



Board of Directors

MTAA Board Work Session 2:00 PM
MTAA Board Meeting 3:00 PM

Tuesday, February 20, 2024
MTAA Administrative Office – Board Room
6510 SE Forbes Ave., Building #620

Addressing the MTAA Board: No person shall address the Board during a Board Meeting, unless they have notified the MTAA Administration Office by 2:00 P.M. on the day of any Board Meeting of their desire to speak on a specific matter on the published meeting agenda or during the public comment portion of the Board Meeting. This limitation shall not apply to items added during the course of a meeting. The Board does not take action with respect to any subject not on the agenda unless added to the agenda by a vote of the Board. Persons addressing the Board will be limited to four (4) minutes of public address on a particular agenda item. Debate, question/answer dialogue or discussion between Board members will not be counted towards the four (4) minute time limitation. The Chair may extend time with the unanimous consent of the Board or the Board by affirmative vote may extend the four (4) minute limitation. Persons will be limited to addressing the Board one (1) time on a particular matter unless otherwise allowed by an affirmative vote of the Board. Citizens wishing to offer Public Comment may sign up by phoning the MTAA Administration office at 862-2362. The Board may waive prior notice by majority vote. To make arrangements for special accommodations please call (785) 862-2362. A 48-hour advance notice is preferred. Agendas are available on Thursday afternoon prior to the regularly scheduled Board meetings at the MTAA Administration Office, Topeka Regional Airport and Business Center, 6510 SE Forbes Ave., Ste. 1, Topeka, KS 66619.

1. Inquire if Notification was given to all Requesting Notification of MTAA Board Meetings.
2. Approve Minutes of the Regularly Scheduled Board Meeting of January 16, 2024.
3. Public Comment.
4. Adopt Agenda.

ACTION ITEMS:

5. Consider Adoption of Policies Reviewed During January 16, 2024 Work Session:
 - a. Reformatted MTAA Rules and Regulations;
 - b. Policy on Reimbursement of Major Repair or Remodel Projects;
 - c. Standards of Maintenance and Upkeep.
6. Review and Consider Quotes for Purchase of Sewer/Drainage System Camera.

DISCUSSION ITEMS:

7. Philip Billard Terminal Building #4.

INFORMATIONAL REPORTS:

8. Monthly Reports:
 - a. Aviation-Related Issues & Air Service – Eric Johnson
 - b. Maintenance Report – Eric Johnson
 - c. TOP Fuel Service Fuel Sales Report – Eric Jonson
 - d. Economic Development & Leasing Activity – Curtis Sneden
 - e. Directors' Comments
9. Executive Session.



METROPOLITAN TOPEKA AIRPORT AUTHORITY

TOPEKA REGIONAL | BILLARD AIRPORT
AIRPORT & BUSINESS CENTER

Board of Directors

Metropolitan Topeka Airport Authority January 16, 2024

Work Session 2:00 PM

Mr. Sneden presented the Board of Directors with documents for review and discussion on:

- a. Rules and Regulations for the Metropolitan Topeka Airport Authority;
- b. Policy on Reimbursement of Major Repair or Remodel Projects; and
- c. Standards of Maintenance and Upkeep

After discussions were held on the presented documents, it was requested that the consideration of approval of these policies be included in the February Board Meeting Agenda.

Mr. Resner presented proposed amendments to the MTAA Bylaws for review and discussion. The document was reviewed through Section 2.09 and the review will continue during the February Work Session beginning at Article III.

Regular Monthly Meeting 3:00 PM

Chairman Brian Armstrong brought the regular monthly meeting of the MTAA Board of Directors to order at 3:00 PM with the following Board members present: Lisa Stubbs, Joe Ledbetter and Sam Sutton. Mike Munson arrived at approximately 4:00 p.m. Also in attendance were:

- Sam Stallbaumer, WSP USA, Inc.
- Jennifer Kuchinski, WSP USA, Inc.
- Patrick Traul, Vaerus Aviation, Inc.
- Mark Emery, Vaerus Aviation, Inc.
- Tricia Dehn, Vaerus Aviation, Inc.
- Corey Dehn, SDG/Vaerus Aviation, Inc.
- Jared Hitchens, Greater Topeka Partnership
- Molly Howey, GO Topeka
- Jason Alatidd, Topeka Capital-Journal
- Alex Carter, WIBW
- Jovarie Downing, WIBW-TV
- Jared Long, KSNT News
- Mayor Michael Padilla, City of Topeka (Via ZOOM)
- Councilman Marcus Miller (Via ZOOM)
- Amy Oesterrich, Heinen Bros Ag (Via ZOOM)
- John Lueger, Heinen Bros Ag (Via ZOOM)
- Scott Gilchrist, Million Air Topeka (Via ZOOM)
- Don Loyd – MTAA (TOP Fuel Service)
- Maj. Chris Ortega – MTAA (Police & Fire Department)
- Capt. Chad Schmale – MTAA (Police & Fire Department)
- Terry Poley – MTAA (Maintenance Department)
- Eric Johnson – MTAA President
- Curtis Sneden – MTAA Director of Development
- Cheryl Trobough – MTAA Director of Administration & Finance
- Matt Narsh – MTAA (Administrative Office)
- Deana Prescott – MTAA (Administrative Office)
- Timothy Resner of Frieden & Forbes, LP – Legal Counsel to the Board

Item 1. Notice.

Chairman Armstrong inquired if everyone who requested notification had been notified of this meeting. **Ms. Trobough replied that notifications were sent.**

Item 2. Approve Minutes of the MTAA's Regularly Scheduled Board Meeting of December 19, 2023.

Chairman Armstrong asked the Board to review the minutes of the Regularly Scheduled Board Meeting of December 19, 2023. He inquired if there were any additions, corrections or comments to the Minutes.

Ms. Stubbs made the motion to approve the minutes of the Regularly Scheduled Board Meeting of December 19, 2023 as presented. Mr. Ledbetter seconded the motion. Motion carried.

Item 3. Public Comment.

Chairman Armstrong inquired if there was anyone registered to speak during Public Comment. Mr. Johnson replied that there was not.

Item 4. Adopt the Agenda.

Chairman Armstrong stated there was a need to amend the Agenda to include Item 5. Executive Session and Item 6. Consideration of Proposed MTAA Contract No. 2706.01 and stated that these additions will amend the published items to Item 7 through Item 11. **Mr. Sutton made the motion as stated by Chairman Armstrong. Ms. Stubbs seconded the motion. Motion carried.**

Item 5. Executive Session.

Chairman Armstrong stated there was a need for an Executive Session.

Ms. Stubbs made a motion that the meeting be recessed for the purpose of an Executive Session, pursuant to the Kansas Open Meeting Laws. The justification for this Executive Session is the need to preserve attorney-client confidentiality in the discussion of pending contract negotiations. Ms. Stubbs stated that the Executive Session will be for a period not to exceed twenty (20) minutes beginning at 3:07 p.m. and this meeting shall reconvene at 3:27 p.m. The Executive Session is to also include Eric Johnson and Curtis Sneden. Mr. Sutton seconded the motion. Motion carried.

Chairman Armstrong reconvened the Open Session meeting at 3:27 p.m.

Item 6. Consideration of Proposed MTAA Contract No. 2706.01.

Chairman Armstrong asked for a motion to approve MTAA Contract No. 2706.01 and Addendum. **Mr. Ledbetter made the motion to approve MTAA Contract No. 2706.01 and Addendum. Ms. Stubbs seconded the motion. Motion carried.**

Chairman Armstrong and Patrick Traul of Vaerus Aviation, Inc. affixed their signatures on the contract and addendum.

Item 7. Consider Approval of WSP USA, Inc. Agreement No. 30900280 - Task Order No. 16 – SE Forbes Avenue Street Project.

Mr. Johnson reported that with the Board's approval of the bid for the MTAA Street Overlay project for SE Forbes Avenue and areas of the Terminal Building parking lot, the next phase of the process is the construction administration agreement with WSP, USA, Inc.

Agreement No. 30900280 – Task Order No. 16 was provided by WSP which includes the scope of work and the construction administration services fee. The document identifies a construction administration service cost of \$96,940.00 for which Mr. Johnson requested Board approval.

Ms. Stubbs made a motion to approve WSP USA, Inc. Agreement No. 30900280 - Task Order No. 16 – SE Forbes Avenue Street Project in the amount of Ninety-Six Thousand Nine Hundred Forty Dollars and Zero Cents (\$96,940.00) as presented. Mr. Ledbetter seconded the motion. Motion carried.

Item 8. Review and Consider Quote for Purchase of Airfield Paint Equipment.

Mr. Johnson reported that Federal Aviation Regulations specifically identifies the process for applying paint markings on the airfield. The line striping machines currently owned have exceeded their useful service life. Due to multiple mechanical issues, repair costs are excessive and the machines do not provide adequate performance following the last repairs.

A quote was received from Crafcro Inc., a Sourcewell vendor, for a LineLazer V 250DC HP Reflective Series under Sourcewell Contract #080521-CFC. In addition to the base unit, additional spray-gun kits to increase the spray pattern were included. Staff is still searching for other Sourcewell vendors able to provide this equipment, but currently, Crafcro Inc.'s quote for two LineLazer V with the optional equipment at a cost of \$111,398.00 is the best available option.

Mr. Johnson requested Board approval for the purchase of Two (2) LineLazer V 250DC HP Reflective Series Stripper units with the additional Spray Guns and Wheel kits at a maximum cost of \$111,398.00.

Mr. Sutton made a motion to approve the purchase of Two (2) LineLazer V 250DC HP Reflective Series Stripper units with the additional Spray Guns and Wheel kits at a cost not to exceed One Hundred Eleven Thousand Three Hundred Ninety-Eight Dollars and No Cents (\$111,398.00). Mr. Ledbetter seconded the motion. Motion carried.

Discussion Items:

Item 9. Sale of Surplus Real Property.

Mr. Resner led the discussion with a presentation on Selling MTAA Property. The presentation included the different requirements depending on the method used when the property in question was acquired.

Item 9. TOP Fuel Service Fuel Sales Report.

The TOP Fuel Sales by Product Summary Report for the month of December 2023, along with the 2023 total annual sales were presented to the Board for their information and review.

