

**Fairfield County Airport Authority Special Board Meeting – for purpose of issuing NOTAM's**  
**3430 Old Columbus Rd NW**  
**Carroll Ohio 43112**  
**Minutes for March 7, 2014 – *Special Meeting***

**Meeting to order**

Glenn Burns called the meeting to order at 2:00 p.m. with the Pledge of Allegiance. Board Members present at this meeting were Glenn Burns, Bill McNeer, Lonnie Rush, Dave Roebuck and Bill Fagan. Absent were Kurt Lape and Martin Lohne. Also attending were: Jay Wilkins-CMH FSDO Manager, David L. Tarrant-CMH FSDO ASI, Bruce Gibson-CMH Approach FLM and Lee Evans-CMH Approach FLM. Public in attendance were: Jeff Gerken, Oran Hoover, Al Moyer, Pat Rooney – Airport Manager, Garry Carver, Mr. Benson, Chris Chapman – Skydive Columbus and Lonnie Watts.

**Purpose of Meeting**

Dr. Burns stated that the purpose of the special board meeting is to collect information concerning differences in NOTAM's and Skydive Columbus.

Mr. Chapman addressed the Board. He asked for clarification from the last few board meetings regarding the NOTAM. It was not clear that the Board took official action on who had authority to issue a NOTAM.

**Sundowner Aviation/Airport Manager**

Mr. Rooney reported that there was a 365 day NOTAM issued for jumping and that only 100 days were actually used for skydiving. Since the NOTAM was taken down the Airport has had 2 jet airplanes fly in just to pick up fuel. The purchase of fuel keeps the airport healthy and what keeps the airport healthy is what allows Skydive Columbus to operate. There has been no jumping in January and February. As soon as Mr. Chapman is ready for customers to jump he can contact us to issue the NOTAM. It is the responsibility of the Airport to issue NOTAMs. Not allowing Mr. Chapman to issue NOTAMs is not to keep his customers from jumping. The Airport does not need a 365 day NOTAM when jumping does not exist every day.

Mr. Chapman stated that prior minutes reported that Fairfield County is losing commercial businesses due to jumping at the airport. He asked for the names of the commercial businesses.

Mr. Rooney stated that he did not have the names of the businesses.

Dr. Burns asked Mr. Wilkins if he would like input from tenants that who are here and have businesses. Mr. Wilkins stated that they are here for fact-finding. He would like to go through the roles and responsibilities of the Airport. One issue would be concerning the aerobatic box. If Mr. Chapman cannot issue NOTAMs then he will have to rescind the Letter of Authorization (LOA).

Mr. Rooney stated that back in January he and Mr. Chapman agreed to have discussions on issuing the NOTAMs. To this moment he has not talked to him about the NOTAM issue because he said he was too busy with law school.

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Mr. Roebuck reported that Mr. Rooney agreed to wait until Mr. Chapman took his bar exam to have discussions to work things out.

Mr. Rooney reported that he did four months of research regarding the NOTAM issue. The 365 NOTAM was hurting the Airport.

Dr. Burns reported that he and Mr. Chapman met a week ago. Before meeting with Mr. Chapman he advised him to meet with Mr. Rooney. He did not meet with Mr. Rooney prior to their meeting. Dr. Burns stated that not going through the chain of command is not for the good of the Airport.

Mr. Chapman stated that he did not agree with that. He spoke with Mr. Rooney. He was extremely belligerent. He breached the agreement and did not have authorization to cancel the NOTAM.

Dr. Burns stated that there was no vote to give authorization for issuing NOTAMs.

Mr. Chapman reported that in previous minutes that Mr. Rush talked with someone at a California Airport that said skydiving operations effected their airport economically.

Mr. Roebuck reported that insurance for the airport was considerably more in price for a skydiving Airport.

Dr. Burns reported that one insurance company will insure the skydiving at the Airport for an additional 12 thousand dollars a year.

Mr. Roebuck reported that the Board agreed that the additional insurance was not needed due to Skydive Columbus general liability insurance and his customers who were self-insured.

Mr. Chapman reported that the insurance covers the jumper's actions.

Mr. Wilkins asked if the Airport received federal funds. Dr. Burns responded yes. Mr. Wilkins reported that if you restrict legal aviation activity there could be a potential loss of future funding.

Mr. Rush reported that when Skydive Columbus came to the Airport Mr. Rush was not a Board member at the time but was a member of the Pilot's Association. He was against the operations at the time until he found out that federal funds would not be given to the Airport if Skydive Columbus was denied.

Mr. McNeer stated that the question still remains who has the authority to issue NOTAMS for the Airport. Mr. Wilkins reported that the Airport Manager delegated through the Airport Authority Board has the authority.

Mr. Mcneer asked if the Airport had authority for the LOA of the aerobatic box. Mr. Wilkins reported that he would have to review the original application. Currently there are 5 authorized.

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Dr. Burns reported that the minutes from the March board meeting are not approved and are unofficial.

Mr. Rooney reported that the LOA for the aerobatic box application needs renewed in April. He recommended that this renewal only have the Airport Manager as authorized.

