

property not currently owned by the City but identified for acquisition in the ALP, setback lines, and an existing culvert and ditch.

After a brief discussion, a motion was made and seconded to approve the proposed West Side Development Concept.

Comm. Baines stated the need to show some kind of landscape berm or screening along the northern hangars for noise mitigation and aesthetic purposes.

After some discussion about the need, Atkins' Darren Duckworth pointed out that while the Northwest Conceptual Design would show a full grading plan to build out the area, the two westernmost hangars would have to be phased in later after the acquisition of the one parcel to the north.

A motion was made and seconded to amend the motion to include screening along the right-of-way of the northern hangars. Motion to amend carried.

Motion to approve the proposed West Side Development Concept with screening along the right-of-way of the northern hangars carried.

- B. Recommendation for Air Methods Crew Quarters** – MBS's Donny Meadows provided copies of the proposal for the Vanderbilt LifeFlight operations building, noting that Meadows Homes has been a part of Lebanon since 1988. MBS has completed crew quarters projects in several Tennessee cities as well as several states. The proposed modular building on a permanent block foundation includes brick, Hardie Stucco panel, and brick and paint color to match the FBO.

In response to commissioners' questions, Mr. Meadows advised the following:

- Estimated project timeline is 18-20 weeks.
- An inside layout of the building can be provided.
- While MBS typically takes the building upon lease termination, the building can easily be turned into office space if left behind.
- Can take suggestions to have the building materials and appearance of the exterior steps and ramp be reasonably similar to those of the building itself.
- Six to eight parking spots are typically needed. The hope is to be able to use the future parking area.
- Fixed-wing operations' response time is not as rigid as that of rotorcraft operations.
- Building needs to be outside the gate for the delivery of medical supplies which will be secured in the building.

Comm. Baines requested a recommendation regarding the proposed location for the crew quarters; a lease with MBS showing the leased area could be presented during next month's regular meeting. Whether to include parking inside the leased area would need to be addressed.

After a brief discussion, a motion was made and seconded to approve the proposed concept and location of the crew quarters. Motion carried.

Mr. Meadows thanked the commission, expressing that he looks forward to proceeding with the project as soon as possible. MBS will work with the City however needed.

- C. Recommendation for Budget Amendment For Consultant Services To Develop Master Plan For West Side Development Between Terminal And Near Tuckers Gap Rd. – \$55,000** – Atkins NA's proposed work authorization for the North Terminal Apron Expansion Conceptual Design dated 4/6/22 was included in the agenda packet. The study shall be completed so that the appropriate information is available for City use by 7/31/22; the City may grant time extensions if necessary. The layout plan will include grading, drainage, and utilities.

Chairman Westmoreland reminded the commission that during last week's regular meeting, the requested budget amendment amount was not available.

A motion was made and seconded to recommend City Council approval of the requested \$55,000 budget amendment for Atkins to proceed with the work authorization. Motion carried.

D. T-Hangar Sublease Application – The following draft form (with revisions by Comm. Baines highlighted) was included in the agenda packet:

03/0204/05/2022

CITY OF LEBANON, LEBANON AIRPORT COMMISSION
T- HANGAR SUBLEASE APPLICATION

- Application to be completed by current Lessee and submitted to FBO (email address).
- FBO forwards to Airport Commission Chairman and Angela Fantom at Commissioner of Public Services Office for placement on the Airport Commission agenda for consideration.

_____ date

I, _____, having sold my aircraft or having my aircraft down for maintenance, stored in T-Hangar unit _____, on _____, agree to sublease to _____, whose name is recorded on the Lebanon Airport Commission T-hangar waiting list. Any other reasonable request will be considered on a case-by-case basis. Sublease rate shall not exceed the current City-approved lease rate. Said agreement is in force allowed for up to one year from date of sale of my aircraft, N# _____, and is being provided to me because I seek to buy another aircraft. At the end of one year the sublease period, if I have not purchased a replacement aircraft, I will relinquish the lease and vacate the hangar.

_____ lessee signature

I, _____, agree to sublease T-hangar _____, for up to one year from _____, while _____ attempts to purchase a replacement aircraft from (date) _____ to (date) _____ and will abide by the T-hangar rules as well as the Lebanon Municipal Airport rules and regulations, copies of both having been provided me. I understand that I must vacate the hangar when lessee purchases a new aircraft or no later than one year from date of sale of his aircraft the sublease term ends.