Information Only Items:

Item 10. Monthly Reports

10.a. Aviation-Related Issues & Air Service – Mr. Johnson

Mr. Johnson provided the following report:

- AIR SERVICE – No change with the status regarding air service.
- AJUA Update – Meetings will continue with the NGB and staff of the 190th in early February to discuss the new AJUA. This phase of the process involves tracking aircraft operations and identifying military vs. civilian flights. Values are placed on the time spent maintaining the airfield to determine the military's share of the cost.
- T-Hangar Maintenance – Maintenance staff continues work on the T-hangars. They have installed a few of the rubber seals but winter weather has them focused on other areas. Work will continue as weather allows. Work continues on the electrical upgrades in the T-Hangars. This is slow going with Terry Poley being the only person qualified to perform the work but it is being completed. Lighting upgrades have been completed in 16 hangars.
- The City of Topeka is working on the replacement of the sewer pump station at Billard Airport. A set of plans for the work has been reviewed which includes the construction of the new station along with the demolition of the existing pump station. This new system will provide better service to the area. Angela Sharp, Bartlett & West, advised that the City Planning Commission hearing is scheduled for Monday, February 19th and the City Council action meeting would typically be scheduled for mid-March.
- TOP Fuel Service AvGas truck went down over the weekend. Cold temperatures were identified as the cause. The batteries were down and the fuel had gelled.
- The work for relocating the overhead electrical service near Hangars 9 and 10 at Billard is delayed due to weather. As soon as the crew can trench for the electrical cable, work will commence.
- Maintenance staff will be working in Hangar 17 beginning next week on the installation of the insulation purchased by the tenant in the building.

- Project Updates:

- TOP TERMINAL - CONSTRUCTION**

- Wrapping up punch list
 - Fixing HVAC in FBO due to noise
 - Turned utilities over to MTAA on 12-22-23
 - One outstanding MEP item for City to issue CO
 - FBO has moved in – finalizing punch list

- FOE SRE BUILDING - CONSTRUCTION**

- Reviewing submittals
 - Subgrade placed
 - Digging foundations/mechanical/trench drains to prepare for concrete pours
 - Trying to get concrete done before weather gets bad
 - Prepared with blankets and heaters if required
 - 240 calendar day contract
 - Complete 5-3-2024
 - Poured some of foundations before weather turned – working on submittals
 - Preparing for cold weather concrete pours (heaters, blankets, etc.)

- FUEL FARM - CONSTRUCTION**

- All removal of the first existing tank area is completed
 - All concrete is placed
 - Site clean-up and civil work on-going
 - Fabricating tanks and materials on-site
 - Tank delivered early January
 - Tanks and crane arrived on site 1-15-2024
 - Tanks in place on 1-16-2024

- FOE PBB - CONSTRUCTION**

- Planned installation of bridge mid-January
 - Awaiting FAA approval of Buy-American after contractor's internal audit

- TWY A-D - DESIGN**

- Finalizing design and FAA comments
 - Construction to begin spring/summer 2024
 - Advertised 1-16-2024

- MISC**

- Preparation of ACIP data sheets for submission by Friday, January 19
 - Entering this week and discussing AIP-BIL-AIG etc. funds with FAA Kansas Planner
 - Sets up funding for next 5 years of projects
 - Projects identified based on airport need and shown in the master plan
 - Projects are ranked across the region
 - Airfield pavement has high priority with highest priority starting at runway centerline proceeding outward

10.b. Maintenance Report – Mr. Johnson

The Maintenance Report for work completed by the MTAA Maintenance Department on the grounds, airfield, vehicles and buildings from December 15, 2023 to January 10, 2024 was presented to the Board for their information and review.

10.c. TOP Fuel Service Sales Report Maintenance Report – Mr. Johnson

The TOP Fuel Sales by Product Summary Report for the month of December 2023, along with the 2023 total annual sales were presented to the Board for their information and review.

10.d. Economic Development & Leasing Activity – Mr. Sneden

Mr. Sneden provided the following report:

- Discussion on the MTAA request for state appropriations in the amount of \$3.35 million to support the MRO hanger complex. The Governor's budget did not include funding for the NIAR project so both Salina and Topeka are working to have a budget amendment introduced. Topeka remains on schedule to develop its MRO hanger complex in time to meet NIAR's schedule.

- Prospects have contacted regarding availability of large hangars at Topeka Regional Airport. One firm is planning to visit Topeka this Spring. There appears to be quite a demand for this type of hangar space.
- Noted the earlier discussions on the policies which are being created to encourage development at MTAA properties, to include:
 - Standards of maintenance and upkeep;
 - Policy on reimbursement of major repairs, and remodels;
 - Reformatted rules and regulations;
 - Minimum standards for aeronautical activities;
 - Leasing policy, and, potentially; and
 - Design and construction standards.
- Working to develop a business plan for the Topeka Regional Business Center. This will entail an inventory of current properties, research of demand, a solid capital improvement plan and a crisp narrative to convey to developers how they could fit in at TRA and TRBC.
- Discussed leasing activity at building 167, farm leases around Billard, ongoing lease renewals and the website upgrade.

10.c. Directors' Comments

Mr. Ledbetter expressed his appreciation for all the work it took behind the scenes to accomplish the contract approved with Vaerus Aviation Inc. He stated that he would like to see more private development investment.

Mr. Armstrong relayed the following information: He had been made aware of a bill in the Kansas legislature to increase KDOT funding for airports to \$15M; Mayor Padilla has requested the MTAA make a presentation to City Council early in March (possibly March 5); Made a request that staff pursue building upgrades to the MTAA Administrative Office. (Mr. Johnson responded that based on the estimates received, staff is taking a new approach and working on ideas to begin with updating the Board Room.); and he recently had the opportunity to visit the Jet-A-Way Café in the Topeka Regional Airport terminal building and encouraged everyone to do the same.

Mr. Munson encouraged everyone to visit the recently opened Billard Terminal building. He also asked for a refresher on the bonding authority the MTAA was approved for last year.

Item 11. Executive Session

Chairman Armstrong inquired if there was a need for an Executive Session. Mr. Resner and Mr. Johnson responded that there was not.

Adjournment

Chairman Armstrong inquired if there was any further business to discuss, hearing none, he asked for a motion to adjourn. **Ms. Stubbs made a motion to adjourn. Mr. Sutton seconded the motion and the meeting was adjourned at 4:37 p.m..**

These official minutes were approved by the Board of Directors on February 20, 2024.

Lisa D. Stubbs, Secretary

Office of: President

To: Board of Directors

From: Eric M. Johnson

Subject: **Reformatted Rules and Regulations
(Board Action Required)**



Date: February 14, 2024

The current rules and regulations governing Topeka Regional Airport, Topeka Regional Business Center and Philip Billard Airport have been combined within one 32-page document. The rules are attached to and incorporated into every lease notwithstanding that only one-third of them pertains to any given lease.

Staff and counsel have separated the rules into three separate documents to increase ease of reference and streamline the final lease packages. The substance of the rules has not been changed.

This matter was discussed by the Board at its Work Session on January 16, 2024.

The Board is asked to formally adopt these reformatted rules and direct that they be utilized effective after the date of adoption.



Topeka Regional Airport

Rules & Regulations

Metropolitan Topeka Airport Authority
6510 SE Forbes Ave, Suite 1
Topeka, KS 66619
785-862-2362

Adopted by the MTAA Board of Directors _____, 2024

Agenda Item 5.a.
Attachment 1

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RULES AND REGULATIONS FOR THE METROPOLITAN TOPEKA AIRPORT AUTHORITY

The following Rules and Regulations, as approved by the Board of Directors, are adopted by the Metropolitan Topeka Airport Authority pursuant to K.S.A. 27-327 et. seq. These Rules and Regulations may be altered, amended, or repealed and additional Rules and Regulations may be adopted by the MTAA. Any alterations or modifications to these Rules and Regulations will be available at the MTAA Administration Office.

SECTION I

COMMON DEFINITIONS

The following definitions are applicable to these Rules and Regulations as adopted by the Metropolitan Topeka Airport Authority. These definitions shall apply to these terms whenever used in this document, unless expressly defined differently therein.

Aeronautical Activity or Activities

Any activity or service that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of aircraft, or an aeronautical activity. The following activities, without limitation, which are commonly conducted on airports, are considered within this definition: aircraft charter, pilot training, aircraft rental, sightseeing, aerial photography, aerial spraying and agricultural aviation services, aerial advertising, aerial surveying, air carrier operations (passenger and cargo), aircraft sales and service, sale of aviation fuel and oil, aircraft maintenance, sale of aircraft parts, and any other activities which, in the sole judgment of MTAA, because of their direct relationship to the operation of aircraft on the Airport, can be appropriately regarded as an aeronautical activity.

Aircraft

Means aeronautical devices including, but not limited to, powered aircraft, gliders, helicopters, parachutes, hang gliders, and balloons.

Air Operations Area (AOA)

A portion of the Airport designated and used for landing, taking off, or surface maneuvering of Aircraft. There are two areas of the AOA, the movement area and the non-movement area.

Airport

Topeka Regional Airport, owned and operated by the Metropolitan Topeka Airport Authority, in the County of Shawnee, State of Kansas, used in part for the loading, unloading, servicing, landing and taking off of aircraft.

Airport Layout Plan (ALP)

The current FAA-approved drawings depicting the physical layout of the Airport and identifying the location and configuration of current and proposed runways, taxiways, buildings, roadways, utilities, Nav aids, apron, airport operations areas, etc.

Airport President

The President of the MTAA, appointed by the MTAA Board of Directors, who has the overall administrative authority to direct the operations of the MTAA

Air Terminal

Term for the terminal building at Topeka Regional Airport.

ATCT

Air Traffic Control Tower.

ARFF

Aircraft Rescue and Fire Fighting.

Apron

Paved areas of the Airport within the AOA, designated for the loading or unloading of passengers or cargo, servicing, or parking of aircraft, etc.

Based Aircraft

Any aircraft utilizing the Airport as a base of operation (other than occasional transient purposes) with an assigned tie down or hangar space on the Airport, or on adjoining property which has direct taxiway access to the Airport.

Board

The Metropolitan Topeka Airport Authority Board of Directors consists of five members. Three members shall be registered voters and Topeka residents who are appointed by the Mayor of Topeka with the approval of the City Council. Two members shall be Shawnee County residents residing outside the Topeka city limits and appointed by the Shawnee County Board of Commissioners.

