

MINUTES OF THE AIRPORT ADVISORY BOARD MEETING

HELD WEDNESDAY, APRIL 19TH 2006 AT 9:00 A.M.

THE DEBERRY ROOM, 200 CANAL ST., NEW SMYRNA BEACH, FLORIDA

Mr. Perry called the meeting to order with the following answering present to roll call:

Robert Perry, Chairman
Gary Norville
Stuart Madson
Linda Crevasse

Members Absent:

Richard Snyder
John Strong

APPROVAL OF MINUTES

The December 5, 2005 minutes were approved as written.

PRESENTATION BY MR. HANK ROBINSON, ERAU Professor

Sound Transmission in the Atmosphere and Reducing Noise Problems

- A. Most noise from airplanes comes from the prop tips and through the muffler from the engine.
- B. Temperature factors the speed of sound
 - 1. Travels faster in warm air
 - 2. Travels slower in cooler air
 - 3. At night temperature cools at ground first creating an inversion
 - a. Symbolized by fog or smoke and very calm wind and can occur in groves of trees also
 - b. Can begin by 4:00 p.m. and usually breaks up around 9:00 or 10:00 a.m.
 - c. Actually holds sound down closer to ground instead of letting it dissipate
 - d. Temperature increases with height. During heat of day temperature decreases with height and dissipates sound.

Mr. Robinson feels that our touch and go policy is very good and recommends to pilots to help in sensitive noise areas:

- A. On runways – landings are not a noise issue unless the pilot makes a change in speed
- B. Takeoffs – should be done near the middle of the runway to help avoid noise over houses
 - 1. Touch and goes are end of runway operations and should be avoided during inversions.
 - 2. Use maximum rate of climb until out of inversion – usually at about 500 feet.
 - 3. Take off over hard, dark surfaces, which are generally hotter (absorbing the sun) and will dissipate the sound.

Mr. Robinson also said that he will relay to Embry Riddle that there are noise complaints in New Smyrna Beach and will tell them to be more careful with their flying operations around the airport. In discussing the issue of airplane mufflers with Morissa Tyner of Fairgreen, he stated that the planes are inspected on an annual basis or every 2000 hours, and parts are replaced whether needed or not, therefore the mufflers should be current and operating correctly.

OLD BUSINESS

1. Status of new Police Department:

Per Mrs. Rhonda Walker, Assistant Public Works Director, the layout for the Police and Fire Depts. at the airport has not been finalized and not gone to site review yet. The project still has to be bid out and it will be 6 to 8 months before any groundbreaking. Fees for the use of airport property to relocate the Police and Fire Department facility will be addressed during the budget process, which has not begun. Mr. Norville mentioned that if the old Police Department is torn down, the property should remain as airport property and not sold for other private use.

2. Discuss Noise Abatement Committee Recommendations:

Re: 14CFR 150 Noise Study

There were no further discussions with Mr. Gunter regarding their recommendations. Mr. Perry stated he spoke with the FAA regarding a noise study by them, and since there was a recent noise study done by Hoyle, Tanner and Associates as part of the 2005 Airport Master Plan, (which uses the same computer model they would use) the result would probably not be very different. The noise study by Hoyle, Tanner and Associates illustrates the current 65 DNR noise contour line stays within the boundaries of the airport and are average day/night sound levels. These model figures are based on the fleet mix, the hours and number of operations etc., and are projected to be accurate until the year 2012. Mr. Perry said with the contour lines being within the 60 to 65 DNR noise level and within the FAA standards, along with the cost of the FAA survey being at \$150,000 – the best things we can do now is to enact the voluntary procedures we are setting in place and give them time to have an effect. Furthermore, the FAA wouldn't give any relief to insulate homes etc., if these contour lines of significant impact are within the 65 DNR noise contour levels. Mrs. Walker concurred with Mr. Perry that it would take about 2 years for the FAA noise study along with the fact that we would be using grant money to cover part of the cost. The FAA won't let the city enact any mandatory restrictions, because it is a public use airport and activity cannot be limited. The airport office has mailed letters on March 11th to all area flight schools and airports, all the hangar tenants and businesses at the airport, along with Rhonda Walker attending an AOPA (Aircraft Owners and Pilots Association) meeting to get the word out about the voluntary touch and go policy of: no touch and goes on Sunday, no touch and goes between 4:00 pm and 10:00 am Monday through Saturday. The ATCT knows about the policy but cannot restrict someone from doing a touch and go, because it is voluntary. There were no further comments from the board regarding the noise study and Mr. Perry said at the present time he would not recommend that the city spend the money for the FAA to do another noise study.