Mr. Wilkins reported that on behalf of the Airport, Chris Chapman filed for the application and there are 5 authorized. This renewal is not until 2015. When the unofficial minutes are approved and the Airport Manager is the only authorized to issue NOTAMS, then the LOA with the Aerobatic box will have to be rescinded because of the 5 authorized.

Mr. McNeer stated that the issue to him was how the NOTAM is handled not who has authority to issue a NOTAM.

Bruce Gibson stated that the 105 rule that we have to follow is that the pilot in command has to ensure that the notification is made to aircraft controlling board. How this is done is not for them to say.

Mr. Roebuck reported that there are multiple pilots.

Mr. Chapman reported that there are different type of NOTAMS. Above air space NOTAMS which includes the aerobatic box and jumping anyone can turn these on or off. The Airport is given latitude to delegate people to turn them on and off. The FAA regulations are loose in case of unsafe conditions.

Mr. Chapman reported that Mr. Rooney suggested that the jump parachute activity should be in the facility directory for better safety. He asked Mr. Rooney if that were still true. Mr. Rooney agreed and would like to schedule the times of the jumps.

Mr. Wilkins reviewed prior minutes which stated that Mr. Rooney will draft an operation plan to the Board. Mr. Wilkins asked if this included parachute jumping, NOTAM issue and guideline/restrictions.

Mr. Rooney reported that the draft was between the airport and parachute jumping rules. This is only a starting point. When Mr. Chapman is ready they can go over the draft. The Board has reviewed it and he has emailed it to Mr. Chapman. Mr. Rooney stated that the number one goal is safety. In the flying community, not here locally there have been safety issues.

Mr. Chapman reported that from a skydive regulation perspective there are 2 manners for safely conducting our jumps. One is issuing NOTAMS and the other is being in the facility directory. Predominately in the United States the manner is being in the facility directory. The facility director is a notice to pilots without issuing a NOTAM.

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Mr. Oran Hoover stated that he has been a tenant for 14 years, was a former member of the board and a retired airline pilot. Since Skydive Columbus has been in operations he does not like to fly his airplane as often due to safety issues.

Mr. Benson reported that he has flown here for over four years. He would like to see the jumpers to have respect for the tenants and pilots.

Mr. Gerken stated he wanted to speak address the 365 day NOTAM. He is based here at the airport. On 2 different occasions a pilot for a Challenger and a pilot for a TBN could not fly here because of the skydiving NOTAM. There internal policy does not allow them to fly into an airport if there is skydiving going on.

Mr. McNeer reported that Mr. Rooney, as Airport Manager will accept Skydive Columbus' jumping plan into the facility directory. Since there is no vote today, he would like to move forward. Mr. Rooney and Mr. Chapman should meet and then present to the Board.

Mr. Rooney reported that he felt it was his duty to the pilot and tenants to take the NOTAM down. He was not trying to cut out patterns or hurt anyone.

Dr. Burns stated that he was upset that Mr. Chapman called the FAA to moderate this meeting before the Board has even had time to work anything out with Mr. Chapman. He feels like the meeting has wasted the FAA's time and apologized.

Mr. Wilkins stated that if the Board or Mr. Chapman needs anything from him or the ADO, please send in writing a formal request. They will expedite it.

Mr. Rooney asked the controllers what worked best for them on when the airport should issue a NOTAM.

Mr. Gibson stated that they ignore the NOTAM until it is hot.

Mr. McNeer reported that 2 reports that involved incidents with Skydiving last year. He asked how this is reported and addressed.

Mr. Chapman reported that he and the Airport Managers went through the report. The conclusions were no safety violations.

Mr. Rooney stated that he did not recall analyzing the incidents with Mr. Chapman.

Mr. Wilkins stated that if they receive the report from the Airport, pilot or a citizen they investigate every report if enough information is given. If they receive a NASA form they can investigate but do no sanction.

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Mr. Rooney recommended that the rules for skydiving operations be put together safely for jumpers, pilots and the citizens of Fairfield County.

Mr. Chapman stated that Mr. Rooney cancelling the NOTAM was not a safe action. He made it publically clear that his business was shut down in January and February due to the NOTAM being turned off.

Mr. Rooney stated it was safe, no jumping was going on in January and February. If there were going to be jumping going on, a call to the Airport would get the NOTAM back on.

Mr. Chapman reported that he was busy. His pilots could have flown and set up for jumps and there could have been an incident. The liability would have been on the Airport.

Dr. Burns stated that a phone call to the Airport manager could solve the safety issue.

Mr. Gerken stated that it is a pilot's responsibility to check the NOTAMS before they fly.

Mr. Rooney stated that after he called the FAA to cancel the NOTAM, he called Mr. Chapman and left him a message informing him of the NOTAM being turned off.

Mr. Chapman reported that at that time he did not have time to discuss the NOTAM issue with the Airport so he shut his operation down. There is still the question of if the airport manager has authority to turn off the NOTAMS. His interpretation of the regulations is that Airport NOTAMS can be controlled at the Airport's will, Aerospace NOTAMS cannot be controlled by the Airport manager.

