

# SPRINGFIELD / ROBERTSON COUNTY AIRPORT BOARD

## Minutes

Called Meeting - Tuesday, February 5, 2019

Springfield/Robertson County Airport, Springfield TN

**Board Members present:** Henry Ruth, Chris Simpkins, Glen Roberts, Kirk Johnson, Neil Petersen, Edison Guthrie

**Board Member absent:** Marvin Smith

**Ex-Officio Members:** Billy Vogle, Gina Holt

**FBO Managers:** Chris Ferraraccio, Anna Ferraraccio

**Visitors:** Ryan Martin, Clyde Richert, Roger Blackwood, Betty Moore, Clay Sneed, Don Eden, and numerous others (no roll taken)

Chairman Henry Ruth called the meeting to order at 8:00 am.

Board attorney Clyde Richert reviewed the recent activity of the Board regarding the renewal of the Wingnuts Lease and FBO Management Agreement. The Board voted in their December 12, 2018 meeting that Wingnuts' performance was not satisfactory; thus the contract would not renew.

A lawsuit was filed by Wingnuts, in part, contesting the vote and contesting that there even had to be a Board vote. At a preliminary hearing, Chancellor Lawrence McMillan ruled that the Contract would end on its own terms on February 12<sup>th</sup> unless the Board voted to find satisfactory performance, in which event the Contract would be renewed. The Chancellor directed the Board to revote on the performance at another meeting due to the legal requirement that members be physically present to vote and for other reasons expressed by the Chancellor.

Clyde stated if the Board voted that Wingnuts' performance was satisfactory, then the FBO contract would continue for another five years. If the performance was voted to be

unsatisfactory, the contract with Wingnuts would end on February 12, 2019. If the latter were to happen, the Board could appoint a committee to negotiate with Wingnuts over terms of a possible new contract. Wingnuts also could be allowed to continue to operate the airport for a period of time while the negotiations occurred.

Clyde suggested a motion be made by a board member that Wingnuts' performance be found satisfactory, and the Board vote on that motion.

The meeting was interrupted many times with questions and statements from visitors. Chairman Henry Ruth repeatedly stated this was a public meeting but not a public hearing, and visitors would not be allowed to ask questions or make comments.

After discussion, Neil Petersen made a motion:

Wingnuts has not satisfactorily performed on the current contract.

Kirk Johnson seconded the motion. Neil acknowledged many emails he received in support of Wingnuts, but he said none discussed issues that the Board had been addressing for the last six months.

Betty Moore called the roll for votes. Ayes were Neil Peterson, Kirk Johnson, Edison Guthrie, and Henry Ruth. Nays were Glen Roberts and Chris Simpkins. The motion passed.

The board discussed negotiating a new contract and and Wingnuts continuing to operate as FBO for a period of time. Clyde suggested a five person committee be formed to negotiate a possible new contract representing the board. Possible members could be a board member that voted aye, one that voted nay, the Springfield city manager or assistant city manager, the Robertson County Mayor or someone appointed by the mayor, and the chairman of the Economic Development Board, Roger Blackwood. Clyde recommended 60 to 90 days be planned for negotiations.

Clyde discussed that in addition to these possible committee members if such a

Resolution was approved; he would draft an Agreement to be reviewed and approved by the attorneys for Wingnuts and Clyde that would set forth the particulars of such an extended agreement and suggested that the Board authorize its Chairman Mr. Ruth to sign such an extended agreement once approved by the attorneys.

Chris made a motion:

Extend the current contract with Wingnuts for 90 days on the same terms and conditions. A committee shall form to renegotiate the contract with Wingnuts. The committee shall consist of a board member that voted aye, one that voted nay, the city and county representatives as above, and Roger Blackwood for the Economic Board. The other suggestions of Clyde were included.

Edison seconded the motion. There were brief comments from board members.

Betty called the roll for votes. Ayes were Kirk Johnson, Neil Peterson, Glenn Roberts, Chris Simpkins, Edison Guthrie, and Henry Ruth. There were no nays. The motion passed.

Henry said the attorneys for the board and Wingnuts would arrange the committee. He adjourned the meeting at 8:30 am.

Respectfully submitted,



Edison Guthrie