_____ sub-lessee signature, N# _____

_____ address

_____ make and model

Airport Commission Decision: _____

Sublease Approved Through (Date): _____

Date: _____

Commissioner T.O. Cragwall questioned what would be considered a *reasonable* request to sublease other than having sold an aircraft or having an aircraft down for maintenance. There was some concern and discussion about considering applications on a case-by-case basis. Commissioner Mike Russell would like to set firm limitations on subleasing, as the system has been violated multiple times for multiple reasons over the years. Comm. Baines believes that the public has the right to come to the commission of a municipal airport with sublease requests for other reasons, as the matter will never be black and white. Commissioner J.D. Lowery advised that it is probably appropriate to consider reasonable requests on a case-by-case basis, as the Airport Commission is an advisory board for the City. Comm. Baines informed Commissioner John Gentry that the language can be included in the new Row E t-hangar leases which will go into effect 1/1/23. A motion was made and seconded to approve the T-Hangar Sublease Application as presented. Motion carried.

- E. T-Hangar E-11 Request** – Included in the agenda packet was the E-11 t-hangar lease recently submitted by Mr. Brian Thompson; the lease lists Mr. Thompson as the lessee and states that aircraft N867DB (registered to Mr. Paul Marciniak) shall be the aircraft using the leased premises. Additionally, the agenda packet included a request by Mr. Thompson to sublease to Mr. Marciniak; the request was not dated and did not list the date of sale of Mr. Thompson’s aircraft.

Comm. Cragwall reiterated that the commission has worked hard over the last six months to shore up the dam on certain practices that have been occurring at the airport – there are hangar occupants with subleases that have never been approved by the commission, and there are several cases of subleases that do not involve a sold plane or plane down for maintenance.

Comm. Cragwall had a conversation with Mr. Thompson, and it is Comm. Cragwall’s understanding that Mr. Thompson has never put his aircraft in t-hangar E-11; the lease agreement is supposed to state the lessee’s N-number. Mr. Thompson did not purpose to put his plane in the hangar, sell his plane, or have it out for maintenance. For these reasons, it appears that Mr. Thompson does not qualify to seek a sublease.

Comm. Cragwall advised that Executive Assistant Angela Fantom produced Airport Commission meeting minutes from a few years ago; these minutes reflect rules that say when an individual on the t-hangar waiting list accepts an available t-hangar, they must have an aircraft ready to move into the hangar. Comm. Cragwall commented that the commission has cut individuals some slack regarding this rule.

Comm. Russell questioned if the lessee currently has an aircraft in a corporate hangar and accepted the t-hangar in the event that the corporate hangar is ever sold. He does not support the sublease request.

Mr. Thompson then addressed the commission. He believes he has been accused of (1) being non-responsive when no one reached out to him about the matter before Monday and (2) subverting/putting false information on the lease agreement. Mr. Thompson feels that he has been slandered. He questioned where Comm. Russell heard that he accepted the hangar in the event the corporate hangar is ever sold.

Comm. Lowery requested to get to the purpose of the item – what is happening with the hangar?

Mr. Thompson advised that he has a written “dry lease agreement” with Mr. Marciniak, whose aircraft is listed on Mr. Thompson’s submitted t-hangar lease agreement with the City.

Comm. Cragwall noted that Mr. Thompson signed the t-hangar sublease agreement which states that he sold his aircraft stored in t-hangar unit E-11. Chairman Westmoreland added that the submitted lease agreement has yet to be signed by City officials.

Mr. Thompson commented that there is a PT-19 that is illegally in an airport hangar.

Mr. Thompson advised Comm. Lowery that he has an aircraft stored in Corporate Hangar 2. He also has a dry lease with E-11 occupant Paul Marciniak. Mr. Thompson explained that when he uses Mr. Marciniak’s plane – whether Mr. Marciniak flies him or someone else flies him – he pays Mr. Marciniak an amount specified in the dry lease agreement. He added that his plane is not big enough for his family.

Mr. Thompson commented that there are about 140 people on the t-hangar waiting list and a lot of them do not have an aircraft because they do not have a place to store it. He informed Comm. Cragwall that he has been looking to purchase another aircraft.

Direct Flight Solutions’ Heather Bay found a definition of “dry lease” online and read it to attendees: *In a dry lease, the owner provides the aircraft to the lessee without a crew. Neither party is required to have an air carrier certificate so long as the aircraft does not*

carry people or property for compensation or hire. Ms. Bay added that “wet lease” and “dry lease” are two terms that are used quite often these days.

Comm. Cragwall replied that the request is for a sublease, and it does not appear that Mr. Thompson qualifies for one.

