



AGENDA

**Beaufort County
Airports Board Meeting
Beaufort County Government Center
County Council Chambers
Thursday, May 17th at 1:30 PM**

- 1. CALL TO ORDER BY CHAIRMAN**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOTION TO ACCEPT MAY 17, 2012 AGENDA**
- 4. MOTION TO ACCEPT APRIL 19, 2012 MINUTES ([backup](#))**
- 5. GUEST INTRODUCTIONS**
- 6. PUBLIC COMMENTS - Limited to Three Minutes Each Person**
- 7. HILTON HEAD ISLAND AIRPORT REPORT**
 - **Tower Report- Paul Andres**
 - **Projects-Paul Andres**
 - **Tree Obstructions**
 - **RSA Drainage Improvements**
 - **Master Plan**
 - **Design Projects**
 - **PFC**
 - **Operations Report- Paul Andres**
 - **Noise Complaints & Traffic Counters- Paul Andres**
- 8. BEAUFORT COUNTY AIRPORT REPORT**
 - **Fuel Sales- Joel Phillips**
 - **Projects- Paul Andres**
 - **Tree Obstructions**
 - **Master Plan**

9. COMMITTEE REPORTS

- **Lady's Island Airport Operations: Pete Buchanan**
- **Hilton Head Island Airport Operations: Will Dopp**

10. NEW BUSINESS:

- **Hangar Rental Rates: Paul Andres**
- **BCAB Review/Follow-up to Councilman Baer Comments: Ron Smetek**

11. UNFINISHED BUSINESS:

- **Accommodations Tax: Will Dopp (backup)**
- **GA Parking: Will Dopp**
- **Airport Funding Initiatives: Paul Andres**
- **FAA Grant Funding: Paul Andres**

12. CONTINUATION OF PUBLIC COMMENTS - Limited to Three Minutes Each Person.

13. FUTURE MEETINGS

Airports Board: The next meeting will be held on Thursday, June 14, 2012 at 1:30 PM in the County Council Chambers of the Beaufort County Government Center.

14. ADJOURNMENT

County Council of Beaufort County
Hilton Head Island Airport – www.hiltonheadairport.com
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Hilton Head Island, South Carolina 29925-3739
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**AIRPORTS BOARD MEETING MINUTES
OF APRIL 19, 2012**

The print media was notified in accordance with the State Freedom of Information Act.

The regularly scheduled meeting of the Beaufort County Airports Board was held at 1:30 PM on Thursday, April 19, 2012 in the Council Chambers of the Beaufort County Government Center. Vice Chairman Will Dopp called the meeting to order.

Mr. Dopp commented on there being a quorum of the Board present. He stated that according to the County Ordinance a simple majority of the seated members of the Board qualifies as a quorum. Mr. Dopp stated that there are currently three vacancies on the Board with 8 seated members allowing for 5 members to constitute a quorum.

PLEDGE OF ALLEGIANCE

The Vice Chairman led those present in the Pledge of Allegiance to the Flag.

It was moved by Mr. Kerr, seconded by Mr. Smetek that the agenda for the April 19, 2012 meeting be accepted. The vote was: FOR – Mr. Sanders, Mr. Dopp, Mr. Kerr, Mr. Wirth, Mr. Smetek. AGAINST – None. ABSENT – Mr. Mazzei, Mr. Buchanan, Mr. Gilbert. The motion passed.

Mr. Dopp stated that he wanted to make a revision to the March 15, 2012 minutes on page 16 concerning the revised FBO agreement. He stated the recorded minutes show the effective date as March 1, 2012 and should be amended to show that the retail fuel fee and the adjustment of the hangar management fee were effective February 1, 2012.

It was moved by Mr. Dopp, seconded by Mr. Kerr that the minutes of the March 15, 2012 meeting be amended as stated. The vote was: FOR – Mr. Sanders, Mr. Dopp, Mr. Kerr, Mr. Wirth, Mr. Smetek. AGAINST – None. ABSENT – Mr. Mazzei, Mr. Buchanan, Mr. Gilbert. The motion passed.

It was moved by Mr. Kerr, seconded by Mr. Wirth that the minutes of the March 15, 2012 meeting be accepted as amended. The vote was: FOR – Mr. Sanders, Mr. Dopp, Mr. Kerr, Mr. Wirth, Mr. Smetek. AGAINST – None. ABSENT – Mr. Mazzei, Mr. Buchanan, Mr. Gilbert. The motion passed.

The March 15, 2012 minutes have been revised as discussed above.

