

AGENDA
CITY OF AUGUSTA
Airport Advisory Board
May 17, 2023, at 6:30 PM

On site: Airport Terminal Conference Room, 4800 W Beech Drive, Ste. 1, Augusta, KS

Virtual: [Click here to join.](#)

Meeting ID: 859 3603 8185

Passcode: f6tM9L

“Augusta – Where the metro’s edge meets the prairie’s serenity offering the perfect blend of opportunity and proximity for living, commerce, and culture. “

A. CALL TO ORDER

B. MINUTES

1. AIRPORT ADVISORY BOARD MEETING MINUTES

- a. Approval of the minutes from the March 15, 2023 Airport Advisory Board meeting.

C. BUSINESS

1. TEMPORARY PERMITTING OF MAINTENANCE, REPAIR, OVERHAUL (MRO) OPERATOR THAT DOES NOT HAVE ESTABLISHED COMMERCIAL PRESENCE ON THE FIELD

Discussion about a proposed process to allow mechanics that don’t have an established commercial presence on the field to apply for a temporary permit to perform specific maintenance on a specific aircraft on the field, for a specific timeframe.

- a. Staff Report
- b. Public Comment and Review
- c. **Board Discussion/Vote**

2. CERTIFICATION OF EMPLOYEE MECHANIC

Discussion about a proposed process to allow aircraft owners/operators to certify that their mechanic is a regular W2 employee, allowing the mechanic to work on their aircraft as is permitted by lease agreements and the FAA Airport Compliance Manual, vote to recommend adoption of Mechanic Employee Certification to City Council, pending FAA and legal review.

- a. Staff report
- b. **Board Discussion/Vote**

D. ADJOURN



Draft Airport Advisory Board Minutes

March 15, 2023

6:30 PM

Members Present: Tom Leffler; Willie Sinsel; Kevin Miller

Members Absent: Michael Snow; Alex Huckins

Staff Present: Ray Seif, Airport Manager

Visitors Present: Tim McLemore- Kansas Copters (Virtually)

Call to Order:

Tom Leffler called the Airport Advisory Board meeting to order at 6:31 pm.

Minutes:

Willie Sinsel made a motion to approve the minutes from the February 15, 2023 Airport Advisory Board meeting; Kevin Miller seconded the motion; Motion carried without opposition.

Public Participation:

Tom Leffler asked for public participation.

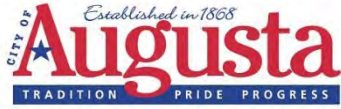
Business:

Temporary MRO Permit Application "Suitcase" Mechanic Discussion- Ray Seif continued the discussion from the previous meeting about establishing a permitting process that would allow Maintenance, Repair, Overhaul (MRO) professionals that don't have an established commercial presence on the airport, to be able to apply to conduct maintenance on a specific aircraft, for a specific timeframe. Willie Sinsel said he still thinks the rate structure is high, but that he agrees with moving forward with the tenant and legal review period. Tom Leffler asked Willie if he would motion to that affect, and Willie indicated that he would motion to start a 30-day tenant and stakeholder review and comment period after the City's legal has approved the temporary MRO application, after the review period the Airport Advisory Board will hold a final vote on recommendation to City Council; Kevin Miller seconded the motion. Motion carried without opposition.

Adjourn:

Kevin Miller made a motion to adjourn at 7:16 pm; Willie Sinsel seconded the motion. Motion carried without opposition.

/s/Ray Seif, Airport Manager



**CITY OF AUGUSTA
AIRPORT ADVISORY BOARD
AGENDA REPORT**

ITEM NO. 1

Meeting Date: May 17, 2023
Department: Community Development – Airport Division
Submitted By: Ray Seif, Airport Manager
Prepared By: Ray Seif, Airport Manager
Agenda Title: **MRO/Suitcase Mechanic Temporary Permitting Application**

RECOMMENDED ACTION:

Continuing discussion about establishing a permitting process allowing Maintenance/Repair/Overhaul (MRO), suitcase mechanics, or mechanics that don't have an established commercial presence on the airport, to be able to legally operate on the airport, provided they apply for a temporary permit, meet minimum requirements, and pay an established fee. After discussion, vote to recommend adoption of MRO Temporary Permitting Application to City Council.

