

RESOLUTION NO. 8-1007

PETITIONING THE WISCONSIN SECRETARY OF TRANSPORTATION FOR AIRPORT IMPROVEMENT AID BY THE TRI-COUNTY AIRPORT COMMISSION - IOWA, RICHLAND AND SAUK COUNTIES, WISCONSIN

WHEREAS, the Tri-County Airport Commission, herein referred to as the Sponsor, being a municipal body corporate of the State of Wisconsin, is authorized by law (Wis. Stat. § 114.11) to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport; and

WHEREAS, the Sponsor desires to develop or improve the Tri-County Regional Airport, jointly owned by Iowa, Richland, and Sauk Counties, Wisconsin; and

WHEREAS, airport users have been consulted in formulation of the improvements included in this Resolution, and

WHEREAS, a public hearing was held prior to the adoption of this petition in accordance with Wis. Stat. § 114.33(2) as amended, and a transcript of the hearing is transmitted with this petition, and

WHEREAS, it is recognized that the improvements petitioned for as listed will be funded individually or collectively as funds are available, with specific project costs to be approved as work is authorized, the proportionate cost of the airport development projects described above which are to be paid by the Sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent balance after the project is completed is to be returned to the Sponsor by the Secretary; the Sponsor will make available additional monies that may be found necessary, upon request of the Secretary and approval of the Tri-County Airport Commission, to complete the project as described above; the Secretary shall have the right to suspend or discontinue the project at any time additional monies are found to be necessary by the Secretary, and the Sponsor does not provide the same; and

WHEREAS, the Sponsor is required by law (Wis. Stat. § 114.32(5)) to designate the Secretary as its agent to accept, receive, receipt for and disburse any funds granted by the United States under the Federal Airport and Airway Improvement Act, and is authorized by law to designate the Secretary as its agent for other purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Iowa County Board of Supervisors met in regular session, that the Tri-County Airport Commission's petition for Federal and (or) State Aid in the following form is hereby approved as follows:

The petitioner, desiring to sponsor an airport development project with Federal and (or) State Aid, in accordance with the applicable State and Federal laws, respectfully represents and states:

1. That the airport, which it is desired to develop, should generally conform to the requirements for a General Aviation type airport as defined by the Federal Aviation Administration.

2. The character, extent, and kind of improvements desired under the project are as follows: Install security fencing; install security lighting; reconstruct hangar taxiways; construction of new terminal building; and any necessary related work.

3. That the airport project, which your petitioner desires to sponsor, is necessary for the following reasons: To meet the existing and future needs of the airport; and,

BE IT FURTHER RESOLVED, that a petition for Federal and (or) State Aid is hereby approved, contingent upon like approval in resolution form by the County Boards of Richland and Sauk Counties; and

BE IT FURTHER RESOLVED, that the Secretary is hereby designated as its agent and is requested to agree to act as such in matters relating to the airport development project described above, and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed project whether by contract, agreement, force account or otherwise; and particularly, to accept, receive, receipt for and disburse federal monies or other monies, either public or private, for the acquisition, construction, improvement, maintenance and operation of the airport; and, to acquire property or interests in property by purchase, gift, lease, or eminent domain under Wis. Stat. ch. 32 of the Wisconsin Statutes; and, to supervise the work of any engineer, appraiser, negotiator, contractor or other person employed by the Secretary; and, to execute any assurances or other documents required or requested by any agency of the federal government and to comply with all federal and state laws, rules, and regulations relating to airport development projects; and

BE IT FURTHER RESOLVED, that the Sponsor requests that the Secretary provide, per Section 114.33(8)(a) of the Wisconsin Statutes, that the Sponsor may acquire certain parts of the required land or interests in land that the Secretary shall find necessary to complete the aforesaid project; and

BE IT FURTHER RESOLVED, that the Sponsor agrees to maintain and operate the airport in accordance with certain conditions established in Wis. Admin. Code ch. Trans 55 or in accordance with Sponsor assurances enumerated in a Federal Grant Agreement; and

BE IT FURTHER RESOLVED, that the Chairperson of the Tri-County Airport Commission be authorized to sign and execute the Agency Agreement and Federal Block Grant Owner Assurances authorized by this resolution.

For consideration by the Iowa County Board of Supervisors on October 16, 2007.

Fiscal Note: The Tri-County Airport has been approved for inclusion in the National Plan of Integrated Airport Systems (NPIAS). Inclusion in the NPIAS is in part the result of development of a long-range airport improvement plan. Inclusion in the NPIAS also makes the Tri-County Airport eligible for funding from the Federal Airport Entitlement Program. This funding is expected to be \$150,000 per year for four years beginning in 2005. The Airport is required to contribute two and one-half percent (2&1/2 %) per year, or \$3,750, to secure these funds.

AGENCY AGREEMENT AND FEDERAL BLOCK GRANT OWNER ASSURANCES

DEPARTMENT OF TRANSPORTATION
BUREAU OF AERONAUTICS
Madison, Wisconsin

WHEREAS, the Tri-County Airport Commission hereinafter referred to as the Sponsor, desires to sponsor an airport development project to be constructed with federal aid and/or state aid, specifically, the Tri-County Airport project to:

Install security fencing; install security lighting; reconstruct hangar taxiways; construction of new terminal building; and any necessary related work.

WHEREAS, the Sponsor adopted a resolution on _____, a copy of which is attached and the prescribed terms and conditions of which are fully incorporated into this agreement, designating the Secretary as its agent and requesting the Secretary to act as such as set forth in the resolution; and

AGENCY AGREEMENT-----

WHEREAS, upon such request, the Secretary is authorized by law to act as agent for the Sponsor until financial closing of this project; and

NOW THEREFORE, the Sponsor and the Secretary do mutually agree that the Secretary shall act as the Sponsor's agent in the matter of the airport development as provided by law and as set forth in the referenced resolution; provided, however, that the Secretary is not required to provide legal services to the Sponsor;

SECRETARY OF TRANSPORTATION

By: David M. Greene, Director
Bureau of Aeronautics

FEDERAL BLOCK GRANT OWNER ASSURANCES-----

WHEREAS, the Sponsor does agree to the conditions established in Wis. Admin Code ch. Trans 55 and, for projects receiving federal aid, to the attached Federal Sponsor Assurances which are a condition of a Federal Grant of funds.

The Federal Block Grant Owner Assurances shall remain in full force and effect throughout the useful life of the facilities developed under this project, but in any event not to exceed twenty (20) years from the date of the Finding;

Acceptance: The Sponsor does hereby accept the Agency Agreement and the Federal Block Grant Owner's Assurances.

Sponsor: The Tri-County Airport Commission

Name

Name

Title

Title

Date

Date