GUEST INTRODUCTIONS – Guests attending the meeting introduced themselves.

MEMBERS PRESENT

Will Dopp – Vice Chairman
Councilman Rick Caporale – Beaufort County Liaison
Councilman Ken Heitzke – Town of Hilton Head
Liaison
Ron Smetek
Graham Kerr
Ross Sanders
Richard Wirth

STAFF

Paul Andres – Airport Director
Joel Phillips – Beaufort Co. Airport Supv.
Linda Wright – Admin. Asst.
Alicia Holland – BC Controller

GUESTS

Councilman William McBride
Councilman Steve Baer
Judy Elder – Talbert & Bright
Tom Barton – Island Packet
Bob Richardson – Resident
Bill Coleman – Resident
Mike Nash – Resident
Joe Croley – Resident
Bob Gentzler – Resident

MEMBERS ABSENT

Joe Mazzei – Chairman
Pete Buchanan
Derek Gilbert

PUBLIC COMMENTS.

1. Bill Coleman – Mr. Coleman, Palmetto Hall resident, stated that this week the Island Packet ran an article about an artist celebrating his 100th birthday. He stated this man had an unusual talent in his artwork by laying his canvasses on the floor of the studio and throwing paint on them or flicking his wrist to splatter paint on the canvass. Mr. Coleman stated our island landscape has changed with several flicks of axes and saws. He stated no event since 1945 has had a more profound effect on landscaping thereby making this a multi-acre park that will be known as Hiroshima II and offered his "congratulations" to the senior Beaufort County official that signed off on this. Mr. Coleman stated that in order to expand Hiroshima II a plan has been set forth to accelerate the full Master Plan. He stated that in a letter to the Airport Director, Talbert & Bright's project manager wrote that in order to fund this transaction SCAC will pay the County 60% through a loan and the County will provide the remaining portion to Talbert & Bright when the design is funded by the FAA. Mr. Coleman wanted to know if this means the County is taking out a loan for a contractor and whether this is legal. He wanted to know what would happen if the money is spent and then the FAA funds are cut next year.
2. Bob Richardson – Mr. Richardson, Palmetto Hall resident, wanted to know if the Board is really considering accelerating the Phase II portion of the Master Plan into Phase I and would this be at an increased cost. Mr. Richardson stated he is concerned because Phase II is a 5,400' runway and that the Hilton Head Island Town Council has gone on record via their LMO saying that 5,000' of runway is all they approved. Mr. Richardson suggested to the Board that if they (the Board) want to accelerate Phase II into Phase I they should go back to the Hilton Head Island Town Council and convince them to change the LMO from 5,000' to 5,400'.

AIRPORTS FINANCIAL UPDATES/BUDGET

1. Lady's Island Airport Financials: Alicia Holland

- Ms. Holland stated that as of February 29, 2012 the Lady's Island Airport statement of revenue and expenses have increased approximately \$10,000.00 compared to this time last year due mostly to fuel sales. She stated the operating expenses have also increased by approximately \$35,000.00 due mostly to increases in the fuel costs. She stated the purchased services have increased due to additional insurance and other purchases incurred. Ms. Holland stated the Airport reflects a decrease in the net assets as of February 2012 of just under \$55,000.00, but \$33,000.00 of that is depreciation.

2. Hilton Head Island Airport Financials: Alicia Holland

- Ms. Holland stated that as of February 29, 2012 the revenues have decreased just under \$50,000.00 at the Hilton Head Island Airport compared to the same time period last year. She stated the main contributing factors are the firefighting fees and the landing fees. She stated the operating expenses have increased by approximately \$40,000.00 due to purchased services. Ms. Holland said the capital, the operating and the passenger facility charge are merged together in these financial statements. Mr. Dopp noted that no passenger facility charges have been collected yet. Ms. Holland stated that was correct, but expenses were incurred for the professional services to get the funding in place. She stated the net decrease in assets is \$31,000.00, but \$370,000.00 is depreciation. Mr. Dopp suggested credits be listed, hangar rentals moved up to the FBO figures, rentals be broken out by car rental and airline rental, and to change the FBO Ground Lease to just Ground Lease once the Through-the-Fence ground rents are received. Ms. Holland stated she would work on this.

HILTON HEAD ISLAND AIRPORT REPORT

1. Tower Report: Paul Andres

- For the month of March 2012 there were 3,476 total flight operations of which 1,957 were conducted under IFR procedures.

