Code. Sections 19.59 & 946.13 establish the basis for the Ethics for Local Government Officials.

Use the smell test: When an official, a member of the officials family or a business organization with whom the official is associated is involved in a County Matter, the official needs to step back and question whether there are problems concerning his or her involvement

#### **Actions prohibited by Wis. Stat. § 19.59**

"No local public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated"

Could be subject to a forfeiture up to \$1000

If you ever have any questions about an ethics issue, you can always request an advisory opinion from Corporation Counsel. Corporation Counsel is prohibited from disclosing to whom an advisory opinion has been given.

#### **Private Interests in Public Contracts Wis. Stat. § 946.13**

Prohibits public officials from having a private financial interest in a public contract. So if you have a financial interest, or you immediate family, has a financial interest, in a construction company, or other vendor providing goods or services to the County.

Protection against self-dealing

Can't take official action, or take private action including bid for. So must recuse yourself from both sides of the transaction.

Some limited exceptions, but its best to stay far away

Penalty Class E Felony!

#### IV. Board and Committee Process

The Airport Board is a subcommittee of the County Board. Two sources of procedure that are used by the County Board and its subcommittees:

1. The Rock County Board Rules of Procedure
2. Roberts Rules of Order (most current edition)

Generally, Committee meetings are a little less formal than the larger County Board Meeting.

Chair, with the help of County staff, sets the meeting agenda and controls the operations of the meeting, recognizes members allowing them to speak, and takes the votes on any item requiring action.

Airport Board has policy oversight over the Southern Wisconsin Regional Airport. Approve and review expenditures. Recommend for approval contracts \$25,000 and over for consideration by the County Board. Approve contracts less than \$25,000 without sending the matter to the County Board.