Building

The main portion of each structure, all projections or extensions therefrom and any additions or changes thereto, and shall include hangars, garages, outside platforms and docks, carports, canopies, eaves and porches. Paving, ground cover, fences, signs and landscaping shall not be included in this definition.

CFR

Code of Federal Regulations.

Commercial

That which involves or makes possible earnings, income, compensation (including exchange of service), and/or profit, whether or not such objectives are accomplished.

Courtesy Vehicle

Any vehicle used in commercial activity, other than a taxicab, to transport persons, baggage, goods, or any combination thereof, between the Airport and off-Airport businesses such as hotels, motels, or other attractions and the business establishment owning or operating such vehicle, the operation of which is generally performed as a service without direct costs to the passenger.

Equipment

All machinery, supplies, tools, trade fixtures and apparatus necessary for the proper conduct of the activity being performed.

Environmental Laws

Any and all laws, rules, regulations, regulatory agency guidance and policies, ordinances, applicable court decisions, and airport guidance documents, directives, policies (whether enacted by any local, state or federal governmental authority, or by the MTAA) now in effect or hereafter enacted that deal with the regulation or protection of the environment (including the ambient air, ground water, surface water and land, including subsurface land and soil), or with the generation, handling, storage, disposal or use of chemicals or substances that could be detrimental to human health, the workplace, the public welfare, or the environment.

FAA

Federal Aviation Administration

FCT

Federal Contract Tower

Fixed Base Operator (FBO)

Means an operator that maintains a facility at the Airport for the purpose of engaging in the retail sale of aviation fuels (AVGAS and Jet Fuel), Aircraft airframe and engine repair, etc. A written agreement (lease) with the MTAA is required for all FBO's.

Fuel Handling

The transporting, delivering, storage, fueling, or draining of fuel or fuel waste products.

Hazardous Materials

Means any hazardous or toxic substance, material or waste, which is or becomes regulated by any local government authority, the State of Kansas or the United States Government. The term "Hazardous Material" includes, without limitation, any material or substance that is: (1) defined as a hazardous substance" under appropriate state law provisions; (2) petroleum; (3) asbestos (4) designated as "hazardous substance" pursuant to Section 311 of the Federal Water Pollution Control Act (33 USC Section 1321); (5) defined as "hazardous waste" pursuant to Section 1004 of the Federal Resource Conservation and Recovery Act (42 USC Section 9601); or (7) defined as a "regulated substance" pursuant to Subchapter IX, Solid Waste Disposal Act (Regulation of Underground Storage Tanks) (42 USC Section 6991).

Hold-short Line (Runway Marking)

Means any line defined on a pavement in proximity to a runway beyond which no person, aircraft or vehicle shall proceed without permission/clearance of an Air Traffic Controller on duty. Such line shall be defined by painted marks in conformity with federal aviation standards for airport markings.

Improvements

All buildings, structures and facilities, including, but not limited to, pavement, fencing, signs and landscaping constructed, installed or placed on, under or above any leased area by or with the concurrence of a lessee. Plans and specifications for all improvements must be approved by the MTAA before said improvements are initiated.

Law Enforcement Officer

Means an individual who meets the State of Kansas and or Federal Government requirements to be a certified Law Enforcement Officer.

Landing

All flights landed at the Airport for revenue and non-revenue purposes, including, but not limited to, commercial, training, private, ferry, military, and charter flights, except that there shall be excluded flights which return to the Airport after take-off due to an emergency.

Large Aircraft

An aircraft in excess of 12,500 pounds Maximum Certificated Takeoff Weight (MTOW).

Lease

A contractual agreement between the MTAA and a person, business, entity, etc., granting the use of a defined ground area on the Airport for a term of years, and establishing conditions for its use.

Master Plan

An assembly of appropriate documents and drawings covering the development of the Airport from a physical, economic, social, and political jurisdictional perspective and adopted by the MTAA Board of Directors, a copy of which is on file and available for inspection in the Airport office, and any amendments, modifications, revisions, or substitutions thereof. The ALP is a part of the Master Plan.

Motor Vehicle or Vehicle

Means any self-propelled vehicle which is required to be registered and licensed with the State of Kansas and operated by a State of Kansas licensed driver, except an aircraft, designed to transport persons, property or equipment.

Motorized Conveyance

Means any motor-propelled equipped mode of transportation other than a motor vehicle.

Movement Area

Runways, runway safety areas, taxiways, taxiway safety area, and other areas of the Airport that aircraft use for taxiing/hover taxiing, air taxiing, takeoff and landing, exclusive of loading ramps and parking areas as shown on the ALP. Movement in the Movement Area is under the control and direction of the Air Traffic Controller.

MTAA

The Metropolitan Topeka Airport Authority, a political subdivision of the State of Kansas created and authorized pursuant to K.S.A. 27-327, et. Seq.

MTAA Police and Fire Department

Refers to the Metropolitan Topeka Airport Authority Police and Fire Department. All Police Officers employed in the Department are commissioned law enforcement officers vested with the authority, right, obligation, and duty incumbent upon a law enforcement officer as prescribed by the laws of the State of Kansas. All Fire Department employees meet and maintain the requirements to be a Part 139 aircraft rescue firefighter.

National Fire Protection Association (NFPA)

All codes, standards, rules, and regulations contained in the Standards of the National Fire Protection Association, as may be amended from time to time, and are incorporated herein by reference.

Non-Commercial

Not for the purpose of securing earnings, income, compensation (including exchange of service), and/or profit.

Non-Movement Area

Means ramps and parking aprons and other portions of the A.O.A. in which control or direction from an Air Traffic Controller is not required.

Operator

Means any person based on the Airport and providing one or more commercial aeronautical services at the Airport.

Perimeter Fence

The line defined by buildings and perimeter fencing enclosing the A.O.A. as required under the Airport Security Program and applicable Federal regulations.

Person

Any individual, firm, sole proprietorship, corporation, company, limited liability entity, association, joint stock association, partnership, co-partnership, trust, estate, political body or other form of entity, and includes any trustees, receiver, assignee, or similar representative thereof.

Police

Refers to the Metropolitan Topeka Airport Authority Police Department that have law enforcement jurisdiction over the Topeka Regional Airport.

Ramp

Paved areas of the Airport within the AOA designated for the loading or unloading of passengers or cargo, servicing, or parking of aircraft, etc.

Refueling Vehicle

Any vehicle used for fuel handling, including without limitation fuel servicing hydrant vehicle and hydrant carts.

Regulatory Measures

Federal, state, county, local, codes, statutes, ordinances, orders, policies, rules, and regulations, including, without limitation, those of the United States Department of Transportation (USDOT), United States Department of Homeland Security, FAA, TSA, NFPA, the Airport Certification Manual, Airport Security Plan, and these Rules; all as may be in existence, hereafter enacted, and amended from time to time.

Release

Any releasing, disposing, discharging, injecting, spilling, leaking, leaching, pumping, dumping, emitting, escaping, emptying, seeping, dispersal, migration, transporting, placing, and actions of similar nature, including without limitation, the moving of any material through, into or upon any land, soil, surface water, ground water, or air, or otherwise entering into the environment.

Restricted Area

Areas of the Airport posted to prohibit or limit entry or access by the general public. All areas other than public areas.

Runway

A surface officially designated primarily for the acceleration of aircraft for takeoff and deceleration upon landing, as shown in the ALP.

Safety Area

Refers to any graded area adjacent to a runway or taxiway or beyond the end of a runway as defined in the Airport Certification Manual.

Sublease

A lease granted by an Airport lessee to another entity of all, or part, of the property leased from the Authority, where on a sole or joint lease basis.

Taxiway

A defined path, usually paved, over which aircraft can taxi from one part of an airport to another (excluding the runway) as shown on the ALP.

Terminal Area

The passenger terminal proper, aircraft ramps, baggage-handling facilities, vehicular parking spaces, including rental car areas, roadways, water, sanitary sewer, storm sewer, gas, electrical, and other areas and facilities. The primary function of which is to serve the terminal and aircraft operators.

Tie-Down

The area, paved, suitable for parking and mooring of aircraft wherein suitable tie-down points have been located.

Tenant

Any individual, firm, corporation, company or other similar entity having proprietary control over any area of the Airport by virtue of, and subject to, a lease, contract or other formal arrangement with the MTAA.

Tower

The Air Traffic Control Tower at Topeka Regional Airport, which are operated during times established by the FAA.

Traffic

Pedestrians, vehicles, aircrafts and all other conveyances while moving upon the ground on Airport property.

Transient Aircraft

Any aircraft utilizing the Airport for transient purposes and which is not based at the Airport.

TSA

Transportation Security Administration

Vehicle Service Road or Perimeter Roadway

A designated roadway for vehicles in a non-movement area as shown in the ALP

SECTION II

COMPLIANCE PROGRAM FOR THE MTAA **RULES AND REGULATIONS**

Any permission granted directly or indirectly, expressly or by implication, to an entity or individual to enter upon or use the Airport is conditioned upon assumption of responsibility to fully and completely comply with these Rules and Regulations as well as other applicable regulatory measures that may be promulgated by any governing body or agency having jurisdiction at the Airport. These Rules and Regulations are subject to enforcement by the MTAA. The MTAA maintains a Police and Fire Department that provides police and fire protection to the general public under the MTAA jurisdiction. Neither the existence of these Rules and Regulations nor the enforcement of these Rules and Regulations establish any special relationship between the MTAA and any member of the general public. The MTAA Police and Fire Department does not assume any special obligation to provide police and fire protection to MTAA tenants or to the leased premises. The privilege of using MTAA property and its facilities shall be conditioned on the assumption of full responsibility of risk by the user thereof.

Authority

Pursuant to the Bylaws and subject to the overall supervision of the Board of Directors, the Airport President may remove or evict from the Airport any person who violates any rule prescribed herein, or any applicable statute, rule or regulation of the Federal Government or the State of Kansas, and may deny use of the Airport and its facilities to any such person if it is determined by the Airport President that such denial is in the public interest. The Airport President is granted the authority to designate other MTAA employees the authority to enforce these rules.

Variance or Waiver

The Airport President may vary from the provisions of these Rules and Regulations at any time when circumstances may require, in the interest of the public safety. Any variance shall be in writing and shall not constitute a waiver or modifications of any of the provisions herein for any purpose except as to the particular operator and the particular provision, which is the subject of the variance and only for so long as the circumstances warranting the variance exist.

