

**NORTH TEXAS REGIONAL AIRPORT
JOINT AIRPORT ZONING BOARD
JULY 28, 2014**

MEMBERS' PRESENT:

Phil Roether, Chairman
Ken Brawley
Kevin Farley
Janet Gott
Randy Hensarling
Ryan Johnson
Lee Olmstead
Todd Thompson

MEMBERS' ABSENT:

Jason Sofey

OTHERS' PRESENT:

Mike Shahan, Airport Director
David Fitz, Coffman Associates
James M. Shankles
Mary M. McCullough
Tim Hubert
Jeff Whitmire, Commissioner, Pct. 1
Jim Copeland
Kelly Cannell, Schuler Development
Cindy Lawrence
James Shankles, Jr.
Nita McCullough
Marilyn Morrow
Bobby Hancock, President, Pottsboro Chamber of Commerce

Michael Hutchins, Herald Democrat
Phyllis James, Commissioner, Pct. 3
Rexie Hendrix
Mark Springer
Mrs. Tim Hubert
Richey Rivers, Grayson Co. Auditor
John McCullough
Scott Connell, SEDCO
J. Thurston
Giles Brown, Vice President, Grayson College
John McCullough

I.

Call to Order.

Mr. Roether called the meeting to order at 6:00 p.m. At this time, Mr. Roether advised the audience that if they would like to make comments they would need to indicate that on the sign in sheet and he would call each person to speak. He stated that each person would have three minutes to make comments to the Board. He stated that they would need to give their name and address. He stated that all comments would be recorded and the Board would use those comments as they take action going forward in the future.

Mr. Roether then updated the audience on the background of the Zoning Ordinance.

II.

Presentation by Coffman Associates and NTRA Staff.

Mr. Shahan and Mr. Fitz made their presentation.

III.

Public Hearing on Draft Airport Zoning Ordinance.

The following persons spoke in opposition to the Airport Zoning Ordinance:

Mr. Tim Hubert
Mrs. Tim Hubert
Mr. John McCullough

Mr. Jim Copeland was in favor of zoning but felt that further work was needed on this ordinance.

The following persons spoke in favor of the Airport Zoning Ordinance:
Mrs. Kelly Cannel
Mr. Scott Connell

Those who signed up to speak but did not were:
Mr. Mike Springer
Mr. John McCullough, Sr.
Ms. Marilyn Morrow

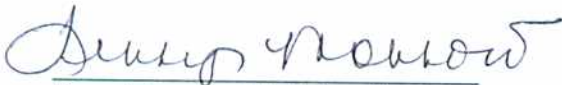
A full transcript of comments is attached.

IV.
Adjourn.

The Public Hearing adjourned at 6:37p.m.



Phil Roether, Chairman



Terry Morrow, Administrative Asst.

**TRANSCRIPT OF PUBLIC COMMENTS
CITIES OF DENISON/POTTSBORO/SHERMAN-GRAYSON COUNTY
JOINT AIRPORT ZONING BOARD
PUBLIC HEARING
JULY 28, 2014**

Mr. Mike Springer:

"I have no comment at this time."

Mr. Tim Hubert:

"Well, I got three whole minutes to defend something I've worked twenty years for. I don't have anything against the airport. I love airplanes. My father was a fighter pilot in World War II. He trained out at the airport in 1942. He flew 53 combat missions for the United States government. At the last meeting I asked a pilot coming out of their elite coffee club they have and he said that the pilots need protection from the landowners. I didn't know that my house or barn were flying over their planes. What I have to say is taxation without representation. There was not one landowner on the board. Even when they lost people they gave another person in, not a landowner. We were not represented. This is an elite government. They find the elite for the elite. It's for the pilots. If the airport is going to be adding all these extra things, then I think the current landowners need compensation for their land. All right. Secondly, I say sign nothing. Zone A1, A2, B, if you sign it you are signing away all your rights. All right. If you read the minutes to their meetings, Mr. Roether says it's good that we're leaving verbiage in here so we can expand it whenever we want. Whatever zone you're in they're going to expand it. They have had very decent lawyers, excellent lawyers working on this. Okay. You're not going to get anything if a plane crashes on your property. You are liable. They will not pay you anything. They will not pay you a dime. Okay. We need full disclosure on this. There are some things that we haven't seen. That agreement, if you sign your agreement you are signing away all your rights. And finally I have been Republican since 87 and 92. I voted Democrat in 96 but I've been Republican. Republicans claim that they are for the landowners but this is for the elite people, the pilots. They say they are for less government. This is more government. This is elite for government for the elite by the elite. And the small businessman that they say they are for and the common man. You can see where this is going people. Do not sign any agreement. Thank you.

Mrs. Tim Hubert:

My friend that started. My name is Maria. At this point Mr. Roether advised her not to start until she got to the podium.

My name is Maria Morgan, 50 Hagerman Road. Commissioners Court needs to take another look at NTRA at business and management issues. The airport has had net operating losses of approximately eight million over the past fifteen years. It is a business that has not made a profit in fifteen years. Four million of that has been lost out of the taxpayers pocket in the past five years. Your director requested over \$22,000 worth of invoices be written off. When I asked him he didn't even remember how much. That's who's managing your airport. One of these invoices was written off to a competitor of mine. Now I have to report to the director who gets insider info on my business on my property. He sets up a competitive business at the Airport and the tax payers pay that competitor's overhead. Is this fair trade? You have a 1.2 million hangar sitting empty. Do you really need a bigger footprint? Fuel usage was flat in 2012 and 2013 and yet numbers were up. Your own County Auditor is wondering how that happened. Ran on a platform looking for wastage. Here it is. As far as the economic imprint, every business in this county contributes to that. Not just the airport, every business in here. Ask yourself if this airport really needs a bigger footprint. Commissioners Court, let's look at all the other studies. The growth wants to come west up 289. They are coming here for our natural

