

**NORTH TEXAS REGIONAL AIRPORT
JOINT AIRPORT ZONING BOARD
AUGUST 27, 2014**

MEMBERS' PRESENT:

Phil Roether, Chairman
Ken Brawley
Kevin Farley
Janet Gott
Randy Hensarling
Jason Sofey
Todd Thompson

MEMBERS' ABSENT:

Ryan Johnson
Lee Olmstead

OTHERS' PRESENT:

Mike Shahan, Airport Director
Wm. B. (Ben) Munson, Esquire
Chris Jennings, Herald Democrat

Michael Hutchins, Herald Democrat
Bill Magers

**I.
Call to Order.**

Mr. Roether called the meeting to order at 12:00p.m.

**II.
Approval of the minutes of the August 5, 2014, Joint Airport Zoning Board Meeting.**

Mr. Roether asked if the Board had the opportunity to review the minutes of the previous meeting. Ms. Gott made the motion to approve the minutes. Mr. Brawley seconded the motion. All members voted aye.

**III.
Workshop to review Airport Zoning Committee recommendations and comments from the July 28, 2014, Public Meeting and take action as necessary.**

Mr. Roether stated that the first topic to be discussed was liability insurance for the Board members. He stated that they were in the process of getting liability insurance in case there is a lawsuit brought against the County or any members of this Board. He stated that he was proposing to have a motion to request from the County Commissioners insurance to indemnify all members of the Board for both legal fees and damages. Mr. Brawley made the motion to request Commissioners Court to obtain liability insurance for the board members. Ms. Gott seconded the motion. All members voted aye. Mr. Roether stated that as a result of that vote, he would present this request to Commissioners Court the following week.

Mr. Roether stated that the next item was to review the document. He asked if there were any additions or discussion about the document that needed to be discussed at this time. Mr. Shahan stated that the only change was the addition of the legal description of the property. Mr. Hensarling asked Mr. Munson if everything had been done and Mr. Munson stated that unless there was some other direction it was set up to be recorded. Mr. Shahan stated that the last three things to do according to State Statute §241 were to adopt the regulation, have the attorney certify all steps were followed, and file it with the County Clerk.

Mr. Roether stated that at the last meeting there was a question relative to concerns from the City of Sherman about litigation. He stated that it was his understanding that all attorneys had met and that there are no questions at this time. Mr. Sofey stated that the City was comfortable with the regulation.

At this time, Mr. Hensarling made the motion to adopt the regulation as presented. Mr. Thompson seconded the motion. All members voted aye. Mr. Roether stated that the motion carried with 6 votes for adoption with three members absent and no nays. He stated that they would then ask Mr. Munson to perform the legal review and then the regulation would be filed with the County Clerk and then it would become law. At this time, Mr. Farley arrived at the meeting. Mr. Roether stated that he had received a letter from Mr. Olmstead stating that he would be unable to attend the meeting but that he was providing his proxy to vote for the adoption of the ordinance. Mr. Roether advised Mr. Farley that they had just voted to adopt the regulation and asked if he would like to vote. Mr. Farley stated that he voted for adoption of the zoning ordinance.

Mr. Hensarling then asked what the next step was for the Board. Mr. Roether stated that according to Statue 241 that the Board did not go away once the regulation was adopted. He stated that the board continues but that the only action for the Board would be to modify the regulation as needed. Mr. Roether stated that there may be a requirement for the Board to meet once a year as a formality even though there are no changes to be made. He stated that he would check with TxDOT on this.

Mr. Roether stated that in his discussion with TxDOT, he had been told that there had never been a lawsuit because of airport zoning. He stated that he felt that this confirmed what the Denison attorney had stated.

Mr. Thompson asked Mr. Roether to stress to Commissioners Court that there are two types of insurance. He stated that those were insurance for this date forward and insurance to cover all actions done as a board. He asked that the insurance cover from inception of the Board.

Mr. Hensarling asked Mr. Roether if each member was appointed without there being a specific term to serve. Mr. Roether stated that terms are not addressed in the State Statute. He stated that each entity did not stipulate any terms for their members.

IV.
Public Comments.

There were no public comments.

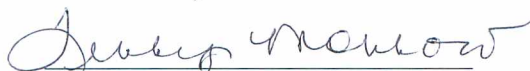
V.
Adjourn.

Ms. Gott made the motion to adjourn. Mr. Sofey seconded the motion. All members voted aye. The meeting was adjourned at 12:12 p.m. subject to recall by the Chairman.

Mr. Roether thanked each member for their service on the Board. Mr. Hensarling thanked Mr. Roether for his leadership during this process.



Phil Roether, Chairman



Terry Morrow, Administrative Asst.