SECTION III

GENERAL PROVISIONS APPLICABLE TO ALL AREAS OF THE MTAA INCLUDING, BUT NOT LIMITED TO TOPEKA REGIONAL AIRPORT - FORBES FIELD

A. Abandoned, Derelict or Lost Property

Property including, without limitation, aircraft, vehicles, equipment, machinery, baggage, or personal property shall not be abandoned on the Airport. Abandoned, derelict, or lost property found in public areas at the Airport shall be reported to the President. Property unclaimed by its proper owner or items for which ownership cannot be established will be handled in accordance with applicable law. Nothing in this section shall be construed to deny the right of operators and other lessees to maintain "lost and found" service for property of their customers and/or employees. Any person finding lost articles shall deliver the articles to the MTAA Police and Fire Department located at Topeka Regional Business Center.

B. Accidents or Incidents

Accidents resulting in damage to property, injury requiring medical treatment, or interference with normal airport operations shall be promptly reported to MTAA Dispatch to request emergency services. The Police and Fire Department is then responsible for making notification to the Airport President.

C. Airport Liability

The MTAA or employees shall not be liable for loss, damage or injury to persons or property arising out of an accident, incident or mishap of any nature whatsoever and/or from any cause whatsoever and/or from any cause whatsoever to any individual, aircraft, or property occurring on the Airport, or in the use of any of the MTAA facilities.

D. Airport Operations

The Airport President, or his designee, may delay, restrict, or prohibit, in whole or in part, any operations at the Airports for any justifiable reason.

E. Alcoholic Beverages

No person shall consume any alcoholic or cereal malt beverage upon any portion of MTAA property except in such places and at such times as authorized by the prior written approval of the President for dispensing and consumption of alcoholic beverages. Permission for such dispensing and consumption must be requested for each and every function at which liquor or cereal malt beverages will be present and must be in compliance with any applicable Local, State, and Federal Laws relating to the consumption of alcoholic or cereal malt beverages.

F. Animals

Domestic pets and animals, except animals required for assistance or law enforcement dogs, are not permitted on MTAA property or in the Airport terminal building, unless being transferred or shipped, and then only if controlled and restrained by a leash, harness, restraining strap, portable kennel, or other appropriate shipping container. Leashes, harnesses and straps shall not exceed six (6) feet. It shall be the responsibility of the owner or handler to exercise control over the animal at all times. Owners or handlers are responsible for the immediate removal and disposal of animal waste.

No person, except those authorized by the Airport President shall intentionally hunt, pursue, trap, catch, injure, or kill any bird or animal on the Airport. Feeding or otherwise encouraging the congregation of birds or animals on the Airport is prohibited, as established in the Airport Wildlife Hazard and Management Plan.

G. Buildings and Remodeling

No person shall construct, reconstruct or remodel any building or other improvement on the Airport without first obtaining written permission from the Airport President. All such work shall be done in a safe and workmanship manner and in accordance with all applicable building codes, laws and FAA AC 150/5190-4(current edition) - Height limits of objects around Airports. Any changes, alterations, or repairs made without proper approval, and any damage resulting there from shall be paid for by the person responsible and in accordance with the direction of the MTAA.

H. Business

Except as authorized and expressly permitted by the prior written approval of the Airport President, it shall be prohibited for any person to promote, solicit, or engage in any business, service, or trade on the Airport Property; except as authorized on leased premises. Example of written

approval includes, but is not limited to a lease, sublease, or written temporary permission.

I. Commercial Activities

Commercial activity of any kind on the Airport requires the express written approval of the MTAA through a specifically authorized lease, sublease, or written temporary permission, and upon such terms and conditions as they may prescribe, and the payment of any required fees. Unless otherwise provided in such document, any permission may not be assigned or transferred and shall be limited solely to the approved activity.

J. Damage to Airport Property

Any and all Airport property, real or personal, and/or facilities destroyed, broken, or damaged by accident or otherwise, shall be paid for by the person responsible for the damage. Aircraft equipped with tail or landing skids or other devices, which will damage pavement shall not be operated on the Airport.

K. Emergency (Confidential) Contact List

MTAA will maintain a Confidential Emergency Contact List for every tenant, sub-tenant, etc. All tenants, sub-tenants, and individuals requested by the Airport President shall provide the following information on a monthly basis, (as requested by an MTAA staff member) name, address, telephone number, and emergency contact telephone number. All FBO's shall maintain a file with current information on all hangar aircraft including make, model, tail number, owners name, address, and telephone number.

L. Fire/Open Flame Operations.

Open flames of any kind are prohibited on MTAA property without first securing written permission from the Airport President or his designee. Smoking and the use of any open-flame device is prohibited on any apron, or within fifty (50) feet of any aircraft, fuel truck, fueling facility, or other flammable storage facility. Any fires (regardless of the size of the fire or whether or not the fire has been extinguished) shall be reported immediately to the MTAA Police and Fire Department. No welding/cutting activities shall be conducted on the Airport without an approved fire extinguisher and a person trained in its proper usage present for the duration of any welding/cutting activities.

M. Fire Equipment

No person shall remove or cause the removal from its holder, container, reel, or bracket etc., any equipment or device used in fire detection, prevention or suppression, except in the case of an emergency or fire. In any event such equipment shall not be removed from any hangar or building for any other use than for which the fire equipment was intended. All fire doors, fire boxes, fire hydrants and all other firefighting equipment shall be kept clear of obstructions at all times.

N. Fireworks

The use of Fireworks is prohibited on all MTAA property. All tenants, sub-tenants, and individuals on Airport property wishing to engage in the selling or distribution of Fireworks shall acquire prior written approval from the Airport President, and be in compliance with all Federal, State, and County regulations.

O. Firearms and Explosives

No persons, except law enforcement officers on official duty, authorized federal agents on official duty, airport employees authorized by the Airport President, USDA employee responsible for Wildlife reduction purposes, members of the Armed Forces of the United States on official duty, and authorized foreign armed forces on official duty, shall carry any firearms or any explosives within restricted areas of Airport property. Unloaded and properly secured firearms may be stored as cargo for travel on Airport property.

P. General Conduct

No person shall use or otherwise conduct himself upon any portion of the MTAA Airport property in any manner contrary to any posted or otherwise visually indicated directions applicable to that area. Overnight camping or lodging on the Airport is prohibited. Use of any facility on or area of the Airport for sleeping or other purposes in lieu of a hotel, motel, residence or other public accommodation is prohibited. Spitting on, marking, or defacing the floors, walls, or other surface of the Airport is prohibited.

Q. Hazardous Material Spills

Any person who experiences overflowing or spilling of oil, grease, fuel, alcohol, glycol or any other hazardous material anywhere on the Airport shall immediately call the Airport Police and Fire Department. Persons involved in hazardous material incidents shall take action to prevent/minimize danger to personnel, property and the environment while awaiting arrival of the MTAA Police and Fire Department personnel. At the

discretion of MTAA, the entity responsible for the spill may be required to clean and properly dispose of the material/substance which shall be performed in compliance with all applicable federal, state, and local regulations and guidelines. In addition, the entity will be required to provide the MTAA with documentation of proper disposal. Any costs incurred by MTAA in such instances shall be reimbursable to the MTAA by the person responsible for the spill.

R. Painting and Finishing

All persons applying paint, doping processes, or paint stripping shall be performed only in those facilities approved for such activities by the Airport President and in compliance with all State and Federal laws and regulations or as provided in the MTAA leases.

S. Pictures

Except as authorized and expressly permitted by the prior written approval of the Airport President it shall be prohibited for any person to take still or motion pictures on the Airport for commercial purposes; except as authorized on leased premises.

T. Preservation of Property

No person shall destroy, or cause to be destroyed, damage, deface, or disturb, in any way, property of any nature located on the Airport. Any person causing or responsible for such injury, destruction, damage or disturbance to Airport-owned property shall report such damage to the Airport President and shall reimburse the Airport the full amount for the repair of property. No person shall take or use any aircraft, aircraft parts, instruments, tools, controlled, or operated by any person while on the Airport or within its hangars, except with the consent of the owner or operator thereof. No person shall prevent the lawful use and enjoyment of the Airport by others. Any activity which results in littering, environmental pollution or vandalism on the Airport is not permitted and violators are subject to prosecution.

U. Sale of Merchandise

Except as authorized and expressly permitted by the prior written approval of the Airport President, it shall be prohibited for any person to sell or offer for sale any article of merchandise on Airport property; except as authorized on leased premises.

V. Signage

All identification, advertising, directional signage, circulate leaflets, or written material by users or tenants on MTAA property must meet the terms of the lease agreement or have said signage approved by the Airport President. No signage will be allowed that distracts or interferes with aircraft traffic, motor vehicle traffic, or in any way affects the safety of the Airport. MTAA has the right to remove any such sign, placard, picture, advertisement, name or notice in any such manner as the Airport may designate.

W. Solicitation, Picketing, and/or Demonstrations

Except as authorized and expressly permitted by the prior written approval of the Airport President, it shall be prohibited for any person or persons to engage in Solicitation, Picketing, and Demonstrations on MTAA property.

X. Special Events

A Special Event on the Airport requires written coordination, regulation, and authorization by the Airport President prior to the public disclosure or advertisement of the event. Certain events may require an operating agreement or temporary lease with the MTAA.

Y. Speed Limit and Safety

Except for emergency vehicles responding to an emergency, no person shall operate any motor vehicle or motorized conveyance on any drive or road at a speed greater than 35 miles per hour unless otherwise officially posted. All persons operating a motor vehicle or motorized conveyance on MTAA property must abide by all State laws when operating said vehicle. No person shall operate a motor vehicle or motorized conveyance in a careless or reckless manner or at a speed that may endanger person or property in the area.

Z. Storage of Flammable Materials

No person shall keep, store or discard any flammable liquids, gases, lubricating oils, signal flares or other similar materials on MTAA property unless such materials are kept in proper receptacles installed for such purposes or in such areas and such manner as is approved by the MTAA. No person shall store or stock materials or equipment in such a manner as to constitute a fire hazard in any building or hangar.