BACKGROUND:

Augusta Municipal Airport (AMA) currently has two authorized on-field Maintenance, Repair, and Overhaul (MRO) organizations on the field- JD /Hodge Aviation and Kansas Copters. These entities have invested in establishing a presence at the airport. The City of Augusta has a lease contract with the MROs where the MROs are required to abide by contractual requirements intended to safeguard the City's interests and generate revenue. The contracts govern what the MROs can and can't do on the field, how they must conduct business in a safe and efficient manner, and also provide insurance coverage to the City, naming the City as an additional insured onto the MROs coverage.

Suitcase mechanics, or mechanics that have not gone through the vetting process; haven't established a presence at the airport; and haven't completed the same requirements as the on-field MROs, are prohibited from operating on the field by the airport's hangar and tiedown lease agreements, as well as the Airport Rules and Regulations policy, for numerous reasons, driven by Federal Aviation Administration (FAA) rules and regulations, FAA Order 5190-6B Airport Compliance Manual, and FAA Federal Grant Assurances.

While AMA has the authority and the mandate to compel airport users to comply with the airport's Rules and Regulations, Hangar and Tiedown Agreements, FAA Order 5190-6B Airport Compliance Manual, and Federal grant assurances, AMA also recognizes the rare occurrence when having a

permitting process established for allowing mechanics without a commercial presence on the field to perform maintenance on the field may be required, especially for times when the aircraft can't be flown out of the airport and the maintenance required exceeds the on-field MROs' ability. A permitting process allowing mechanics without a commercial presence on the field to operate on the field may be necessary from time to time, provided the mechanics operate under similar requirements to the on-field MROs, receive approval and pay the applicable fee **prior to** any work commencing.

As a general rule, it is within the AMA's interest to protect the interests of the on-field MROs because they generate revenue for AMA and have contractual obligations to AMA. Hangar owners can perform their own preventative maintenance as an owner; they can perform all of their maintenance using their own regular employees and equipment, or they can also fly their aircraft out to the location of their mechanic.

There are airports that allow suitcase mechanics, either by looking the other way or by simply not caring. These airports may not be Federally-Obligated. There are airports that don't allow suitcase mechanics, expecting mechanics to establish a commercial presence through land-lease, development, etc.

If AMA looks the other way and permits suitcase mechanics to work on aircraft on the field, we are violating Federal Grant Assurances (financial nondiscrimination and fee/rental structure) as well as FAA Order 5190-6B (Chapter 11- Self-Service); Such an arrangement could also imperil the airport from a liability standpoint (how could we ask anyone to provide insurance if we don't require everyone to provide insurance). It would also serve to alienate and discourage on-field investment, why would anyone invest in developing a business on the field when they can simply conduct business with impunity.

The Augusta airport manager created a proposed permit, based on initial input from the Airport Advisory Board. The draft permit was sent to the Federal Aviation Administration (FAA) for initial review and comment. The FAA Compliance Office made a couple of suggestions, which were incorporated into the form presented below.

The airport received legal review and minor adjustment (signature section) on March 21st, emailed tenants on our distribution list (March 21st) and mailed a hardcopy to all tenants (April 1st), in addition to posting the permit application on the airport's website and Facebook.

The airport also hosted several four meetings (3 onsite and 1 virtual) where tenants were able to attend and ask questions. Out of the four meetings, only 1 tenant dropped by (by accident) and ended up having a discussion.

Input from Geoff Vincent, hangar 26: Geoff asked a few questions and indicated that is fairly happy with the on-field MRO. He said that he was approached by an off-field mechanic who was handing out business cards, but he opted not to take them up on it.

Input from FB included a couple of negative comments about the pricing structure and the fact that there is a permit at all. These comments came from people with no interest in coming to the airport and blamed us for “killing aviation”. When I mentioned that this would be for 3rd party MROs not established on the field and that they could develop land on the airport and one of them asked “why would I want to do that”, which reinforced the argument for a permit process.

FISCAL IMPACT/FUNDING SOURCE:

None.