Comm. Baines expressed that they are not trying to be difficult, but this has been the intent of the commission for a long time – the plane in your hangar is supposed to be your plane. He suggested moving Mr. Thompson’s plane from the corporate hangar to the t-hangar to resolve the issue. Mr. Thompson replied that there isn’t enough room in the hangars to swap the planes. He stated that he is not trying to pull the wool over anyone’s eyes.

Comm. Lowery commented that a lack of information led people to start forming their own opinions. He referenced Section 20 of the t-hangar lease agreement which states: *The hangar rented shall not be subleased or assigned by Lessee(s) without written approval of the City of Lebanon Airport Commission. A sublease may be approved for a maximum of twelve (12) months. Current Lessee(s) remain responsible for payment of rent. The standard certificate of insurance shall be provided by the sublessee. Storage of any aircraft not belonging to, or leased by Lessee(s), shall be considered as a sublease or assignment. Such unauthorized storage of any aircraft shall be deemed a breach of this agreement.*

Comm. Lowery believes Mr. Thompson’s dry lease agreement with Mr. Marciniak must be produced as part of Mr. Thompson’s sublease application.

Mr. Thompson apologized if he signed the sublease application incorrectly.

A motion was made and seconded to postpone the item to receive a copy of the dry lease agreement between Mr. Thompson and Mr. Marciniak.

Comm. Baines reiterated his concern about Mr. Thompson’s plane not being in the hangar on day one and the immediate request to sublease, defeating the purpose of the t-hangar waiting list.

After a brief discussion about ownership, cooperative ownership, and Section 20 of the t-hangar lease, Comm. Lowery restated the need to review the dry lease agreement. Mr. Thompson will email the agreement to Comm. Baines and Chairman Westmoreland to forward to commission members, and it will be included on the May regular meeting agenda.

Motion to postpone the item to receive a copy of the dry lease agreement between Mr. Thompson and Mr. Marciniak carried.

F. FBO Proposals

- 1. Distribution Options and 2. Due Date (Currently May 12, 2022)** – The Ad for the FBO Proposals (which was posted on the City’s website and advertised in the 4/6/22 edition of the *Wilson Post*) and the FBO Exhibit of Lease Areas were included in the agenda packet:

***Lebanon Municipal Airport
Fixed Base Operator Proposals
April 6, 2022***

The City of Lebanon is accepting written proposals for Fixed Base Operator (FBO) services and lease of certain facilities at the Lebanon Municipal Airport.

These facilities are located at 200 Aviation Way, Lebanon, TN 37090.

Available facilities include the terminal building, maintenance hangar, and other specific buildings.

Exhibit A shows approximate dimensions of facilities. Terminal building is two stories.

The Lebanon Airport FBO must provide for fuel sales, maintenance service, flight training (see Draft FBO Lease Agreement Section 5.0 g), aircraft rental, etc., in a friendly and professional atmosphere.

Interested parties shall provide a proposal to include previous FBO experience, type of corporation (number of employees, officers, etc.), partners and/or financial backers, business financial statements for 2018, 2019, and 2020; character references, credit references, and a five (5)-year business plan.

The business plan shall identify any and all other businesses which generate revenue, benefit, and/or provide service(s) on,

to, or from the airport facilities.

Use of facilities shall comply with all airport rules, regulations and guidelines as well as local codes, Tennessee Department of Transportation's Office of Aeronautic regulations and Federal Aviation Administration regulations.

Proposals shall explain the proposed use for the facilities and benefits to the aviation community, Lebanon Municipal Airport and the City of Lebanon.

Proposals shall include a general statement indicating anticipated improvements by user to facilities to accommodate the proposed use.

The DRAFT FBO Lease Agreement would need to be negotiated and executed.

Proposals shall indicate the monthly rent to be paid to the City of Lebanon as compensation for lease of certain facilities.

Written proposals shall be sealed and delivered to the office of the Commissioner of Public Services at: City of Lebanon, 200 North Castle Heights Avenue Suite 300, Lebanon, TN 37087, Attn: Jeff Baines.

The facilities shall be available for viewing/inspection/tour Wednesday, April 20, 2022, at 10:00 a.m. Site tour will be led by City of Lebanon representative(s) and the Lebanon Airport Commission Chairman.

All proposals must be submitted by 4:00 p.m. local time on Thursday, May 12, 2022.

Upon receipt of the proposals, the Lebanon Airport Commission Chairman shall appoint a subcommittee of two members along with the City of Lebanon Commissioner of Finance and Commissioner of Public Services to review and evaluate proposals.

Proposals shall be evaluated based on performance in airport operations, previous FBO experience, financial stability, compensation requests, reasonable competitive advantages offered by the agency, etc.