AA. Trash and Other Waste Containers

No person shall dispose of garbage, paper, refuse or other materials on the Airport except in receptacles provided for that purpose. Tenants, operators and other users of the Airport shall not move or otherwise relocate Airport placed waste containers. Garbage, empty boxes, crates, rubbish, trash, papers, refuse, or litter or any kind shall not be placed, discharged, or deposited on the Airport, except in the receptacles provided specifically for that purpose. Burning of garbage, empty boxes, crates, rubbish, trash, papers, refuse, or litter of any kind on the Airport is prohibited. Trash and other waste containers at the Airport shall only be used for trash generated on Airport Property. Trash and other waste containers shall be kept clean and sanitary at all times. Tenants and operators shall ensure that their trash and waste containers are emptied with sufficient frequency to prevent overflowing. All MTAA tenants and operators shall provide appropriate receptacles with covers for the storage of such trash.

BB. Wildlife Hazard Reduction

The Airport President will designate individuals who are authorized to use FAA approved wildlife hazard reduction techniques including, but not limited to, the discharge of firearms on Airport property. Use of lethal reduction techniques will comply with FAA guidelines, Kansas Department of Wildlife and Parks guidelines and Federal Depredation permits and tag requirements assigned to the airport each year. Copies of the Federal Depredation permits are maintained in the Operations Office at the Topeka Regional Airport. Firearms shall be discharged in a safe manner away from people and property to avoid injury.

SECTION IV

Topeka Regional Airport

1 General Provisions

a. Aircraft

All persons shall taxi, take-off, land upon and fly from the Airport; service, maintain and repair any aircraft at the Airport; or conduct aircraft operation on or from the Airport in a safe manner and in conformity with the rules and regulations contained herein and in compliance with applicable FAA, TSA, Local, State and Federal regulations.

b. Commercial Use

All persons using the Airport for commercial aviation purposes, including but not limited to, agricultural aviation, the carrying for hire of passengers, freight or mail, flight instruction, or other commercial uses shall do so only after receipt of prior written permission from the Airport President subject to the terms and conditions of an agreement with the MTAA, payment of rates and charges and evidence of insurance as prescribed by the MTAA. Commercial aircraft not in compliance with this rule shall not be allowed to operate at the Airport.

c. Authority to Close the Airport

Except for the emergency landing of aircraft, the President, or designee, in coordination with the FAA, may prohibit or restrict aircraft flying activities at any time when the President, or designee, deems such activity is likely to endanger persons or property.

d. Access to Hangars

No person, other than MTAA personnel, MTAA Tenants, Sub-Tenants that have a lease or an agreement with MTAA, shall have access to hangars on the Airport without permission from the Airport President.

e. Cleaning Aircraft

No person shall use flammable liquids in cleaning of aircraft, aircraft engines, propellers and appliances or accessories unless such cleaning operations are conducted in open air or in a room specifically designed for that purpose. The aircraft cleaning room shall be properly ventilated, fireproofed and equipped with adequate and readily accessible fire extinguishing equipment. "DANGER - NO SMOKING" signs are to be posted in such areas, capable of being seen at a minimum distance of fifty (50) feet.

f. Doping and Painting

No person shall dope or paint any aircraft except in areas specifically authorized by the MTAA.

g. Rates for Airport Services and Facilities

The MTAA Board of Directors with the direct guidance from the Airport President and in compliance with FAA Order 5190.6B (Airport Compliance Manual) will set rates and charges for services and facilities at the Airport. All such rates shall be in force and effect until otherwise provided.

h. Landing Fees

All aircraft landing or taking-off from the Airport shall be subject to applicable landing fees as determined by the Airport President.

2. Air Operations Security Area

a. Security and Safety

Scheduled air carrier and public charter air carrier aircraft operators using the Airport are subject to the Airport Security Program (ASP), as may be amended from time to time. Persons in violation of TSA, FAA and/or Airport Rules and Regulations, including those set forth herein and elsewhere, may be denied access to the Airport, may have access or driving privileges revoked, and/or may be fined or otherwise penalized in accordance with applicable regulatory measures. Operators who are required to provide controlled access to their facilities and/or aircraft for security reasons are responsible for ensuring that all personnel are trained on the appropriate procedures for authorizing non-employees and passenger's access to their respective facilities and/or aircraft.

b. Restricted or Secure Areas.

- i. Restricted or secure areas on the Airport are those areas that are identified in the ASP as areas where no person is allowed access unless issued Airport identification that is recognized in the Airport Security Program.
- ii. No person shall enter any restricted or secure area except those persons directly engaging in work or an aviation activity that must be accomplished therein; and having prior authorization of the Authority or under appropriate supervision or escort; or employed by or representing the FAA, TSA, DHS, or recognized in the ASP as being authorized to access certain secured areas of the Airport.
- iii. No person shall cause any object to be located within ten (10) feet of the Airport perimeter fence, which may assist an unauthorized individual in accessing a secure area. Any gate or fence condition that would allow unauthorized access to restricted or secure areas of the Airport must be reported immediately to the Airport President. Any attempts by any persons to gain unauthorized access to any such area, and any conditions that would adversely affect the safety or security of aircraft operations shall be reported immediately to the MTAA Police and Fire Department and/or the MTAA Operations Department.
- iv. Any person who violates security related regulatory measures may be denied future entry into a restricted or secure area.
- v. All persons shall wear and visibly display their approved Airport identification on their outermost garment, below the neck and above the waist, while inside a secure area. Airport identification holders must notify the Airport Operations Department of any entry or attempted entry to a secure area by any unauthorized person, or by any unauthorized means.
- vi. Any person with proper Airport identification as required by the ASP may bring a person without proper Airport identification into a secure area if the person has a valid reason for being inside the secure area and if the person is provided continuous escort by a person with proper Airport identification. A continuous escort requires that the escorted person remains in close proximity to the Airport identification holder at all times while inside the secure area. The Airport identification holder shall bear full responsibility for the actions of the person being escorted.

c. Security Access

- i. Security gates (pedestrian or vehicular) that provide access to the AOA shall be kept closed and locked at all times, except when actually in use. All access gates to the AOA through a tenant's leased premises are Operator's/lessee's responsibility and shall be monitored and secured in a manner that will prevent unauthorized access.
- ii. Vehicle operators shall stop their vehicle and allow the gate to fully close before proceeding, and shall also ensure that no other vehicles or persons gain access to the Airport while the gate is in the process of closing or not fully closed. If the vehicle operator cannot prevent such access, the vehicle operator shall immediately notify the MTAA Operations Department or the MTAA Police and Fire Department.
- iii. Tampering with, interfering with, or disabling the lock, or closing mechanism or breaching any other securing device at the Airport is prohibited.
- iv. Persons with authorized access to the AOA and with escort privileges may escort a vehicle directly to and from the area on the AOA.

3. Aircraft Provision on AOA

a. Accidents or Incidents

Aircraft operators involved in an incident or accident on the Airport resulting in injury or death to person or damage to property shall complete any necessary reports and forms, and comply with all applicable provisions of National Transportation Safety Board (NTSB) Regulations Part 830. The aircraft operator is responsible for all damages to property, including, but not limited to, damage to a runway, taxiway, apron, signage, navigational aid, light or fixture. An aircraft involved in an accident on the Airport may not be removed from the scene of the accident until authorized by the FAA Regional Operations Office and approved by the Airport President. Once authorization to remove the Aircraft has been issued, the aircraft operator shall be responsible for the safe and prompt removal of disabled aircraft and parts. Subject to the requirements above, disabled aircraft shall be removed within 60 minutes from any runway or taxiway. If immediate arrangements are not made (so that the Airport can return to full operational status without unreasonable delay), the Airport may have any disabled aircraft removed, at the aircraft operator's sole risk

and expense, without liability for damage arising from or out of such removal.

b. Aircraft Operations

- i. Operating an aircraft in a careless, negligent, or reckless manner; in disregard of the rights and safety of others; without due caution and care; or at a speed or in a manner which endangers, or is likely to endanger persons or property is prohibited.
- ii. All persons (with the exception of properly authorized and assigned military personnel) while operating an aircraft at the Airport must have in their possession a current, valid, and applicable FAA airman's license for the aircraft they are flying. Student Pilots operating an aircraft must be accompanied by a person with a current and valid FAA airman's license for the aircraft they are flying.
- iii. No person shall operate, or assist in the operation of, an aircraft at the Airport while under the influence of alcohol or substance which will cause impairment of mental or physical abilities.
- iv. Aircraft operators shall obey all pavement markings, signage, and lighted signals unless instructed otherwise by an Air Traffic Controller. Operating an aircraft constructed, modified, equipped, or loaded as to endanger, or be likely to endanger persons or the property of any person, is prohibited.
- v. Experimental flights or ground demonstrations shall not be conducted on the Airport without the prior written permission of the Airport President.
- vi. The starting, positioning, or taxiing of any aircraft shall be done in such a manner to minimize the risk of generating or directing any propeller slipstream or engine thrust or rotor wash that may endanger or result in injury to persons or damage to property.
- vii. Aircraft engines shall not be started within, and aircraft shall not be taxied into, out of, or within, any structure on the Airport.
- viii. Aircraft shall only be taxied or towed on runways, taxiways, and aprons.
- ix. Aircraft operators shall not taxi an aircraft at the Airport at a speed greater than is reasonable and prudent under the conditions with

regard for actual and potential hazards and other aircraft so as not to endanger persons or property.

- x. Taxiing aircraft shall yield the right-of-way to any emergency vehicle responding to an emergency.
- xii. The runway aircraft weight limitations for the Airport (FAA Gross Weight Evaluation) set forth in the FAA Facility Directory shall not be exceeded without the prior approval of the Airport President.
- xiii. Aircraft operators shall not land, take off, taxi, or park an aircraft on any area that has been restricted to a maximum weight bearing capacity of less than the weight of the aircraft. It shall be the aircraft operator's responsibility to bear the expense of repair for any damage to the Airport's runways, taxiways, or aprons caused by excessive aircraft weight.
- xiv. Aircraft flying into or taking off from Topeka Regional Airport shall establish radio contact with the Tower prior to taxiing, take-off, landing, or entering Topeka Regional Airspace and proceed as instructed by the Tower. During hours when the Airport Control Tower is not in operation all Aircraft, Motor Vehicles, etc., shall announce their intentions on the Common Traffic Advisory Frequency (CTAF) 120.8.

c. Aircraft Parking and Storage

- i. No FBO authorized to provide aircraft storage to the public shall require procurement of fuel or other supplies or services from a specific source as a condition of aircraft storage.
- ii. Aircraft shall be parked only in those areas designated for such purpose and shall not be positioned in such a manner so as to block a runway, taxiway, or fire hydrant, or obstruct access to hangars, parked aircraft, or parked vehicles.
- iii. Aircraft operators shall ensure parked and stored aircraft are properly secured as set forth in FAA AC 20-35(Current edition).
- iv. Parked or stored helicopters shall have braking devices or rotor mooring blocks applied to the rotor blades.
- v. All air carrier aircraft loading and unloading at the passenger terminal must be parked at designated gate position. Upon request of the Airport President, the operator of any aircraft parked or stored at the Airport shall move the aircraft to the location and/or

position on the Airport identified by the Airport President. In the event the aircraft operator refuses, is unable or unavailable, the Airport President may move the aircraft to the area at the risk and expense of the aircraft operator without liability for damage that may arise from or out of such movement.

d. Tie-Down Rules and Regulations.