2. Projects: Paul Andres

Tree Obstruction Removal – The trimming and removal have been completed and we are currently in the process of getting final approval from the Town's DRB on the mitigation plans. There will be dense replanting in the buffer areas as required by the LMO. In the 75' buffer along Beach City Road and behind the St. James Baptist Church there will be extremely dense planting of up to 10' tall trees spaced 8' on center. The exception will be the 15' PSD sanitary sewer easement that runs through the buffer area. Discussions are underway with the Town to plant something besides trees in this area. The mitigation will hopefully create a complete visual barrier to the Airport.

The attorneys are actively pursuing avigation easements for the tree obstruction project on the North end off-airport. Nine out of 17 easements have been acquired. The County Attorneys and Mr. Andres met with Palmetto Hall representatives and their attorney to discuss the avigation easement. This project will emphasize

trimming of the trees to the maximum extent practical being mindful of the Ft. Howell/Mitchellville historical site areas. Mitigation plans will be the same as the on-airport portion.

The design is underway for the South end. The attorneys are actively pursuing the three remaining aviation easements. The vast majority of this work is likely to occur on two large parcels owned by the Town of Hilton Head Island. That easement is already in place for this work.

- Runway Safety Area Drainage Improvements – The first phase of repairs to the taxiway have been completed and the Town has issued the construction permit. Coordination is being done with the contractor to get the remaining work underway next month.
- Master Plan – Phase I Environmental Assessment and Benefit Cost Analysis is underway. On April 3rd the first public information workshop was held at the Hilton Head Island Library and approximately 70 people attended. The information gathered from the field work was presented at that time. The consultant is now proceeding with the analysis portion of the environmental assessment. Once completed, another public information meeting will be scheduled. The archeological results have disclosed numerous remnants of the historic Town of Mitchellville. This information has been forwarded to the State Historic Preservation Office for review and coordination with the FAA.
- Design Projects – The design projects are still pending. The runway lighted sign design is underway. It has reached a 60% design review stage. Once the FAA has made their comments, the design will be finished and the project will go out for bid.
- Passenger Facility Charge (PFC) Program – Collections are to start on May 1st, but once collections start a program modification will have to be initiated. This is primarily due to the fact that under the recent FAA reauthorization bill, Congress reduced the Federal participation level for grants for small airports from 95% to 90%. This means the state will probably go up to a 5% matching contribution and the Airports will need to come up with 5% instead of the traditional 2.5% matching contributions. Since this program is designed to collect monies for the Airport's share of previously completed projects as well as moving forward with the Master Plan, the program will need to be modified to extend the collection ending dates to allow the Airport to collect the full amount of money needed to cover the Airport's expenses. Mr. Dopp wanted to know if new documentation would have to be submitted. Mr. Andres stated a modification request would have to be submitted to the FAA for their approval and they will probably have to consult with the airlines too. Mr. Kerr wanted to know what constitutes a small airport. Mr. Andres stated it is based on the number of operations as well as being a non-hub airport. Mr. Smetek wanted to know if there is an analysis available with regard to the amount of contribution expected as it relates to the added cost because of the change in percentage. Mr. Andres stated they are in the process of developing those calculations. Mr. Smetek stated he wanted to go on record to say that these figures are to be made available to the Board. Mr. Andres stated this would not be a problem.

Mr. Smetek stated that at the meeting the consultants had with the community they addressed the environmental side, but they did not say anything about the noise part of the analysis. Mr. Andres stated that will be addressed in the next phase. He stated what was covered in the first meeting was the field work which consisted of four components; archeological and cultural resources, threatened and endangered species of which none were identified, wetland delineation and the review of hazardous materials such as aviation fuels, which did not present a problem. Mr. Smetek wanted to know when they would discuss the noise portion. Mr. Andres stated it will be part of the next analysis which should be presented in June.

3. Operations Report: Paul Andres

- For the month of March 2012 there were 8 medivacs.

4. Noise Complaints & Traffic Counters: Paul Andres

- For the month of March 2012 there were no noise complaints and the traffic counters recorded a total of 126 after hours general aviation operations.

BEAUFORT COUNTY AIRPORT REPORT

1. Fuel Sales: Joel Phillips

- For the month of March 2012 there were a total of 1,912 operations. The total flow of fuel was 8,443 gallons (4,418 gallons of AvGas and 4,025 gallons of Jet fuel). There were no accidents or incidents. The self-serve fuel pump is out of service and they are waiting on repairs. Mr. Dopp wanted to know what the repairs would cost. Mr. Phillips stated it will be between \$5,000.00 and \$6,000.00 for the repairs.

