

**Hastings City / Barry County Airport Commission**  
**Draft Meeting Minutes**  
**October 23, 2019**

1. **Call to Order.** The meeting was called to order by Chairman Holley at 4:30 p.m.
2. **Pledge of Allegiance.** Holley led those present in the recitation of the Pledge of Allegiance.
3. **Roll Call.** Roll was taken. Present: Conner, Smelker, Holley, Bowers and Tossava. Absent: None.
4. **Approval of Agenda.** Holley asked for any additions or amendments to the agenda. Noteboom requested the addition of

- Approval of attorney to work on Airport FOIA appeal (9.B.)
- Approval to set payments and retainer fees to not exceed \$30,000 and pass on to Barry County Board of Commissioners and Hastings City Council (9.C.)
- Discussion about computer equipment and County e-mails for Airport Manager and Assistant Manager. (9.D.)
- Closed session under MCL 15.268(h) to discuss Attorney/Client Privileged information regarding FOIA appeal (9.E.)

Motion by Tossava, second by Conner to approve the agenda for today's meeting including the additions as requested.

In favor: Conner, Smelker, Holley, Bowers and Tossava.  
Opposed: None.  
Absent: None.

Motion carried.

5. **Limited Public Comment.** Holley asked for limited comment from the public. No comment was forwarded.
6. **Approval of Minutes.** Holley asked for comments regarding the draft minutes of the September 25, 2019 regular meeting and October 3, 2019 special meeting of the Airport Commission.

Motion by Bowers, second by Tossava to approve the minutes of the September 25, 2019 regular meeting and October 3, 2019 special meeting of the Airport Commission.

In favor: Conner, Smelker, Holley, Bowers and Tossava.  
Opposed: None.

Absent: None.

Motion carried.

7. **Financial Reports.** Holley introduced discussion regarding the September 2019 Airport Fund financial reports. Brown reported on the status of revenues and expenditures for the month of August and the year to date.

Motion by Smelker, second by Conner to approve the September 2019 Airport Fund financial reports.

In favor: Conner, Smelker, Holley, Bowers and Tossava.

Opposed: None.

Absent: None.

Motion carried.

8. **Old Business.** Noteboom stated that the Rules and Regulations and 30-Day Lease are being reviewed by attorneys.

Noteboom requested that another firm be added to the approved list of attorneys that the Airport can use in legal matters. Warner, Norcross & Judd had recommended Honigman LLP out of Kalamazoo as a firm that could be used for FOIA related legal issues.

Motion by Tossava, second by Smelker to add Honigman LLP to the list of attorneys that are acceptable to use for legal matters.

In favor: Conner, Smelker, Holley, Bowers and Tossava.

Opposed: None.

Absent: None.

Motion carried.

Noteboom requested that the Airport Commission make a recommendation to allow payments of up to \$30,000 for payment of legal fees and retainer fees. This recommendation would need to be passed to the Barry County Board of Commissioners and Hastings City Council for approval.

Motion by Tossava, second by Smelker to recommend the payments of up to \$30,000 for payment of legal fees and retainer fees.

In favor: Conner, Smelker, Holley, Bowers and Tossava.

Opposed: None.

Absent: None.

Motion carried.

Noteboom requested that a computer and related equipment and a County email be provided for the Airport Manager and Assistant Airport Manager. Brown stated

that this will be investigated to see if it is possible and does not effect the contractor relationship.

Motion by Tossava, second by Smelker to enter into closed session under MCL 15.268(h) to discuss Attorney/Client privileged information regarding FOIA appeal at 4:50pm.

In favor: Conner, Smelker, Holley, Bowers and Tossava.

Opposed: None.

Absent: None.

Motion carried.

Returned to open session at 5:17pm.

Motion by Smelker, second by Tossava to take the recommendation of Warner, Norcross, & Judd to utilize Honigan LLP to handle the FOIA appeal.

In favor: Conner, Smelker, Holley, Bowers and Tossava.

Opposed: None.

Absent: None.

Motion carried.

9. **New Business.** Airport Commission was reminded that the November meeting will be held on Tuesday November 26, 2019 at 4:30pm. Note the change of day.
10. **Airport Manager's Report.** Holley introduced discussion regarding the Airport Manger's Report for October 2019. Noteboom presented and explained the Airport Manager's report for October 2019.
11. **Board Comments.** Holley asked for additional comments from the Airport Commission. No comments were forwarded from Commission members.
12. **Limited Public Comment.** Holley asked for limited comment from the public. No comments were forwarded from the public.
13. **Adjournment.** Motion by Bowers, second by Smelker to adjourn at 5:21 p.m.

Motion carried.

Submitted by: Jerry Czarnecki, Administrative Secretary