The Metropolitan Topeka Airport Authority will not be responsible for property loss, or damage, due to any condition, or injuries sustained by reason of customers use of tie-downs and airport facilities. The FBO or owner operator will provide tie-down ropes, chains, cables, rings, blocks, and space; however, it shall be the responsibility of the customer to insure that the aircraft is properly secured and all unattended aircraft shall be properly secured and tied down to prevent damage to property.

e. Engine Run Ups

Aircraft shall not perform run ups so that engine blast is directed at persons, aircraft, hangars, or vehicles.

f. Fixed Wing Aircraft

Fixed wing aircraft should land and take off in areas designed to support landing and taking off, for example on runways only. Landing aircraft will clear the runway as soon as possible, or when giving clearance by the tower.

g. Fueling Operations (Aircraft)

All persons engaged in the fueling of aircraft on the airport shall use extreme caution and care to prevent the overflow of fuel. In the event of a spill of fuel on the Airport the party responsible for the spill will notify the MTAA Police and Fire Department. The party responsible for the spill will assume all the cost associated for the cleanup of the spill. No fueling activity will take place unless the appropriate fire extinguishing equipment is present. No individual will commence in a fueling activity without the proper training. Aircraft fueling while one or more engines are running requires an ARFF apparatus to be present. Fueling an aircraft in a building is prohibited. No person shall participate in the any aircraft fueling or de-fueling except in compliance with Part 139 required training for Aircraft Fueling, NFPA 407, and the Airport Certification Manual.

h. Enplaned and Deplaned Passengers

Passengers either Enplaning or Deplaning should do so in the appropriate areas on the Airport.

i. Helicopter Operations

All helicopter operations, landing, take-off, and taxiing, shall be conducted on the Airport ramp, taxiway, and runways. Helicopters shall not be parked or operated within one hundred fifty (150) feet of any fixed-wing aircraft.

j. Specialized Aeronautical Events

All Specialized Aeronautical Events conducted on Airport property are prohibited on the Airport unless prior written approval from the Airport President is provided. Examples of Specialized Aeronautical Events are, but not limited to, hot air balloon operations, parachute drops, glider or banner towing, unmanned aircraft, air shows or air events. All event coordinators will need to show the Airport President they will abide by all FAA, TSA, and other Federal Regulations that would apply before receiving written approval from the Airport President.

k. Tail Skid

Aircraft (excludes Helicopters) equipped with tail or landing skids or other devices, which will damage pavement shall not be operated on the Airport.

4. Motor Vehicle Provisions on AOA

a. Non-Movement Area

- i. All vehicles operating on the AOA shall always yield the right-of-way to an aircraft, emergency vehicle or pedestrians.
- ii. Vehicle operators must have a valid state operating license in order to drive on any portion of the AOA, and all vehicles must have evidence of proper vehicle insurance as required by State Law.
- iii. All vehicles operating on the AOA shall not drive within 100 feet of an aircraft with its engines running.
- iv. Prior to operating a vehicle on the AOA, all vehicle operators shall complete the Airport Pedestrian Driving Course. The Airport

Pedestrian Driving Course can be completed at the MTAA Operations Office. The Airport President and Operation Officers may restrict driving areas for certain vehicle operators.

- v. Unless specifically authorized by the Airport President, the use of all-terrain vehicles, scooters, motorcycles, and bicycles is prohibited on the AOA.
- vi. All motor vehicles, except emergency vehicles responding to an emergency, shall not operate on the apron at a speed greater than 20 miles per hour.
- vii. Tugs and baggage carts shall be returned to designated areas following unloading.

b. Movement Area

No vehicles except airport vehicles, FAA vehicles, emergency vehicles, National Weather Vehicles, or FBO vehicles driven by operators who have completed the appropriate pedestrian driving course are permitted within the movement area. Unless escorted, all vehicles in the movement area shall be equipped with a functional two way radio capable of operating on the proper aeronautical frequencies (121.7 or 120.8). A vehicle without a two way radio capable of communicating on said frequencies can enter the movement area only if escorted by a vehicle equipped with a two way radio capable of communicating on the proper frequencies. Vehicle operators must have a valid state operating license in order to drive on the AOA and all vehicles must have evidence of proper vehicle insurance as required by State Law. All vehicle operators driving in the Movement Area shall obey the instructions of the Air Traffic Controller on duty.

c. Parking

- i. Vehicles shall be parked in areas designated for such use.
- ii. Vehicles shall not stop or park in a manner such as to obstruct driveways, roadways, walkways, fire lanes, runways, taxiways, hangers, parked aircrafts, or other parked vehicles.
- iii. All vehicles should park in a manner that occupies one parking space.
- iv. All vehicles are prohibited from parking within 10 feet of a fire hydrant and within 10 feet of a security fence.

- v. Aviation fueling trucks containing either 100LL or Jet Fuel shall not be parked within 50 feet of any building.
- vi. All aviation fueling trucks must be parked at least 10 feet apart from each other.

d. Vehicle Operations on the Airport

- i. All vehicles operated on the airport must be driven in a responsible manner in regard to the rights and safety of others.
- ii. Vehicle operators shall obey all posted speed limits.
- iii. Vehicle operators must provide proper signals and obey all traffic signs and pavement markings.
- iv. Vehicle operators must obey all Local, State, and Federal traffic laws while operating on airport property.
- v. All vehicle operators must have a valid state operating license in order to drive on the Airport, and all vehicles must have evidence of proper vehicle insurance as required by State Law.

e. Fuel Provisions

i. Aircraft Fuel Storage and Dispensing

FBOs and operators shall apply the standards set forth by the FAA Advisor Circular 150/5230-4(Current edition) Aircraft Fuel Storage, Handling and Dispensing on Airports and National Fire Protection Agency 407. FBOs and operators shall comply with the airport certification manual (ACM). FBO's and operators will not install a self-serving fuel station or similar facilities without prior written approval by the Airport President.

ii. Fuel Flowage Fees

All FBOs, operators, or individuals selling aviation fuel on Airport Property are required to have a lease with MTAA specifying the allotted amount for a fuel flowage fee. All Fuel Flowage Fees are payable to the MTAA administration office. All FBO's, operators, or individuals selling aviation fuel on the Airport Property are required to pay Fuel Flowage Fees.

iii. **Fuel Storage Facilities**

All Fuel Storage Facilities existing or planned are required to have a written approval to use such area, or build such facility, by the Airport President. All Fuel Storage Facilities must meet all Local, State, and Federal requirements and regulations. Fuel Storage Facilities must abide by all Part 139 and NFPA 407 requirements.

iv. **Motor Vehicle Fueling Operations**

All persons engaged in the fueling of Motor Vehicles on the Airport shall use extreme caution and care to prevent the overflow of fuel. In the event of a spill of fuel on the Airport the party responsible for the spill will notify the MTAA Police and Fire Department. The party responsible for the spill will assume all the cost associated for the cleanup of the spill. No fueling activity will take place unless the appropriate fire extinguishing equipment is present. No individual will commence in a fueling activity without the proper training.

v. **Fueling Equipment and Structures**

All refueling of an aircraft will be done at a minimum distance of 50 feet from any building. All refueling vehicles shall be parked at least 50 feet from a building. All refueling vehicles will be parked 10 feet or more from another refueling vehicle. All refueling vehicles newer than 2007 will comply all DPF requirements as set forth from the FAA.

vi. **Fueling Training**

All personnel engaged in fueling operations shall be trained in procedures for fueling aircraft, those procedures are not limited to quality control, safety, fire prevention, use of a fire extinguisher, responding to a fuel spill, handling flammable materials, and actions required when an emergency occurs from a fuel spill or fire. All fueling personnel shall receive proper training upon employment. Records of training shall be maintained for each person engaged in fueling operations. All training shall be in accordance with FAA Part 139, NFPA 407, and the Airport Certification Manual. Training records shall be made available for review when requested by the Airport President, or designee.



Rules & Regulations

Metropolitan Topeka Airport Authority
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Adopted by the MTAA Board of Directors _____, 2024

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RULES AND REGULATIONS FOR THE METROPOLITAN TOPEKA AIRPORT AUTHORITY

The following Rules and Regulations, as approved by the Board of Directors, are adopted by the Metropolitan Topeka Airport Authority pursuant to K.S.A. 27-327 et. seq. These Rules and Regulations may be altered, amended, or repealed and additional Rules and Regulations may be adopted by the MTAA. Any alterations or modifications to these Rules and Regulations will be available at the MTAA Administration Office.

SECTION I

COMMON DEFINITIONS

The following definitions are applicable to these Rules and Regulations as adopted by the Philip Billard Airport. These definitions shall apply to these terms whenever used in this document, unless expressly defined differently therein.

Aeronautical Activity or Activities

Any activity or service that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of aircraft, or an aeronautical activity. The following activities, without limitation, which are commonly conducted on airports, are considered within this definition: aircraft charter, pilot training, aircraft rental, sightseeing, aerial photography, aerial spraying and agricultural aviation services, aerial advertising, aerial surveying, air carrier operations (passenger and cargo), aircraft sales and service, sale of aviation fuel and oil, aircraft maintenance, sale of aircraft parts, and any other activities which, in the sole judgment of MTAA, because of their direct relationship to the operation of aircraft on the Airport, can be appropriately regarded as an aeronautical activity.

Aircraft

Means aeronautical devices including, but not limited to, powered aircraft, gliders, helicopters, parachutes, hang gliders, and balloons.