2. Projects: Paul Andres

- Tree Obstruction Removal – The FAA is closer to a resolution with SCE&G to resolve the power pole issues in the approach to the Airport. There are a number of trees that still need to be addressed. Mediation was attempted with the property owners back in October, but was unsuccessful. The County Attorney is preparing for the associated trials.
- Master Plan – A joint Council presentation was held on January 18th. The consultants responded to the comments made during that meeting. Additional presentations will be scheduled as required for the elected officials to make a determination regarding approval or adoption of the plan. Mr. Dopp wanted to know if there is a reason for the delay. Mr. Andres stated he did not know. Mr. Kerr wanted to know who they would go to in order to find out about the delay. Mr. Andres stated that the Clerk to Council, Sue Rainey, attempted to schedule a meeting in March without success because the City said it conflicted with their schedule. Mr. Kerr wanted to know if this meeting will be just for staff. Mr. Andres stated it will be for staff and the public. He stated that in the end both Councils need to vote to adopt the entire plan, adopt in part or reject the plan in order for it to move forward to the FAA and the State for their review. Mr. Kerr stated he and Mr. Buchanan gave a presentation to the City Council on the Airport and perhaps they should revisit those efforts because the City Council did not seem too enthused.

COMMITTEE REPORTS

1. Lady's Island Airport Operations: Graham Kerr for Pete Buchanan – No Report.
2. Hilton Head Island Airport Operations: Will Dopp
 - Mr. Dopp stated movements are up 16% from this time last year. The total passenger count for this year compared to last year is up 14%.
 - Mr. Dopp stated the total revenues for Signature Flight Support for the first three months of this year were \$973,000.00 versus \$806,000.00 this time last year which is up 21%. The revised fuel fee going from 3% to 6% and the reduced hangar management fee paid to Signature going down from 25% to 15% is now in effect. The adjustment for February has not yet been reported because the changes are retroactive back to February 1st. The County's share is up 66%, \$39,000.00 versus \$23,000.00 last year. Fuel revenues were up 23%, \$821,000.00 versus \$668,000.00 last year. The gallons are up 14%, 147,000 gallons versus 129,000 gallons last year. During the 8 day Heritage Golf Classic, jet fuel sales were up 12% which is 8% more than they have ever sold and Avgas sales were up 25%. The number of jet operations was up by 8% and piston aircraft were up 20%. Signature brought in 5 temporary employees to work during the Heritage and even with the increased traffic there were no incidents or complaints.
 - There have been no changes in hangar tenants.
 - The contract year ended for Republic Parking on March 31st. The gross revenue was down slightly. The net gross receipts were \$169,000.00 of which the County received \$54,000.00.
 - The date of the Open House has not yet been set.
 - Mr. Dopp stated that at the last Board meeting he was asked to check on Signature's position concerning ramp fees for Lady's Island Airport tenants. He stated there is no written policy, but if any of these tenants are coming to the Hilton Head Island Airport they need to call ahead to Signature and ask for the general manager or duty manager to make arrangements. Mr. Kerr asked Mr. Phillips to post this information on the Lady's Island Airport bulletin board. Mr. Dopp added that if they are going to purchase fuel they would not have to call ahead.

NEW BUSINESS

1. FAA Grant Funding: Paul Andres
 - Mr. Andres stated Grant 29 involved the construction of the new fire station, the drainage improvement project in the runway safety area, the tree obstruction removal design work on the South end of the Airport, and a small amount of legal aviation easement reimbursement expenses. There were some previously approved construction change orders with the fire station, a slight increase was anticipated on the drainage project, and additional funding was needed for the South end tree design because of the detailed level of work involved. The amendment request was submitted to the FAA and as of yesterday the FAA approved it. They have approved

an increase in Federal funding for this grant by \$155,622.00. Slightly under \$4,100.00 will be the corresponding State and local match for this increased funding. Mr. Andres stated this will allow us to pay for the final construction cost change orders that have been incurred as well as to increase the funding available for the South end tree design. Mr. Andres stated this will be moving forward for Facilities Committee and Council approval and asked the Airports Board to endorse this matter moving forward.