MOTION by Mr. Norville that the Airport for the City of New Smyrna Beach not apply for a grant to fund the FAA 14CFR Part 150 Noise Study, SECONDED by Linda Crevasse.

ROLL CALL VOTE FOR MOTION:

AYE: Mr. Perry, Mr. Norville, Linda Crevasse, Mr. Madson

NAY: None

MOTION CARRIED: 4 - 0

NEW BUSINESS

1. Status of hangar waiting list and new hangar construction
 - a. Currently there are 60 people on the waiting list. Prospective tenants on the list are rotated to the end if they decline an available hangar when notified.
 - b. New hangar construction is proposed for 2007, funding from the FDOT (Federal Department of Transportation) will become a 75/25 grant with the city paying the 25%. When funding is available there are plans to build a row of 16 T hangars with 14 standard and 2 executive hangars one on each end to accommodate a larger aircraft. There are 7 people currently on the waiting list for a hangar that exceeds the 40-foot width.

DISCUSSION:

Mr. Perry asked about the lease wording pertaining to any pilot that wanted hangar space to construct home built airplanes. Mrs. Walker replied that the hangars are not equipped to handle the use of electrical machinery needed to overhaul an aircraft, painting of aircraft, or storage of flammable or hazardous materials. Allowing maintenance or than general would also affect the FBO's business at the airport. While a plane is being built, which can take up to 2 - 3 years, there is no business being conducted with the FBO's. Mr. Perry said if there were no other concern to change the policy, it would stay the same.

2. Biplane operator and Section 22-5 of New Smyrna Beach code

DISCUSSION:

Mr. Perry asked about the status of the lease agreement with the city and the airport. Mrs. Walker stated that the biplane operator is operating under an agreement with Epic Aviation, as they did under International Wings and Mr. Wilkinson. Mr. Perry suggested that the biplane operator's arrangement be "cleaned-up" to be sure that the City of New Smyrna Beach has the appropriate insurance requirements etc., for his operation. Mrs. Walker said she will follow-up on the matter.

3. Security Gate at the main entrance to the airport is closed and operating.
4. Taxis and Section 22-10 of New Smyrna Beach Code regarding commercial taxis: There is only one cab company in town that must already have a city permit. Rental car companies are only meeting customers and don't need a permit.
5. Section 22-145 of New Smyrna Beach Code regarding T Hangar use at the airport was covered previously under Discussion of item #1 - new hangar construction.
6. Modification of the Noise Impact Zone from half the length of the longest runway all around the airport which restricts the uses of property in the zone, and if anyone wants a building permit for that area they have to take measures to reduce the outside to inside noise impact by 25 decibels by adding extra insulation etc. To expand the noise zone, it would require a modification of the New Smyrna Beach Code.

DISCUSSION: After discussion, it was agreed that at this time no recommendation for changes would be made to the existing code.

7. Mr. Perry said he spoke with the City Planner regarding emphasizing use of

the Avigation Easement to builders in the Noise Impact Zone. The code basically means that if you build within the noise impact zone, you are not going to demand that the airport change its operations. Mr. Perry suggested that sometime in the future this is brought before the City Commission to make sure this is enforced in case of any future property development.

MOTION by Mr. Norville to ensure Planning Department follow Section 22-99 regarding avigation easements for any new property developments in the noise impact zone. SECONDED by Mrs. Crevasse.

