

WAUKESHA COUNTY
AIRPORT ORGANIZATIONAL STUDY WORKGROUP

Friday, February 26, 2010

Chair Falstad called the meeting to order at 10:32 a.m.

Workgroup Members Present: County Board Supervisor/Airport Commissioner Dave Falstad, County Board Supervisor Dave Swan, Airport Commission Chair Michael Crowley, Corporation Counsel Tom Farley, Public Works Director Allison Bussler, Airport Manager Keith Markano, Chief of Staff Ellen Nowak.

Others Present: Parks and Land Use Director Dale Shaver, Senior Financial Analyst Vince Masterson, Highway Operations Manager Peter Clhadl, Office Services Coordinator Windy Jicha.

Minutes of February 19, 2010 Meeting

MOTION: Swan moved, Bussler second, to approve the minutes of February 19, 2010 as amended. Motion carried 7-0.

Finalize Waukesha County Airport Organizational Study Workgroup Report

Falstad said he would like the workgroup to spend more time discussing options #1 and #3 regarding the continuation of the Airport Commission. He has concerns about the most recent draft study report distributed to members before the meeting concerning abolishing the commission. Shaver clarified that the recommendations continued with the re-creation of the commission with clarified responsibilities. Shaver said he was under the impression that the workgroup at its last meeting agreed that options #1 and #3 would both have an element of a commission. Neither option requires the airport commission to be completely abolished but rather recreated as the Waukesha County Airport Operations Commission. The workgroup needs to clearly define Waukesha County's airport commission and include the definition in the final report recommendations. Falstad agreed that the structure of the commission should be clearly defined.

Bussler reported on airport data she was asked to collect at the last meeting. She collected information from 63 of Wisconsin's 72 counties through the public works list serve. She believes those that did not respond do not have airports. Markano reported on statistical data he collected from 15 Wisconsin airports. Bussler and Markano agreed to meet after the meeting to compile their data into one report.

Markano, Crowley and Falstad agreed that the group should spend more time reviewing the list of 15 conclusions developed by the 1995 Public Works Select Committee Report.

Shaver said at the last meeting, the workgroup defined what an airport commission does. A commission serves as an advocate for airport services and advises the county executive on airport service matters. Operationally the commission listens to public and airport user comments regarding airport operations, reviews and comments on airport improvements, master plans, annual airport budget, airport rules and regulations, and focuses on the development of the airport as an economic attribute by promoting enhanced corporate use. He thought the group reached consensus that the description of the airport commission in the county code, particularly the reference to section 114 of the Statutes, does not reflect its actual duties and responsibilities.

Crowley said the airport commission follows the code and the process works well. He would like to see the airport commission continue as is. The commission has authority but not ultimate authority.

Shaver asked does recommendation 3 on page 5 of the draft report adequately define the duties of the airport commission. Markano said the duties need to include review and comment on capital projects and

development of ordinances and policy. Crowley said it should specify policy development to comply with federal regulations. Shaver said the commission reviews and comments on ordinances drafted by the airport manager. The county board approves ordinances. There is nothing written prescribing how the airport manager interacts with the airport commission. Markano said airport commission meetings provide tenants an opportunity to review and have a say in issues and processes before implementation. Shaver said there seems to be agreement that this type of input process should continue. Currently any changes to the county code regarding airport operations are discussed and reviewed by the airport commission, submitted to the county executive for consideration and approved by the county board.

Bussler asked what does the commission do that is not advisory? Farley said nothing. The airport is a county function with a budget controlled by the county's administration in conformity with the county board. There has been confusion about apparent authority rather than real authority because of the way the current county code is written. The county board has control over the airport including finances, leases, rents, restrictive covenants, budget, etc. All legal issues follow the county's administrative policies. How the airport is functioning might be different from the actual authority. A reference to Section 114 of the Wisconsin statutes should be eliminated from the code because Waukesha County does not have this type of commission. The power was removed or never given. The workgroup needs to clarify the commission's role.

Falstad said he doesn't think the commission ever felt it had all of the authority. The commission has always known they report to someone else. The current commission works extremely well.

Crowley said the 1987 study reinforces what the airport commission has been doing. He doesn't think the commission has ultimate authority. The commission is a critical part of this region and allows for airport growth. Variety is needed at the airport to make budgetary recommendations. The county board may decide not to spend any money at the airport. Crowley said he does Markano's reviews and is proud of the good outcomes and discussions from the process. What will happen if the structure is changed? The only change he would recommend would be the process of communication to the county board or staff from the commission. How could we break the airport out of the county government system? He has gotten good feedback from users regarding the way the commission operates. How would the users feel if the governance changes? Would it affect leases, service delivery, safety, costs, etc.? Why fix something that is not broken?

Nowak said airport commissioners are not county employees. The commission is advisory. The county executive has purview over the airport manager's review, which was given to the airport commission. The airport commission has apparent authority. Changes to staff reporting will not create a larger bureaucracy but rather streamline processes.

Swan said he is in favor of tweaking the duties of the commission in the county code but does not want to go to a Section 114 commission. Shaver said the workgroup should define what the commission is for the county code and make it clear that neither the county board nor the county executive wants a Section 114 commission. Crowley said the county code needs to be changed to eliminate any references to Section 114 and bolster the airport commission duties. Shaver said he will adjust the report to clarify this and add the two responsibilities suggested by Markano.

Farley said the longer an apparent entity is in existence, the longer it will continue to operate. The role of the commission needs to be defined. The county code needs to be changed to remove verbiage referring to Section 114.

Falstad said the commissioners believe they were an integral part of the airport. Nowak said the function of the commissioners is not going to change. Falstad said the commission may have been working under a

different assumption and members will have concerns. They think their job is more important than it is. Crowley agreed with Falstad's observation. Falstad said the commissioners feel they have important input into the airport budget and decisions. Commissioners have worked hundreds of hours and feel they manage the airport. Falstad said if this change is in the best interest of county government and the airport then it should be done. Shaver said under the duties the workgroup has identified, the commission can continue to have input on the airport budget and decisions.

Shaver asked is there consensus that the workgroup is not advocating for a Section 114 commission? Crowley said we do not want a Section 114 airport commission. Section H of chapter 9 in the county code needs to be removed. The commissioners would agree the airport commission does not operate as a Section 114 commission.

Shaver asked does the group agree that Section 114 not be included in a commission which would be part of options 1 and 3? The group agreed.

Falstad said the workgroup needs to talk about the pros and cons of the two options at its next meeting. The workgroup could use the list of 15 conclusions reached by the 1995 Public Works Select Committee as a guide. Shaver said the pros and cons of the airport commission would be discussed at the next workgroup meeting.

MOTION: Crowley moved, Swan second, to adjourn the meeting at 12:09 p.m. Motion carried 7-0.

Next Meeting Date

Friday, March 12, 2010 at 10:30 a.m.