Mr. Andres stated the second component is the FY-12 grant pre-application. He stated that in discussions with the FAA for the initial grant for the Hilton Head Island Airport this year, the FAA has indicated their willingness to fund the Part 150 Noise Study reimbursement, the reimbursement for development of the storm water pollution prevention plan for the Hilton Head Island Airport, and the Phase III data recovery and public outreach component of the archeological work associated with Mitchellville. Mr. Andres stated the total amount of the grant would be \$778,522.00 of which the Federal share would be a little over \$717,000.00 and the State and local matches would be around \$31,000.00 each. He stated there may also be a second grant offer in the August/September timeframe for the Hilton Head Island Airport to cover the tree obstruction removal on the South end if firm bid numbers are in hand by that time, as well as the relocation and replacement of all of the airfield signage at the Airport.

Mr. Dopp wanted to know if these grants were all under the 90%. Mr. Andres stated that the Grant 29 amendment falls under the 95% criteria with 2.5% matches. He stated the Part 150 Noise Study and the storm water plan reimbursements are also at 95%, but because the Phase III data recovery is new it will be at the 90% Federal participation level.

Mr. Smetek asked for a clarification on what Mr. Andres wants the Board to recommend. He wanted to know if this means the Board accepts these numbers as a commitment they are willing to undertake. Mr. Andres stated this is correct. Mr. Smetek stated then that he understands these are the anticipated costs, what the burden sharing is among the principal parties and that the Board would be voting on recommending to the Council that they accept this grant request.

It was moved by Mr. Kerr, seconded by Mr. Sanders that the Grant 29 amendment, the FY-12 pre-application and South-end tree obstruction removal design contract be forwarded to Facilities Committee and County Council for approval. The vote was: FOR – Mr. Sanders, Mr. Dopp, Mr. Kerr, Mr. Wirth, Mr. Smetek. AGAINST – None. ABSENT – Mr. Mazzei, Mr. Buchanan, Mr. Gilbert. The motion passed.

UNFINISHED BUSINESS

1. Accommodation Tax: Will Dopp

- Mr. Dopp stated that it was discussed at the last meeting that the Board would move forward with making applications for 2013 accommodations tax funding with both the City of Beaufort and the Town of Hilton Head Island. He stated that because they do not have a full Board yet, the organization of meetings should be postponed until the May meeting. He stated that the 2012 application for the Hilton Head

Island Airport was for mandated services by the FAA for fire and rescue and by the TSA for law enforcement on site. Mr. Dopp stated he believed the County Attorney should follow up on eligibility to receive funds. Mr. Andres stated that if Mr. Dopp sent him a memo on this topic he would coordinate with Mr. Gruber to see if he is willing to contact the State Board for clarification and an opinion. Mr. Dopp stated this is essential before they apply the next time.

2. GA Parking: Will Dopp

- Mr. Dopp stated that the subcommittee has not met and they will try to have something for the Board to consider in the near future.

3. Airport Funding Initiatives: Paul Andres

- Mr. Andres stated the Airports' financials goals are to enhance revenue and operate as fiscally self sufficient as possible. He stated that from the last economic study the Hilton Head Island Airport provides \$82,000,000.00 in economic impact. Mr. Smetek stated he would like to challenge this number. Mr. Andres stated there would be a new set of numbers coming out of the Environmental Assessment very shortly. Mr. Andres stated the same study indicated a \$5,000,000.00 economic impact from the Lady's Island Airport. He stated the passenger facility charge, the FBO and Through-the-Fence agreements have all been approved and are in place. The Council has twice rejected consideration of forgiveness of the hangar construction debt at the Hilton Head Island Airport. The Town has denied the Accommodations Tax application. The items up for discussion with the Finance Committee are the aircraft hangar property taxes as well as the Mosquito Control ground rent and other subsidies at the Lady's Island Airport. Mr. Andres stated that for the last two weeks the Finance Committee has briefly discussed these items, but have not come to any conclusions or made any decisions. They will continue to discuss this in the future. Mr. Andres stated the status of private hangar development at the Lady's Island Airport is still pending.

4. Feasibility of Alternative Remediation Options Associated with North End Tree Removal Project: Paul Andres

- Mr. Andres stated that at the last meeting Ms. Elder informed the Board of the FAA requirements relating to berms and stressed that it would be difficult on Airport property to meet these requirements because of the safety areas. Mr. Andres stated that from the noise perspective the Airport has currently undertaken a total of 5 noise studies for the Hilton Head Island Airport. The Part 150 Noise Study was completed in 2008, the Environmental Assessment for the Runway 21 tree obstruction removal on the North end was completed in 2009, a special noise monitoring study was set up in 2010 with the results pending until the completion of all of the tree work and replanting, the Hilton Head Island Airport Master Plan Update in 2011 also had a noise component analysis, and finally the Master Plan Phase I Environmental Assessment will have another noise analysis. Mr. Andres hopes that the preliminary results of the EA will be available for the next public information meeting. Of all 5 of the studies, none have reported that the noise at the Airport exceeds the recognized FAA substantial noise levels.