AYE: Mr. Perry, Mr. Norville, Mr. Madson, Mrs. Crevasse

NAY: None

MOTION CARRIED : 4 - 0

8. Mr. Perry is meeting with the President of the New Smyrna Beach Board of Realtors on Friday, April 21st and will talk about putting a real estate notification statement in purchaser's contracts that are close to the airport that they may be impacted from noise. The board decided it would like the Board of Realtors to use a distance of 3 miles; no less than two miles, for a notification of noise impact from the airport statement in their policies. Mr. Perry will give an update at the next meeting what his results were with his meeting with the President of The Board of Realtors.
9. Regarding posting of 15 mph speed limit signs on airport property, Mrs. Walker stated there were currently no signs posted. Mrs. Walker said she would post speed limit signs on the north and south sides of the ramp area.
10. **NEW BUSINESS FROM BOARD MEMBERS:**
 - a. Mr. Norville discussed section 22-150 of the New Smyrna Beach code, regarding experimental flights or aircraft needing written approval from the Airport Manager. The Airport Manager can't limit experimental aircraft or flights, therefore the ordinance should be eliminated.

MOTION by Mr. Norville for vote on eliminating section 22-150 of the New Smyrna Beach Code. SECONDED by Mr. Madson.

AYE: Mr. Perry, Mrs. Crevasse, Mr. Madson, Mr. Norville

NAY: None

MOTION CARRIED : 4 - 0

- b. Mrs. Crevasse brought up discussion regarding Section 22-50 that states that no aviation fuel can be sold from an above ground source. Mrs. Crevasse said that Vintage Props and Jets was made to comply with this ordinance when they asked if they could sell fuel from a fuel truck on the airport like Epic Aviation is doing now.

They spent a lot of money to install their own fuel farm to be compliant with the New Smyrna Beach code, and want to know why Epic Aviation isn't being made to do the same.

DISCUSSION:

Mrs. Walker replied that 6 months ago Epic Aviation came to the City with a proposal for installing an above ground tank on the apron side of the airport similar to what is at Ormond Beach Airport. City staff reviewed the proposal and decided to look into alternate options. Aesthetically it was not what staff wanted to see when you arrived at the airport on the apron side. For safety and security reasons the plans for the fuel farm that were included in the Airport Master Plan will possibly be relocated south of the T hangars to be incorporated with the new proposed Police and Fire Station's fuel farm area. This would provide for one central location for the fuel farm for the airport and the city's use. Epic Aviation began to sell fuel from the large fuel truck without authorization from the City, under the assumption that a policy that Mr. Wilkinson (the previous property owner) was exempt from the ordinance. Mrs. Walker stated that it is being worked out with Epic Aviation and he does have plans of becoming compliant as soon as the fuel farm location is established. Mr. Norville and Mr. Perry agreed that Epic Aviation should be following the City of New Smyrna Beach Code and it should be fair to all concerned.

STATUS REPORT ON AIRPORT PROJECTS from Rhonda Walker, Asst. Public Works Director

1. The pre-construction meeting for the concrete apron project to add additional concrete apron at the north area of the existing ramp is Thursday, April 20th. Construction should begin soon after.
2. The electric lighting, generator, vault, AWOS and the airport signage project was started last week. There will be a 110-foot crane to lift a prefab concrete building onto the base that will house the electric vault. The runways and taxiways were marked with where signs will be placed on the airport. Only a portion of the signs being installed will be lighted - the grant for \$150,000 will cover purchasing and installing all of the signs but only 24 will be lit. The conduit will be run to light the remainder of the signs as part of the lighting for Runway 7-25 and the electric vault project. With future entitlement money the remaining signs will be light. Runway 6-24 was closed on Monday, April 17th as part of this project and every effort is being made not to impact the businesses or the tenants.
3. Airport staff has been working with the architect on the new Police and Fire station to incorporate the city's fuel farm with the airport's fuel farm. The compass rose was relocated to the closed portion of the runway because at the current site there could be possible interference from the electric wiring from the new signs and lighting project. The old compass rose area will be painted over in black and will become the new "run-up" area. Safety concerns from the ATCT that aircraft doing run up at the base of the tower interferes with aircraft taxing to the runway.