Air Operations Area (AOA)

A portion of the Airport designated and used for landing, taking off, or surface maneuvering of Aircraft. There are two areas of the AOA, the movement area and the non-movement area.

Airport

Philip Billard Airport, owned and operated by the Metropolitan Topeka Airport Authority, in the County of Shawnee, State of Kansas, used in part for the loading, unloading, servicing, landing and taking off of aircraft.

Airport Layout Plan (ALP)

The current FAA-approved drawings depicting the physical layout of the Airport and identifying the location and configuration of current and proposed runways, taxiways, buildings, roadways, utilities, Nav aids, apron, airport operations areas, etc.

Airport President

The President of the MTAA, who is appointed by the MTAA Board of Directors, who has the overall administrative authority to direct the operations of the MTAA

Air Terminal

Term for the terminal building at Philip Billard Airport.

ATCT

Air Traffic Control Tower.

ARFF

Aircraft Rescue and Fire Fighting.

Apron

Paved areas of the Airport within the AOA, designated for the loading or unloading of passengers or cargo, servicing, or parking of aircraft, etc.

Based Aircraft

Any aircraft utilizing the Airport as a base of operation (other than occasional transient purposes) with an assigned tie down or hangar space on the Airport, or on adjoining property which has direct taxiway access to the Airport.

Board

The Metropolitan Topeka Airport Authority Board of Directors consists of five members. Three members shall be registered voters and Topeka residents who are appointed by the Mayor of Topeka with the approval of the City Council. Two members shall be Shawnee County residents residing outside the Topeka city limits and appointed by the Shawnee County Board of Commissioners.

Building

The main portion of each structure, all projections or extensions therefrom and any additions or changes thereto, and shall include hangars, garages, outside platforms and docks, carports, canopies, eaves and porches. Paving, ground cover, fences, signs and landscaping shall not be included in this definition.

CFR

Code of Federal Regulations.

Commercial

That which involves or makes possible earnings, income, compensation (including exchange of service), and/or profit, whether or not such objectives are accomplished.

Courtesy Vehicle

Any vehicle used in commercial activity, other than a taxicab, to transport persons, baggage, goods, or any combination thereof, between the Airport and off-Airport businesses such as hotels, motels, or other attractions and the business establishment owning or operating such vehicle, the operation of which is generally performed as a service without direct costs to the passenger.

Equipment

All machinery, supplies, tools, trade fixtures and apparatus necessary for the proper conduct of the activity being performed.

Environmental Laws

Any and all laws, rules, regulations, regulatory agency guidance and policies, ordinances, applicable court decisions, and airport guidance documents, directives, policies (whether enacted by any local, state or federal governmental authority, or by the MTAA) now in effect or hereafter enacted that deal with the regulation or protection of the environment (including the ambient air, ground water, surface water and land, including subsurface land and soil), or with the generation, handling, storage, disposal or use of chemicals or substances that could be detrimental to human health, the workplace, the public welfare, or the environment.

FAA

Federal Aviation Administration.

FCT

Federal Contract Tower.

Fixed Base Operator (FBO)

Means an operator that maintains a facility at the Airport for the purpose of engaging in the retail sale of aviation fuels (AVGAS and Jet Fuel), Aircraft airframe, engine repair, etc. A written agreement (lease) with the MTAA is required for all FBO's.

Fuel Handling

The transporting, delivering, storage, fueling, or draining of fuel or fuel waste products.

Hazardous Materials

Means any hazardous or toxic substance, material or waste, which is or becomes regulated by any local government authority, the State of Kansas or the United States Government. The term "Hazardous Material" includes, without limitation, any material or substance that is: (1) defined as a hazardous substance" under appropriate state law provisions; (2) petroleum; (3) asbestos (4) designated as "hazardous substance" pursuant to Section 311 of the Federal Water Pollution Control Act (33 USC Section 1321); (5) defined as "hazardous waste" pursuant to Section 1004 of the Federal Resource Conservation and Recovery Act (42 USC Section 9601); or (7) defined as a "regulated substance" pursuant to Subchapter IX, Solid Waste Disposal Act (Regulation of Underground Storage Tanks) (42 USC Section 6991).

Hold-short Line (Runway Marking)

Means any line defined on a pavement in proximity to a runway beyond which no person, aircraft or vehicle shall proceed without permission/clearance of an Air Traffic Controller on duty. Such line shall be defined by painted marks in conformity with federal aviation standards for airport markings.

Improvements

All buildings, structures and facilities, including, but not limited to, pavement, fencing, signs and landscaping constructed, installed or placed on, under or above any leased area by or with the concurrence of a lessee. Plans and specifications for all improvements must be approved by the MTAA before said improvements are initiated.

Law Enforcement Officer

Means an individual who meets the State of Kansas and or Federal Government requirements to be a certified Law Enforcement Officer.

Landing

All flights landed at the Airport for revenue and non-revenue purposes, including, but not limited to, commercial, training, private, ferry, military, and charter flights, except that there shall be excluded flights which return to the Airport after take-off due to an emergency.

Large Aircraft

An aircraft in excess of 12,500 pounds Maximum Certificated Takeoff Weight (MTOW).

Lease

A contractual agreement between the MTAA and a person, business, entity, etc., granting the use of a defined ground area on the Airport for a term of years, and establishing conditions for its use.

Master Plan

An assembly of appropriate documents and drawings covering the development of the Airport from a physical, economic, social, and political jurisdictional perspective and adopted by the MTAA Board of Directors, a copy of which is on file and available for inspection in the Airport office, and any amendments, modifications, revisions, or substitutions thereof. The ALP is a part of the Master Plan.

Motor Vehicle or Vehicle

Means any self-propelled vehicle which is required to be registered and licensed with the State of Kansas and operated by a State of Kansas licensed driver, except an aircraft, designed to transport persons, property or equipment.

Motorized Conveyance

Means any motor-propelled equipped mode of transportation other than a motor vehicle.

Movement Area

Runways, runway safety areas, taxiways, taxiway safety area, and other areas of the Airport that aircraft use for taxiing/hover taxiing, air taxiing, takeoff and landing, exclusive of loading ramps and parking areas as shown on the ALP. Movement in the Movement Area is under the control and direction of the Air Traffic Controller.

MTAA

The Metropolitan Topeka Airport Authority, a political subdivision of the State of Kansas created and authorized pursuant to K.S.A. 27-327, et. Seq.

MTAA Police and Fire Department

Refers to the Metropolitan Topeka Airport Authority Police and Fire Department. All Police Officers employed in the Department are commissioned law enforcement officers vested with the authority, right, obligation, and duty incumbent upon a law enforcement officer as prescribed by the laws of the State of Kansas. All Fire Department employees meet and maintain the requirements to be a Part 139 aircraft rescue firefighter.

National Fire Protection Association (NFPA)

All codes, standards, rules, and regulations contained in the Standards of the National Fire Protection Association, as may be amended from time to time, and are incorporated herein by reference.

Non-Commercial

Not for the purpose of securing earnings, income, compensation (including exchange of service), and/or profit.

Non-Movement Area

Means ramps and parking aprons and other portions of the A.O.A. in which control or direction from an Air Traffic Controller is not required.

Operator

Means any person based on the Airport and providing one or more commercial aeronautical services at the Airport.

Perimeter Fence

The line defined by buildings and perimeter fencing enclosing the A.O.A. as required under the Airport Security Program and applicable Federal regulations.

Person

Any individual, firm, sole proprietorship, corporation, company, limited liability entity, association, joint stock association, partnership, co-partnership, trust, estate, political body or other form of entity, and includes any trustees, receiver, assignee, or similar representative thereof.

Police

Refers to the Metropolitan Topeka Airport Authority Police Department that have law enforcement jurisdiction over the Topeka Regional Airport and Philip Billard Airport.

Ramp

Paved areas of the Airport within the AOA designated for the loading or unloading of passengers or cargo, servicing, or parking of aircraft, etc.

Refueling Vehicle

Any vehicle used for fuel handling, including without limitation fuel servicing hydrant vehicle and hydrant carts.

Regulatory Measures

Federal, state, county, local, codes, statutes, ordinances, orders, policies, rules, and regulations, including, without limitation, those of the United States Department of Transportation (USDOT), United States Department of Homeland Security, FAA, TSA, NFPA, the Airport Certification Manual, Airport Security Plan, and these Rules; all as may be in existence, hereafter enacted, and amended from time to time.

Release

Any releasing, disposing, discharging, injecting, spilling, leaking, leaching, pumping, dumping, emitting, escaping, emptying, seeping, dispersal, migration, transporting, placing, and actions of similar nature, including without limitation, the moving of any material through, into or upon any land, soil, surface water, ground water, or air, or otherwise entering into the environment.

Restricted Area

Areas of the Airport posted to prohibit or limit entry or access by the general public. All areas other than public areas.

Runway

A surface officially designated primarily for the acceleration of aircraft for takeoff and deceleration upon landing, as shown in the ALP.

Safety Area

Refers to any graded area adjacent to a runway or taxiway or beyond the end of a runway as defined in the Airport Certification Manual.

Sublease

A lease granted by an Airport lessee to another entity of all, or part, of the property leased from the Authority, where on a sole or joint lease basis.

Taxiway

A defined path, usually paved, over which aircraft can taxi from one part of an airport to another (excluding the runway) as shown on the ALP.

Terminal Area

The passenger terminal proper, aircraft ramps, baggage-handling facilities, vehicular parking spaces, including rental car areas, roadways, water, sanitary sewer, storm sewer, gas, electrical, and other areas and facilities. The primary function of which is to serve the terminal and aircraft operators.

Tie-Down

The area, paved, suitable for parking and mooring of aircraft wherein suitable tie-down points have been located.

Tenant

Any individual, firm, corporation, company or other similar entity having proprietary control over any area of the Airport by virtue of, and subject to, a lease, contract or other formal arrangement with the MTAA.

Topeka Fire Department

The City of Topeka Fire Department (TFD) has jurisdiction for all fire and medical emergencies at the airport.

Topeka Police Department

The City of Topeka Police Department (TPD) has jurisdiction for all law enforcement issues at the airport.

Tower

The Air Traffic Control Towers at Philip Billard Airport, which are operated during times established by the FAA.

Traffic

Pedestrians, vehicles, aircrafts and all other conveyances while moving upon the ground on Airport property.