Mr. Smetek stated the communities would challenge that the noise issue goes beyond what the FAA requirements themselves might be. He stated a certain noise level was

measured before all of the trees were removed, but what they do not know yet is what the impact has been to the communities after the trees have been removed. Mr. Smetek stated the more important issue is what do we do with regards to mediation to bring the noise levels down to what they were before all of the trees were removed. He stated they may have one set of data points, but they are waiting the results of the second set of data points and more importantly what are the plans going to be to get back to where they were before the trees were removed. Mr. Andres stated that the replanting in the buffer area will be considerably denser than whatever existed before the tree clearing. Mr. Smetek stated he hopes this solves the problem, but the key point he wanted to make is that the second set of numbers are needed and they also need to know what the noise level is after the replanting is completed. Mr. Smetek wanted to be clear that Mr. Andres stated the noise data would not be addressed in June. Ms. Elder stated that what comes out in the Master Plan deals with the runway extension to 5,000' and does not deal with the removal of the trees. She stated they have baseline data that was done in September 2010 prior to the removal of the trees. She stated they cannot do the second part until all of the trees are removed off Airport and the replanting has been done. Ms. Elder stated that until they get the avigation easements it will be on hold. She stated the Master Plan looks at the runway extension and the potential noise impact. She stated the subconsultant said they may have something in June. Ms. Elder stated that the runway extension and tree removal are two separate issues. Mr. Smetek stated they removed the trees in order to extend the runway so they are not separate issues. Mr. Smetek stated that now that a whole bunch of trees have been removed from on-airport property a lot more noise is coming from the Airport to the surrounding communities. He stated that anything that is done in regards to the avigation agreements he would characterize as tree trimming and not gross removal of trees. Mr. Smetek stated that any noise impacts that resulted from the tree removal already exists. He stated that if someone measured what the noise levels are now compared to when the trees were still there they would be able to determine what the net increase of noise is now. He stated all of this should be done now and not after the avigation agreements are in place. Ms. Elder stated that based on what was requested by the County and Town, with a specific request from Palmetto Hall, was that a noise study be done before the trees were removed and then after everything was done both on and off the Airport property and the mitigation was put in place. She stated this is how the contract reads and this is how it will be done. Mr. Dopp concurred with Ms. Elder and stated this was also the understanding of the Board. Mr. Smetek stated he would accept this.

5. HHI Master Plan Implementation Schedule: Paul Andres

- Mr. Andres stated that in regards to the timeline, the information that was presented to the Facilities Committee and County Council were ways to do concurrent design permitting and some partial South end only land acquisition in order to accelerate the completion of the Phase I runway expansion. Mr. Andres stated this is strictly confined to Phase I and that there will be no Phase II activity in this acceleration. He stated that what has been verbally agreed to that allows this to occur are two things. Under the accelerated design concept the State Aeronautics Commission has reconfirmed their commitment to fund 60% of the cost of the design work and wait for future FAA reimbursement. Talbert & Bright has agreed not invoice for the remaining 40% of the work until such time as FAA funding is available to reimburse.

Mr. Andres stated there is no risk at this point to the Airport or the County. Mr. Andres stated the second element is the South end land acquisition which has always been a critical component. He stated there are approximately 7 properties that need to be acquired to accommodate the Phase I program. The ones on the South end the FAA re-examined and noted that these parcels would qualify for a Categorical Exclusion under environmental assessment process guidelines. Mr. Andres stated this is because the only reason we are acquiring these properties is to realign and relocate the taxiways to correct existing airfield deficiencies and has nothing to do with the runway extension. He stated the other component, the North end land acquisition which involves 3 parcels, has everything to do with runway and taxiway extensions and cannot be advance funded by the FAA until the environmental process has been completed and is approved.

Mr. Dopp wanted to know if the owners of the properties have been notified. Mr. Andres stated he and the County Attorney have talked to a few of them. He stated the property owners should be aware of this because the Master Plan was a very public process and those parcels were clearly identified during the entire process. Mr. Dopp stated he understood that it was a big surprise to the tenants on the North end. Mr. Andres stated all of this information has been made public. He stated he and the County Attorney have already met with one group on the North end and discussed the process regarding their property.