Mrs. Walker mentioned that it was time to begin planning the budget for the next fiscal year and any projects or areas of concern that the Board felt needed to be included should be given to her to review. She stated that at the next board meeting she would like to cover the Airport's budget for this year and next including revenues. The new budget will become effective October 1st, 2006.

Mrs. Walker showed an aerial layout of the airport, showing where spraying has been completed along the runways, taxiways, and fence lines to control weeds. The map is going to be used as a maintenance record to verify that the spraying is being completed in all needed areas. It will also provide accurate records for accounting purposes at budget time.

PUBLIC PARTICIPATION

Ms. Morrissa Tyner of 26 Lake Fairgreen Circle stated that with the denial from the FAA of the mandatory touch and go policy, that there seems to be no recourse and we are at a dead end. She said it is great that the board was able to make the voluntary policy, but that there certainly should be no further expansion of the airport impacting more residents. Mr. Perry answered that the voluntary policies can be still be modified and adjusted to help with the concerns and mitigate the noise.

Mr. Albert Liebowitz of 2227 Turnbull Bay Rd., said that there has been no decrease in air traffic since the letters have gone out regarding the touch and go change in policy and there are annoying flyers still out after 10:30 at night. Mrs. Walker answered that she would ask for a report from the ATCT to see if there has been a decrease since the voluntary policy change. Mr. Liebowitz declared that Embry Riddle has got to comply with this and be a good neighbor. Mr. Perry replied that Epic Aviation and Embry Riddle should be "on board" and usually complies with all rules and requests. Mrs. Walker added that Embry Riddle was the only flight school that replied to the letter saying they would be willing to adhere to the policy. Mr. Norville mentioned that the policy is still voluntary and suggested Mr. Leibowitz talk with Embry Riddle directly.

Mr. Petrie of 1765 Bayview Dr. asked if Embry Riddle paid the airport any money to do any operations here. Mr. Norville answered that there is no revenue, because it is a public use airport. Mr. Perry added that they do buy gas here, but the airport makes it's money from hangar rent, rent on the property and a portion of the fuel sales only - there are no financial gains to the airport for any landings. Mr. Petrie questioned if the board would object to the residents paying for the FAA 14CFR Part 150 Noise Study. Mrs. Walker and Mr. Perry said they would look into whether it would be permissible with the FAA and the City Commission. Mr. Petrie reminded the board that there have been houses for sale around the airport for a long time, and the city loses tax revenue if their property values decrease.

Mr. Wallace Pridgen of 814 Pine Shores Circle stated that in the 8 years he's lived here, the airport wasn't even noticeable until the ATCT was built. Since then, it has become such a bother and feels that the airport needs to "share the land" with the residents and give them a break. He also questioned the revenue that the airport receives and will follow up with Mrs. Walker for answers to his questions.

Mr. John Cadero of Edgewater said that until the ATCT was built here, he had no relief from planes doing aerobatics over his house. Now the planes seem to be doing the aerobatics over the beachside and being very noisy and bothersome there. Mr. Perry answered that they shouldn't be doing aerobatics in the airspace over a residential area, and he would look into this with the ATCT. Mrs. Walker responded that the planes that are doing this over the south beach area aren't flying out of New Smyrna, they are based out of Massey Airport. Mr. Perry suggested that if he could get a tail number of a plane doing this over a residential area, then the FAA should be called.

DISCUSSION BY BOARD MEMBERS

Mr. Madson suggested for next meeting's agenda, that there be a discussion about an inspection of the hangars and a notice being sent to the tenants on any violations.

Mr. Perry said he would accompany Mrs. Walker at the time of such inspection if needed.

Mrs. Walker agreed that this would be a good idea since it has not been done in several years. She also stated when asking for funding of more hangars, the FDOT wants some assurance that the hangars are being used for airplanes and not storage space for other things.

Mrs. Walker said that prior to the last inspections, the tenants were given a six week notice that the inspections would be done and what was allowed to be stored in the hangars.

The date for the next meeting is Wednesday, July 19th.

MOTION made by Mr. Madson to adjourn meeting, SECONDED by Mr. Norville at 11:25 a.m.

ALL IN FAVOR. Meeting adjourned.