Mr. Wilkins cannot comment on who has authority to issue NOTAMS.

Mr. Gibson cannot speak to the authority of who issues the NOTAM, but he can speak to the reality of how it affects them. If there is a NOTAM issued 365 days a year for jumping the reality of that is relevant to a pilot. If they call and say that the aircraft is up, then that affects us. The 365 day NOTAM does not affect the Air Traffic.

Mr. Chapman reported that once they are in the facility directory, they will have a symbol put in the section and a standing NOTAM will not be needed.

Mr. McNeer stated that he interprets that the Airport are responsible and have authority to issue all NOTAMS.

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Mr. Gerken read the following from the Federal Aviation Regulations §105.23 regarding: **Parachute operations over or onto airports.**

***No person may conduct a parachute operation, and no pilot in command of an aircraft may allow a parachute operation to be conducted from that aircraft, over or onto any airport unless—***

***(a) For airports with an operating control tower:***

***(1) Prior approval has been obtained from the management of the airport to conduct parachute operations over or on that airport.***

Mr. Chapman interpreted that he has to have written approval to operate his business. He stated that he does have permission.

Mr. Rooney stated that Mr. Chapman's approval expired. The MOU from 2009 was for only one year.

Mr. Chapman stated that his lease agreement approved his operations and follows the minimum standards.

Dr. Burns stated that the question still is, is the Airport of the authority to issue NOTAMS when skydiving is taking place. Mr. Rooney responded yes,

Mr. Chapman responded no if it is an airspace NOTAM. He can still call today and issue a NOTAM.

Mr. Wilkins stated that you have to have approval from the Airport Authority to jump. When receiving FAA monies you have to provide for all aviation interests. 105.25 talks about Pilot command being responsible.

Mr. Gerken stated that he does not feel safe anymore with his pilot training and has sold his private pilot business to Sundowner Aviation.

Mr. Roebuck stated that several people have brought up that Skydive Columbus operations has cost businesses at the Airport money. He asked how much fuel Skydive Columbus purchases from the Airport.

Mr. Watts reported that he did not know the total the amount that Mr. Chapman had purchased. He stated that he did know that the amount purchased was not comparable to the overall purchase from the pilots. The helicopters are number one in purchasing fuel, Sundowner Aviation is number two and Skydive Columbus is number three in amount of fuel purchased. Mr. Gerken used to be second in purchasing fuel.

Mr. Rooney reported that Sundowner Aviation purchased \$66,000 in fuel in 2013 and flew 1100 hours.

Dr. Burns asked if there were any questions that the CMH folks had for the Board.

Mr. Wilkins stated that Mr. Chapman is on the aerobatic list for the waiver and if he is not on the list to issue NOTAMS then they should be notified.

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Mr. Rush asked if it was mandatory for the FAA to require Skydive Columbus to provide insurance for skydiving activity.

Mr. Wilkins reported that it is not mandatory from what he is aware of. It is a business decision to make it mandatory.

Mr. Chapman stated that Minimum Standards state that Mr. Chapman has to provide individual jumper insurance. Skydive Columbus require all jumpers to become a member and sign a liability statement.

Dr. Burns stated that there are some things that all of them need to do to wrap things up with the Letter of Intent (LOI.)

Mr. Chapman stated that things are still not clear to him regarding the NOTAM.

Mr. McNeer stated that Mr. Chapman and Mr. Rooney need to work together on the Skydive Operations plan. Mr. Rooney will then present and advise the Board. If Mr. Chapman is against or has questions with the Board's decision then he will have to take it to the FAA in Detroit.

Mr. Chapman stated that through Federal regulations the Airport Board does not have authority to not allow Mr. Chapman to order a NOTAM.

Mr. McNeer told Mr. Chapman that if he wants to have skydiving this weekend he will have to contact Mr. Rooney to issue a NOTAM. Dr. Burns concurred with the decision.

Mr. Rooney recommends that Mr. Chapman notify him 24 hours in advance.

Mr. Moyer stated that the HAS plows the snow in the winter. They immediately contact Lonnie Watts to issue a NOTAM. They cannot give 24 hours in advance due to not knowing when it will snow.

Mr. Chapman would like clarification from the FSDO folks on who has authority to issue NOTAMS.

Mr. Wilkins asked for this to be in writing. He is not sure that it is in their jurisdiction or the FAA.

Dr. Burns stated that Monday is the next Board meeting at 6:00 p.m.

**Adjournment**

On motion of Bill McNeer and second of Bill Fagan, the Fairfield County Airport Authority Board voted to adjourn at 3:20 p.m.

**Meeting minutes for the March 7, 2014 Special Board Meeting, were approved on April 14, 2014.**

  
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Glenn Burns

  
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Bill Fagan

  
\_\_\_\_\_  
Lonnie Rush

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Absent

Kurt Lape

Absent

Martin Lohne

Aye

William McNeer

Aye

David Roebuck

Staci A. Knisley

Staci A. Knisley, Airport Clerk