Mr. Kerr asked for clarification on the differences in the two charts (See Attachment "A"). Mr. Andres stated that with the one timeline the FAA will not fund any subsequent project until the environmental assessment has been completed and approved. Mr. Andres stated the difference is that on the second timeline, the State Aeronautics Commission and Talbert & Bright have said they will cover the cost of the design work before the environmental assessment is completed and await FAA reimbursement once it has been approved. Mr. Smetek wanted to know what would happen if the FAA did not reimburse. Mr. Andres stated the State and Talbert & Bright would eat the cost. Ms. Elder reiterated that Talbert & Bright would be out the 40%. Mr. Smetek wanted to know if this was written into the contract. Mr. Andres stated the contract is not yet written, but it will be in there if we choose to go this route. Mr. Andres stated this is only a proposal being explored and it is not a commitment. Mr. Dopp wanted to know at what stage this would be decided. Mr. Andres stated that if we get to the point of seriously considering this option, then the recommendation would have to be made to County Council for their approval to proceed.

Mr. Kerr wanted to know if the Board should make a recommendation to County Council to move forward with this option. Mr. Andres stated that might be premature. He said the critical component has always been the land acquisition piece because it is expensive. He stated that the Airport's share of the South end land acquisition will be several hundred thousands of dollars because the FAA will only fund 90%. It is also extremely expensive on the North end as well. He reminded the Board that the FAA will only fund the South end because it is not dependant upon the results of the environmental assessment.

Mr. Wirth wanted to know where we are currently at in looking at the 40 months on the accelerated timeline. Mr. Andres stated we are at approximately month 6 of the first year.

Mr. Smetek wanted to know what would happen if there is a "hiccup" in the environmental assessment process that might impact the North end. Mr. Andres stated they would have to deal with issues as they arise. Mr. Smetek wanted to know what the advantage is of accelerating the schedule. Mr. Andres stated it is to get the Phase I runway extension in place sooner. Mr. Smetek asked what the benefits are of doing this. Mr. Andres stated that for one thing the airlines have requested this. He stated that the letters from Delta and US Airways indicated that their preference is that we extend the runway as far as we can and as quickly as we can and to remove the tree obstructions as rapidly as possible. He stated these letters are in an Appendix of the Master Plan. Mr. Dopp stated that an inquiry regarding the status of these matters was recently received from US Airways.

CONTINUATION OF PUBLIC COMMENTS

1. Bob Gentzler – Mr. Gentzler, President of Palmetto Hall POA, requested better and more consistent information to his community. He stated that a few days ago he asked Mr. Carl Ellington of Talbert & Bright about borrowing some of the Phase I charts that were used at the library for a public meeting in their community. He stated Mr. Ellington told him the charts are the property of the County so he (Mr. Gentzler) wanted to know if they could obtain the charts. Mr. Andres stated he has the charts in his possession at the Airport and that they would be more than welcomed to borrow the charts and return them when they are finished with them.
2. Bob Richardson – Mr. Richardson asked if clarification on whether any of the acceleration activities that are being contemplated are only for Phase I and not Phase II items brought into Phase I for budgetary or acceleration purposes. Mr. Dopp stated that was correct. Mr. Andres concurred stating the acceleration discussion deals with Phase I elements only.
3. Ken Heitzke – Councilman Heitzke stated that a year or a year and a half ago, the Town and County Councils agreed to a plan and now the Town is not being involved in any change to that which was already approved. Mr. Andres stated the joint resolution directed the County staff to implement Phase I of the Master Plan, but did not stipulate how quickly to implement it. We are simply looking at the best way to implement the plan.

Mr. Dopp reminded the Board that the June meeting date was moved to June 14th.

FUTURE MEETINGS

The next meeting of the Airports Board will be held on Thursday, May 17, 2012 at 1:30 PM in the County Council Chambers of the Beaufort County Government Center.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at approximately 2:50 PM.

ATTACHMENT "A"

Hilton Head Island Airport Master Plan Phase I Implementation Schedule (Original)

Task	Year																																																											
	1												2												3												4												5											
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Environmental Assessment/Benefit Cost Analysis	18 months																																																											
Runway Extension (Design) and NAVAID Coordination																			12 months																																									
Permitting																															12 months																													
Land Acquisition (7 parcels)																			12 months																																									
Phase I (Construction)																																					18 months																							

Hilton Head Island Airport Master Plan Phase I Implementation Schedule (Accelerated)