Airport Manager Approval Date:

Department Head Approval Date:

Attachments *(list in packet assembly order):*

1. *Draft Mechanic Permit Application and tenant mailer*



Augusta Municipal Airport
4800 W Beech Drive, Ste. 1
Augusta, KS 67010

March 29, 2023

Re: Draft Temporary Maintenance, Repair, Overhaul (MRO) Permit

Dear valued tenant,

This information was previously emailed, but since some tenants are not on our email distribution list, we wanted to make sure everyone was aware.

The Augusta Municipal Airport (AMA) is considering establishing a permitting process for mechanics that do not have an established, commercial presence on the field, commonly referred to as “suitcase” or “pickup truck” mechanics.

While AMA is fortunate to have two established maintenance shops (Kansas Copters & Wings and Hodge Aviation), we recognize that from time to time, an aircraft owner may require specialized maintenance services not offered on the field. If aircraft owners are unable to fly their aircraft to their preferred mechanic, and the maintenance service is not available on the field, owners currently do not have a good option for allowing a 3rd party, non-established mechanic to come onto the field to perform the needed emergency repairs or maintenance without violating their lease agreement and the airport’s rules and regulations policy, both of which follow the FAA’s Airport Compliance Manual.

Currently, aircraft owners/operators can:

1. Fly the aircraft to their preferred mechanic, **or**
2. Perform their own preventative maintenance as outlined in accordance with FAR Part 43, **or**
3. Perform any maintenance using their own equipment and regular employees, **or**
4. Take the aircraft to one of the approved, on-field maintenance shops.

None of the above rights will change.

The temporary permit process would allow a non-established mechanic to apply for temporary access to perform specific repairs on a specific aircraft, during a specific timeframe at AMA, provided they apply and are approved for the permit, pay the permit fee, and operate under the same conditions and requirements as the on-field maintenance shops (such as insurance, environmental, safety and security).

Why is AMA considering this permitting process? Without a permitting process, aircraft owners would violate lease agreements if they had mechanics working on their aircraft at AMA, regardless of the work.

The on-field MROs have invested in their operation at AMA, have generated revenue and activity at the airport, and have insurance, environmental, safety, and security requirements within their lease.

If AMA were to look the other way when aircraft owners brought suitcase mechanics onto the field, AMA would violate Federal Grant Assurances for economic nondiscrimination. Siphoning business away from those MROs that have invested in the airport would not be in the airport's interest and would make AMA less attractive for commercial development. Allowing someone to provide a service at the airport without requiring insurance opens the airport and City of Augusta up to liability, especially in today's litigious society.

At the end of the day, AMA is trying to provide additional options to aircraft owners while safeguarding the airport's interests.

The airport will host the following in person and virtual tenant information sessions to discuss the proposed permit process on:

- **April 4, 2023 at 5 pm** (Onsite at the airport)
- **April 6, 2023 at 5 pm** (Onsite at the airport)
- **April 11, 2023 at 5 pm** (Virtual, zoom link will be emailed and posted on the airport's Facebook and website)
- **April 15, 2023 at 10 am** (Onsite at the airport)

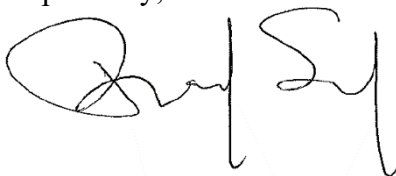
The Airport Advisory Board has reviewed the draft Permit Application. The proposed Permit Application has also undergone City of Augusta legal and Federal Aviation Administration Airport Compliance Office review. For transparency, Airport Management and the Airport Advisory Board are providing a 30-day (minimum) review and comment period for AMA tenants and stakeholders before a final decision on whether to recommend adoption to City Council.

- **May 17, 2023 at 6:30 pm** (Onsite and virtual) Airport Advisory Board meeting

Please let me know if you have questions, comments, or concerns.

Thank you for supporting the Augusta Municipal Airport.

Respectfully,

A handwritten signature in black ink, appearing to read 'Ray Seif', written in a cursive style.

Ray Seif
Airport Manager
Augusta Municipal Airport
316.733.1327
RSeif@AugustaGov.Org

MRO Temporary Permit Application

Mechanics who do not have an established, commercial presence on the airport are not allowed to provide maintenance or repair services of any kind to aircraft located at Augusta Municipal Airport.