resources, Hagerman Refuge and Lake Texoma. They're coming to get away from asphalt plants and airports. Airport venues as such don't come here due to lack of infrastructure. We are your future infrastructure. There is nothing in this for the landowners, no compensation and no representation. A landowner who is standing out in support of us has been threatened with lawsuits for looking out for the landowner. You ran on a platform for being for the landowner. Just take another look. Let's take another look at the ordinance itself. They asked a study company what was the maximum they could bear down on landowners. Let's ask the study company what is the minimum we can bear down on the landowner's, still satisfy the FAA and still allow for infrastructure. If you can swing the pendulum all the way your way, let's swing it the landowner's way and meet in the middle. If this is so important for the FAA, why is only part of their aviation area being zoned? Mr. Roether said there were too many people in the way for him to push the zone out any further, that's why. But they have the authority to expand it and they will. And oh my gosh, those deed restrictions that they say are so denying, if I put a boat on the lake, a car on the road, the pilot's should be responsible for the planes in the air. Planes are getting shot down now gentleman. You can't hold the people down on the ground responsible. Then there's this whole process. Landowners not represented. No compensation. Time was then called. Mrs. Hubert continued as she went to her seat: Only presented what they wanted us to hear. Mr. Roether said next. Mrs. Hubert continued: It is important to take another look. Mr. Roether then called Mr. Jim Copeland. Mrs. Hubert continued: Airport owned forty-three years. You've got time to take another look at this one.

Mr. Jim Copeland:

Thank you. My name is Jim Copeland and I own a twenty acre block of land on the north side of the airport. I actually reside at 1485 Old Quail Run Road west of the airport property. Lived in the community forty-four years. Love it. Love the airport. Probably have a little different perspective than some of the other folks in the room on this. I was asked to serve by this board on a committee. I do not like this document as presented. It bothers me a lot that are, several members of our Commissioner's Court don't like the document as presented, that are elected officials by the people. I feel like that you guys were asked to look into this, you were asked by a prior Commissioner's Court to look at the zoning. I think we need to protect the airport. I don't think we need to do away with the ordinance. I think there are some things that we could change in it to make it a little more compatible with landowners. So I guess with everything being said, I guess I'm probably right in the middle compared to what I have heard so far. It did start off much larger than it is now. Not sure about the expansion side of it. I've been told that this Board will be dissolved once this is put in place. I'm a little bit worried about whose going to administer the zoning. I'm worried about who's going to pay for the litigation if there is any litigation against the county or the cities, how that will work. There is a couple of things that I have heard from the Board that really bothers me. I have heard that, when I say heard it doesn't mean I heard it from this is all hearsay, but if there is any truth to the fact that anybody on this Board has threatened any landowner in any way with litigation that's opposed to this ordinance it needs to stop now. Ok. If that has happened, that needs to stop. Completely. There is no reason for anybody on this Board to think that they have the right to threaten any landowner with litigation over these policies. Ok. So we need to put that to bed now if that's happened. If it hasn't happened, no harm no foul. I'm not accusing anybody of doing anything. I'm just saying that if that's happened it needs to stop. Ok. I do think that we need to protect the airport. I think the airport is important to our local economy. I just feel like there's a lot of unanswered questions that need to be answered and thought through prior to any of this being put in place. Thank you.

Mr. John McCullough:

Mr. Roether stated that he had Mr. John McCullough on the list twice. He asked if he signed twice or were there two John McCullough's present. They stated that there were two present. Again my name is John McCullough and I'm representing my family that is here tonight. We have property to the north, south, and to the west of the existing airport. My family has worked hard for

that property. They've, uh, a lot of blood, sweat and long hours working that property. We feel that, on behalf of my family, that there should be no restrictions on that property other than what's already in place. If we want to build a football field we ought to be able to build a football field. That's our stance and we strongly oppose any restrictions being placed other than what's there on our property that you're proposing. Thank you.

Ms. Kelly Cannell:

I'm Kelly Cannell with Schuler Development. We own the fixed based operation at 3604 Airport Drive. I want to thank the Board for taking the time and effort to put the zoning in place. I think that it's important for the airport as well as for the landowners. We previously owned the fixed base operation at the airport in McKinney. We heard a lot of the same concerns from landowners and they were later, any time something is new I think there are concerns. I think over time you will find your concerns are (undecipherable). We appreciate again your efforts.

Mr. Scott Connell:

Hi. I'm Scott Connell with the Sherman Economic Development Corporation. My address is 915 N. Woods in Sherman. We want to say that we appreciate the work that is being done. We see North Texas Regional Airport, as it was talked about earlier, it's a business park. It has a long term plan, long term growth opportunities for business. But it also brings jobs and tax base to the Grayson County area and it's a unique business park. It has specific, particular activities that happen there, different and distinct from any other kind of business area. The planning for the issues that are happening there today and what will happen there over the next twenty years in this time verizon, if you will, is important. To plan for that, to protect what is there now but the neighbors, the area around it, elements and other activities, not just is in the park or the property but what is around it so that there is a compatible interaction over time. This park needs to be close to but separate from some activities in the community and I think as you can plan any of those kind of business areas we are cognizant of what can happen over time and I think that's a good thing. So we appreciate the good work the zoning board has done.

Mr. John McCullough (#2):

No further comments.

Ms. Marilyn Morrow:

No comments.

Mr. Roether asked if there was anyone that had not spoken that would like too. There were none.