Task	Year																																															
	1												2												3												4											
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48
Environmental Assessment/Benefit Cost Analysis	18 months																																															
Runway Extension (Design) and NAVAID Coordination											12 months																																					
Permitting													12 months																																			
Land Acquisition (4 parcels) Runway 03											12 months																																					
Land Acquisition (3 parcels) Runway 21																			12 months																													
Phase I (Construction)																									18 months																							

MEMORANDUM;

To: Josh Gruber - County Attorney

Paul Andres - Director of Airports

From: Will Dopp, BCAB Member

Re: Accommodations Tax Funds

Date April 23, 2012

BACKGROUND – At the March 15, 2012 meeting of the BCAB, it was determined both County airports should go forward as applicants for 2012 Accommodations Tax considerations from Hilton Head Island, and for the first time, from both Beaufort City and County. However, in view of the “opinion” provided by Lauren Sponseller of the State Tourism Expenditure Review Committee (TERC) in an email dated November 29, 2010 to Hilton Head Staff Attorney Brian Hulbert.....copied to all by a Mr. Andres’ email dated December 16, 2011..... that opinion must be modified or reversed before the BCAB can move forward with 2012 applications.

As noted in the November 2010 opinion, which incidentally was not communicated to the County until December 2011 via Tom Barton of the Island Packet, TERC relied on a provision in the SC Code of Laws, Section 6-4-10 (4) (b), which states “the funds must not be used as an additional source of revenue to provide services normally by the county or municipality.” From a reading of the Sponseller email, it appears to it took TERC some time before reaching its decision, and then it was only on the basis that particular provision “would most accurately answer the question” To me, that appears to leave open some “wiggle room” in their ruling..

The County was unaware of the above TERC opinion at the time our 2011 Hilton Head ATax application was presented to the ATax committee. That application sought ATax funds on the basis of recovering a portion of the non-reimbursable cost of police and fire protection the County is required to provide for commercial airline departures and arrivals. Such costs are mandated by the Transportation Security Administration (TSA) in the case of police and the Federal Aviation Administration (FAA) for on-airport fire-rescue.

With this required Airport Police and Fire staffing together along with its related operating expenses, the County incurred total costs of \$719K in 2011 for this mandated segment of HXD airport operations. Contractual reimbursement by the TSA and US Airways, our only commercial airline for these services, amounted to \$ 416K, leaving the County with a \$303K shortfall. To reduce the burden on the County taxpayer, the County sought \$115K of ATax funds to partially cover the shortfall. However, the application was denied consideration by the ATax committee on the basis of the 2010 TERC ruling.

It should pointed out that in 2011, HXD saw a total of 235K arriving and departing passengers of which based on the most recent 2009 survey would indicate that 76%, or some 180K, could be classified as tourist and visitors, a rather significant number

REQUEST - It is the view of the BCAB, as HXD is fully involved in servicing and supporting tourism activities on Hilton Head Island, it firmly believes the mandated services provided at the airport qualify under the above referenced language of the SC Code of Laws for ATax reimbursement. It may somewhat more difficult to qualify Beaufort County Airport (ARW) as a tourist related airport but that decision would be made by local ATax committees, not TERC.

This BCAB opinion is strengthened by the opening language of this same Section 6-4-10 (4) (b) to the effect "The funds received by a county or municipality which has a high concentration of tourism activity may be used to provide additional county and municipal services including but not limited to law enforcement, traffic control, public facilities....." Certainly "additional" should include federally mandated services as they neither are normal or locally required.

Also, we have previously been advised the Town's portion of ATax funds is commingled with other municipal revenues, and then are used to supplement such other funds for police and fire protection for residents and visitors alike. If such ATaxes can be considered "additional" by the Town, so should the County's use be considered "additional" as the SC Code of Laws makes no distinction between county and municipal.

While not directly related to the County's past ATax applications, it should mentioned that with exception of the Town's agreement to fund 50% of the current HXD Master Plan contract cost, no municipal funds have ever been received to support airport related activities or costs. That is why the ability of the County to qualify as viable applicant for ATax funds is essential to help it meet these mandated cost shortfalls.. With the probable exception of the state-provided highway system, no other single entity on Hilton Head Island does more to serve and support tourism than does Hilton Head Island Airport.

It is therefore requested the County Attorney contact TERC with regard to its November 2010 "opinion" which was based on incomplete "facts" then supplied by Town attorney Hulbert. Without a new or modified TERC ruling as to the County being a qualified applicant, the ability of the County to seek future ATax funding is ended. With initial 2012 ATAX proceedings to commence in mid summer, an early resolution of the matter is essential

If I can assist in any way, or provide earlier documents, I'm available to help..

Respectfully submitted