If Aircraft Owners/Operators prefer to utilize non-established mechanics, the aircraft shall be taken to that mechanic's operating location. "Pickup truck" or "suitcase" mechanics and the like shall be prohibited from providing any services at Augusta Municipal Airport.

Notwithstanding the above, pursuant to FAA Order 5190.6B, Aircraft Owners/Operators, with their own equipment and employees, shall be allowed to perform maintenance on their own aircraft, provided it is not done in a manner that would be unsafe, unsightly, or detrimental to the efficient use of Airport facilities by others.

On rare occasion, an aircraft can't be safely flown to a non-established mechanic's location, and the current, established on-field Maintenance, Repair, Overhaul (MRO) operators are unable to perform the needed repairs or maintenance.

The following process was established to grant a temporary permit, allowing a non-established mechanic meeting minimum requirements to have temporary access to perform the needed emergency maintenance on a single specific aircraft, subject to approval, compliance with the below requirements, and payment of a temporary permit fee.

Applicant must meet the following requirements:

1. **Insurance-** During the term of this Permit, applicant must maintain at all times, liability insurance in the amount of One Million Dollars (\$1,000,000) per occurrence, Two Million Dollars (\$2,000,000) aggregate, with City of Augusta, Augusta Municipal Airport listed as an Additional Insured. Applicant's liability shall contain a provision that said coverage is primary in coverage and specify applicant's liability insurance shall be non-contributory for all losses related to negligence, property, or actions of the applicant. Applicant's coverage shall protect against any liability which may arise from accident, injury, on or about the airport premises, and/or growing out of the conduct of the applicant's operation. Such policy shall include personal injury coverage and broad form property damage coverage, products liability coverage, airport liability coverage including hangar-keeper's coverage, and necessary worker's compensation coverage. Applicant shall procure insurance coverage required by this permit through companies licensed to write insurance in Kansas. Applicant shall deliver Airport a certificate of such insurance with the permit application executed by the applicant.
2. **Indemnification-** Applicant agrees to indemnify and hold City of Augusta, Augusta Municipal Airport harmless from loss from each and every claim and demand of whatever nature, made on behalf of or by any person or persons, for any wrongful act or omission on the part of applicant, its agents, officers, and employees.

3. **Hazardous and Toxic Materials-** Applicant shall strictly comply with all federal and state statutes, regulations, and rules regarding storage, use, handling, disposal, and remediation of spills of hazardous and toxic materials as defined by existing federal and state laws and regulations. Hazardous waste (e.g., antifreeze, batteries, used oil and oil filters, etc.) disposal is the sole responsibility of applicant, with the understanding that such materials shall not be disposed of in airport trash facilities. Airport reserves the right to inspect all areas in use by applicant in which toxic materials are used to determine if applicant is in compliance with all appropriate and applicable laws and regulations concerning these materials. Applicant shall notify the airport immediately when a spill of hazardous or toxic material occurs and give full disclosure of the nature of the spilled material and what measures are being taken to contain and remediate the spill.
4. **Environment-** Applicant shall use airport premises without damage or injury to surrounding environment. Applicant shall not contaminate, injure, or destroy any vegetation or foliage at the airport. Applicant shall not allow, condone, or participate in any way in dumping or allowing the escape of any hazardous material of any description.
5. **Standards-** Applicant shall have all required certificates, licenses, or permits issued by the Federal Aviation Administration (FAA) to legally perform the requested work on the subject aircraft/rotorcraft.

Permit Application

1. Name of Applicant (non-established mechanic requesting temporary access to provide maintenance services to a single aircraft at the Augusta Municipal Airport).
 - a. Business name
 - b. Doing business as
 - c. Address
 - d. Phone
 - e. Email
 - f. Responsible party/owner/partner
 - g. Mechanics certificate or license (attach copy)

2. Name of all mechanics working for the Applicant, that will be under the supervision and control of the Applicant and will be covered under the Applicant’s insurance for the duration of the permit period.

3. Aircraft for which temporary permit is being requested (include registration number and owner)

4. Description of maintenance that will be performed on above-referenced aircraft.
 - a. Is this maintenance service available through either of the on-field maintenance shops? Yes No
 - i. If yes, why are the services of a non-established mechanic requested?
 - ii. If no, describe specifics if available.

