

Macon County Airport Authority
Minutes of the Regular Meeting Held February 26th, 2008

The Macon County Airport Authority met on February 26th, 2008, in its offices at 1241 Airport Road, Franklin, North Carolina. Chair Gregory called the meeting to order at 4:05 pm. All members were present. Also present were Bill Maslyk, NC DOT; Parks Preston, FAA; Eric Rhysdon, WK Dickson; Bob Simpson, County Commissioner; Monty Beck, AA Legal Counsel; Neal Hoppe, airport FBO; Tony Wheeler, Macon County News; Teresa McDowell, Macon County; and Boyce Dietz, Congressman Heath Shuler's Office.

MINUTES: Upon motion by Member Jenkins and seconded by Member Corbin, the minutes for the Regular Meeting held January 29th, 2008 were unanimously approved.

AGENDA ITEM #3: RECONSIDERATION OF RESOLUTION REGARDING 60% DATA RECOVERY BETWEEN THE AIRPORT AUTHORITY AND THE EASTERN BAND OF THE CHEROKEES: Chair Gregory initially addressed this agenda item by asking for a motion to reconsider the resolution signed on December 20th, 2007 by the Airport Authority, between the Airport Authority and the Eastern Band of the Cherokees.

The Resolution included 60% data recovery, and was subject to the EBCI agreeing to the same. The EBCI has not agreed to the 60% data recovery resolution. Member Jenkins made a motion to open a discussion regarding reconsideration of the resolution. Member Haithcock seconded the motion. Chair Gregory stated that he has had phone contact with Mike Harper,

Chairman of the Tribal Council, and Mr. Harper, though apologetic, has stated that he cannot get the necessary support for signing of this resolution. He was also unable to determine when, if ever, support from the Tribal Council would be forthcoming. Chair Gregory expressed frustration in that he has tried on numerous occasions to get on the agenda for the tribal meetings, and has been repeatedly "bumped" at the last moment.

Chair Gregory is unclear at this point as to whether an actual vote was taken by the Tribal Council. Parks Preston established the procedure to be taken if the 60% resolution is rescinded. The Authority will sign the original MOA agreeing to a 25% data recovery. This MOA will be forwarded to the FAA to

Mr. Preston's Administrator for his signature. Mr. Preston also asked that an official record of the Airport Authority rescinding the 60% data recovery resolution be included. Upon signing by the proper party, Mr. Preston will forward the MOA to Steve Clagett of the North Carolina SHPO office for his signature. Upon receipt of the MOA with Mr. Clagett's signature,

Mr. Preston will forward the MOA to the DOT for signature, and simultaneously forward it to the Eastern Band. At that point, the Eastern Band will have thirty (30) days to respond. At the end of the thirty (30) day time period, the Airport Authority, along with interested parties who have signed the MOA, will proceed. Member Jenkins expressed frustration, in that for seven (7) years the Airport Authority has entered into good faith negotiations with the Tribe, and that each time a possible solution has been reached, the Tribe "moves the goal post". He stated that, at this point, he feels sure that the Tribe is either unwilling or unable to come to a consensus. After further discussion, Member Jenkins made a motion to rescind the Resolution to include 60% data recovery that was adopted on December 20th, 2007 between the Macon County Airport Authority and the Eastern Band of the Cherokee Indians.

Member Haithcock seconded the motion and it passed by unanimous consent. Member Corbin made a motion that the Airport Authority authorizes Chair Gregory to sign a resolution rescinding the prior 60% resolution. Member Schmitt seconded the motion and it passed by unanimous consent. Legal

Counsel Monty Beck will prepare a Resolution rescinding the prior resolution for forwarding to Parks Preston. At this point Chair Gregory asked Eric Rhysdon, of WK Dickson, to proceed with obtaining the 404 Permit from the Corp. of Engineers as soon as possible, and to proceed with the EA.

AGENDA ITEM 4: PILOT TRAINING PROGRAM: Chair Gregory stated that he is waiting for further information regarding the legal aspects of this matter before the AA can proceed any further.

AGENDA ITEM 5: UPDATE-OBSTRUCTION LIGHTING: Engineer Eric Rhysdon stated that King Electric will be at the airport next week to determine necessary repairs for the obstruction lighting.

AGENDA ITEM 6: UPDATE-CULVERT SECURITY ISSUE: After a discussion, Member Schmitt made a motion to authorize Macon County Maintenance Supervisor, Steve Ledford, to install an electric fence unit in order to solve the culvert security issues at an estimated cost of fifteen hundred (\$1500.00) dollars. Member Haithcock seconded the motion and it passed by unanimous consent.

AGENDA ITEM 7: OTHER BUSINESS: Member Haithcock has three (3) rooms reserved for the Airport Association Meeting to be held in Asheville, NC on May 14th.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Pete Haithcock