Upon review by this group, a recommendation shall be submitted to the Airport Commission for review and recommendation to Mayor and City Council.

The subcommittee may request additional information as deemed appropriate to successfully evaluate all proposals.

The City of Lebanon reserves the right to reject any and/or all proposals.

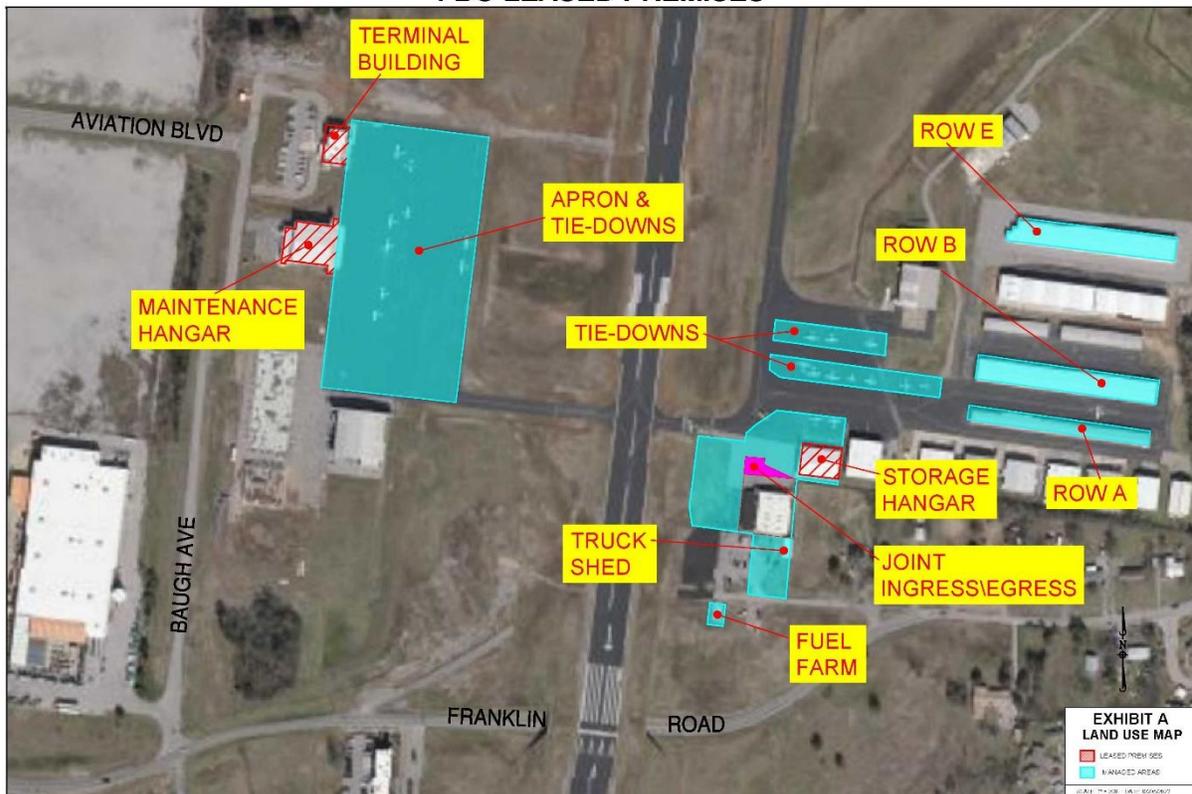
If you have any questions, you may contact either of the following individuals:

Jeff Baines, Commissioner of Public Services
City of Lebanon
615-443-2824

William Westmoreland, Chairman
City of Lebanon Airport Commission
615-971-9443

To view the exhibits, visit lebanontn.org, Business and Bid Opportunities.

FBO LEASED PREMISES



Also included in the agenda packet were the Draft Amendment to FBO Agreement and the Draft Westside Maintenance Hangar Lease.

[During last week's regular meeting, Mr. Gary Soloway questioned how the proposals can be due 5/12 when a due date was never voted on during an Airport Commission meeting. Comm. Cragwall advised that the commission discussed the item but took no action on it during the 3/8 work session; the commission takes no action during work sessions. Mr. Soloway also asked if the Request for Proposals (RFP) had been advertised anywhere online, such as Barnstormers or Trade-A-Plane.]

A motion was made and seconded to advertise the RFP in digital media covering the aviation community, specifically including the AOPA (Aircraft Owners and Pilots Association) and Trade-A-Plane. Motion carried.

A motion was made and seconded to verify the RFP due date of 5/12/22 at 4 p.m. Motion carried.

3) ADJOURNMENT – The meeting was adjourned at 5:11 p.m.