5. Permit duration requested –
 - 1 Day (24 hours) – Specify date
 - 1 Week (7 days)- Specify dates

Permit Fee

Service **IS NOT** available through on-field maintenance shops:

1 Day Permit	\$100	7 Day Permit	\$250
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Service **IS** available through on-field maintenance shops, but owner prefers Applicant:

1 Day Permit	\$250	7 Day Permit	\$750
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Applicant Agrees to the Above Terms of this MRO Temporary Permit Application.

APPLICANT:

Signature of Applicant

AIRCRAFT OWNER has selected the above applicant to perform the repairs and requests AIRPORT grant this MRO Temporary Permit.

Signature of Aircraft Owner



**CITY OF AUGUSTA
AIRPORT ADVISORY BOARD
AGENDA REPORT**

ITEM NO. 2

Meeting Date: May 17, 2023
Department: Community Development – Airport Division
Submitted By: Ray Seif, Airport Manager
Prepared By: Ray Seif, Airport Manager
Agenda Title: **Certification of Employee Mechanic**

RECOMMENDED ACTION:

Review discussion about establishing a way for aircraft owners/operators hiring a mechanic to perform maintenance on their aircraft to be able to certify that the new employee is, in fact, a regular W2 employee (rather than independent 3rd party contractor), vote to recommend City Council adopt the Employee Mechanic Certification Form, pending legal and FAA review and approval.

BACKGROUND:

The Augusta Municipal Airport (AMA) is currently working on getting a Temporary Maintenance/Repair/Overhaul (Suitcase Mechanic) permit application approved if an aircraft owner chooses a 3rd party to perform maintenance on the owner’s aircraft at AMA. For owners that choose to hire an employee, FAA Order 5190-6B otherwise known as the Airport Compliance Manual, chapter 11 covers “Self Service” where an owner, using their own regular employees, tools, and equipment, is able to maintain their aircraft. For those owners, who hire a mechanic as a regular (W2) employee, the suggested certification form allows the owner/operator to specifically name that individual, establishing a paper trail so the airport can protect its interests and defend any complaints that AMA is allowing some off-field MROs to maintain aircraft and not others.

FISCAL IMPACT/FUNDING SOURCE:

None.

Airport Manager Approval Date:

Department Head Approval Date:

Attachments *(list in packet assembly order):*

1. *Draft Employee Mechanic Certification*

Employee Mechanic Certification

Mechanics who do not have an established, commercial presence at the airport are not allowed to provide maintenance or repair services of any kind to aircraft located at Augusta Municipal Airport.

Notwithstanding the above, pursuant to FAA Order 5190.6B, Aircraft Owners/Operators, with their own equipment and employees, shall be allowed to perform maintenance on their own aircraft, provided it is not done in a manner that would be unsafe, unsightly, or detrimental to the efficient use of Airport facilities by others.

Aircraft owners/operators wishing to use an employee mechanic **MUST** complete the following **“Employee Mechanic Certification”** form prior to the employee mechanic completing any maintenance at the Augusta Municipal Airport.

Certification

- I, _____ (name of aircraft owner/operator), hereinafter referred to as **“Owner/Operator”** certify that _____ (name of mechanic), hereinafter referred to as **“Mechanic”** with license number _____ (mechanic license number, attach copy) is my regular, W2 employee.
- **Owner/Operator** certifies that **Mechanic** has all required certificates, licenses, or permits issued by the Federal Aviation Administration (FAA) to legally perform the requested work on **Owner/Operator’s** aircraft.
- **Owner/Operator** certifies that **Mechanic** will not perform any maintenance work on any other aircraft as an employee of **Owner/ Operator**.
- **Owner/Operator** certifies that **Mechanic**, as a regular employee, is covered by **Owner/Operator’s** various insurance policies including, but not limited to Workers Compensation, General Liability, and Airport Premises Liability.
- **Owner/Operator** acknowledges that any false or misleading statements made on the **Employee Mechanic Certification** form immediately voids the **Mechanic’s** approval, violates the FAA Airport Compliance Manual, Hangar Lease Agreements, Facility Lease Agreements, and Airport Rules and Regulations, and may lead to eviction.

Signature of Owner/Operator

Date

Title of Owner/Operator

Approved by