Transient Aircraft

Any aircraft utilizing the Airport for transient purposes and which is not based at the Airport.

TSA

Transportation Security Administration

Vehicle Service Road or Perimeter Roadway

A designated roadway for vehicles in a non-movement area as shown in the ALP

SECTION II

COMPLIANCE PROGRAM FOR THE MTAA **RULES AND REGULATIONS**

Any permission granted directly or indirectly, expressly or by implication, to an entity or individual to enter upon or use the Airport is conditioned upon assumption of responsibility to fully and completely comply with these Rules and Regulations as well as other applicable regulatory measures that may be promulgated by any governing body or agency having jurisdiction at the Airport. These Rules and Regulations are subject to enforcement by the MTAA. The MTAA maintains a Police and Fire Department that provides police and fire protection to the general public under the MTAA jurisdiction. (The City of Topeka has primary jurisdiction at Philip Billard Airport.) Neither the existence of these Rules and Regulations nor the enforcement of these Rules and Regulations establish any special relationship between the MTAA and any member of the general public. The MTAA Police and Fire Department does not assume any special obligation to provide police and fire protection to MTAA tenants or to the leased premises. The privilege of using MTAA property and its facilities shall be conditioned on the assumption of full responsibility of risk by the user thereof.

Authority

Pursuant to the Bylaws and subject to the overall supervision of the Board of Directors, the Airport President may remove or evict from the Airport any person who violates any rule prescribed herein, or any applicable statute, rule or regulation of the Federal Government or the State of Kansas, and may deny use of the Airport and its facilities to any such person if it is determined by the Airport President that such denial is in the public interest. The Airport President is granted the authority to designate other MTAA employees the authority to enforce these rules.

Variance or Waiver

The Airport President may vary from the provisions of these Rules and Regulations at any time when circumstances may require, in the interest of the public safety. Any variance shall be in writing and shall not constitute a waiver or modifications of any of the provisions herein for any purpose except as to the particular operator and the particular provision, which is the subject of the variance and only for so long as the circumstances warranting the variance exist.

SECTION III

GENERAL PROVISIONS APPLICABLE TO ALL AREAS OF THE MTAA INCLUDING, BUT NOT LIMITED TO PHILIP BILLARD AIRPORT

A. Abandoned, Derelict or Lost Property

Property including, without limitation, aircraft, vehicles, equipment, machinery, baggage, or personal property shall not be abandoned on the Airport. Abandoned, derelict, or lost property found in public areas at the Airport shall be reported to the President. Property unclaimed by its proper owner or items for which ownership cannot be established will be handled in accordance with applicable law. Nothing in this section shall be construed to deny the right of operators and other lessees to maintain "lost and found" service for property of their customers and/or employees. Any person finding lost articles shall deliver the articles to the MTAA Police and Fire Department located at Topeka Regional Business Center.

B. Accidents or Incidents

Accidents resulting in damage to property, injury requiring medical treatment, or interference with normal airport operations shall be promptly reported to 911 to request emergency services. Topeka Fire Department and Topeka Police Department have jurisdiction at Philip Billard Airport. The MTAA Police and Fire Department shall also be informed for the same events. The Police and Fire Department is then responsible for making notification to the Airport President.

C. Airport Liability

The MTAA or employees shall not be liable for loss, damage or injury to persons or property arising out of an accident, incident or mishap of any nature whatsoever and/or from any cause whatsoever and/or from any cause whatsoever to any individual, aircraft, or property occurring on the Airport, or in the use of any of the MTAA facilities.

D. Airport Operations

The airport President, or his designee, may delay, restrict, or prohibit, in whole or in part, any operations at the Airports for any justifiable reason.

E. Alcoholic Beverages

No person shall consume any alcoholic or cereal malt beverage upon any portion of MTAA property except in such places and at such times as authorized by the prior written approval of the President for dispensing and consumption of alcoholic beverages. Permission for such dispensing and consumption must be requested for each and every function at which liquor or cereal malt beverages will be present and must be in compliance with any applicable Local, State, and Federal Laws relating to the consumption of alcoholic or cereal malt beverages.

F. Animals

Domestic pets and animals, except animals required for assistance or law enforcement dogs, are not permitted on MTAA property or in the Airport terminal building, unless being transferred or shipped, and then only if controlled and restrained by a leash, harness, restraining strap, portable kennel, or other appropriate shipping container. Leashes, harnesses and straps shall not exceed six (6) feet. It shall be the responsibility of the owner or handler to exercise control over the animal at all times. Owners or handlers are responsible for the immediate removal and disposal of animal waste.

No person, except those authorized by the Airport President shall intentionally hunt, pursue, trap, catch, injure, or kill any bird or animal on the Airport. Feeding or otherwise encouraging the congregation of birds or animals on the Airport is prohibited, as established in the Airport Wildlife Hazard and Management Plan.

G. Buildings and Remodeling

No person shall construct, reconstruct or remodel any building or other improvement on the Airport without first obtaining written permission from the Airport President. All such work shall be done in a safe and workmanship manner and in accordance with all applicable building codes, laws and FAA AC 150/5190-4(current edition) - Height limits of objects around Airports. Any changes, alterations, or repairs made without proper approval, and any damage resulting there from shall be paid for by the person responsible and in accordance with the direction of the MTAA.

H. Business

Except as authorized and expressly permitted by the prior written approval of the Airport President, it shall be prohibited for any person to promote, solicit, or engage in any business, service, or trade on the Airport

Property; except as authorized on leased premises. Example of written approval includes, but is not limited to a lease, sublease, or written temporary permission.

I. Commercial Activities

Commercial activity of any kind on the Airport requires the express written approval of the MTAA through a specifically authorized lease, sublease, or written temporary permission, and upon such terms and conditions as they may prescribe, and the payment of any required fees. Unless otherwise provided in such document, any permission may not be assigned or transferred and shall be limited solely to the approved activity.

J. Damage to Airport Property

Any and all Airport property, real or personal, and/or facilities destroyed, broken, or damaged by accident or otherwise, shall be paid for by the person responsible for the damage. Aircraft equipped with tail or landing skids or other devices, which will damage pavement shall not be operated on the Airport.

K. Emergency (Confidential) Contact List

MTAA will maintain a Confidential Emergency Contact List for every tenant, sub-tenant, etc. All tenants, sub-tenants, and individuals requested by the Airport President shall provide the following information on a monthly basis, (as requested by an MTAA staff member) name, address, telephone number, and emergency contact telephone number. All FBO's shall maintain a file with current information on all hangar aircraft including make, model, tail number, owners name, address, and telephone number.

L. Fire/Open Flame Operations.

Open flames of any kind are prohibited on MTAA property without first securing written permission from the Airport President or his designee. Smoking and the use of any open-flame device is prohibited on any apron, or within fifty (50) feet of any aircraft, fuel truck, fueling facility, or other flammable storage facility. Any fires (regardless of the size of the fire or whether or not the fire has been extinguished) shall be reported immediately to the MTAA Police and Fire Department. No welding/cutting activities shall be conducted on the Airport without an approved fire extinguisher and a person trained in its proper usage present for the duration of any welding/cutting activities.

M. Fire Equipment

No person shall remove or cause the removal from its holder, container, reel, or bracket etc., any equipment or device used in fire detection, prevention or suppression, except in the case of an emergency or fire. In any event such equipment shall not be removed from any hangar or building for any other use than for which the fire equipment was intended. All fire doors, fire boxes, fire hydrants and all other firefighting equipment shall be kept clear of obstructions at all times.

N. Fireworks

The use of Fireworks is prohibited on all MTAA property. All tenants, sub-tenants, and individuals on Airport property wishing to engage in the selling or distribution of Fireworks shall acquire prior written approval from the Airport President, and be in compliance with all Federal, State, and County regulations.

O. Firearms and Explosives

No persons, except law enforcement officers on official duty, authorized federal agents on official duty, airport employees authorized by the Airport President, USDA employee responsible for Wildlife reduction purposes, members of the Armed Forces of the United States on official duty, and authorized foreign armed forces on official duty, shall carry any firearms or any explosives on Airport property. Unloaded and properly secured firearms may be stored as cargo for travel on Airport property.

P. General Conduct

No person shall use or otherwise conduct himself upon any portion of the MTAA Airport property in any manner contrary to any posted or otherwise visually indicated directions applicable to that area. Overnight camping or lodging on the Airport is prohibited. Use of any facility on, or area of, the Airport for sleeping or other purposes in lieu of a hotel, motel, residence or other public accommodation is prohibited. Spitting on, marking, or defacing the floors, walls, or other surface of the Airport is prohibited.

Q. Hazardous Material Spills

Any person who experiences overflowing or spilling of oil, grease, fuel, alcohol, glycol or any other hazardous material anywhere on the Airport shall immediately call the Airport Police and Fire Department. Persons involved in hazardous material incidents shall take action to prevent/minimize danger to personnel, property and the environment while awaiting arrival of the MTAA Police and Fire Department personnel. At the

discretion of MTAA, the entity responsible for the spill may be required to clean and properly dispose of the material/substance which shall be performed in compliance with all applicable federal, state, and local regulations and guidelines. In addition, the entity will be required to provide the MTAA with documentation of proper disposal. Any costs incurred by MTAA in such instances shall be reimbursable to the MTAA by the person responsible for the spill.

R. Painting and Finishing

All persons applying paint, doping processes, or paint stripping shall be performed only in those facilities approved for such activities by the Airport President and in compliance with all State and Federal laws and regulations or as provided in the MTAA leases.

S. Pictures

Except as authorized and expressly permitted by the prior written approval of the Airport President it shall be prohibited for any person to take still or motion pictures on the Airport for commercial purposes; except as authorized on leased premises.

T. Preservation of Property

No person shall destroy, or cause to be destroyed, damage, deface, or disturb, in any way, property of any nature located on the Airport. Any person causing or responsible for such injury, destruction, damage or disturbance to Airport-owned property shall report such damage to the Airport President and shall reimburse the Airport the full amount for the repair of property. No person shall take or use any aircraft, aircraft parts, instruments, tools, controlled, or operated by any person while on the Airport or within its hangars, except with the consent of the owner or operator thereof. No person shall prevent the lawful use and enjoyment of the Airport by others. Any activity which results in littering, environmental pollution or vandalism on the Airport is not permitted and violators are subject to prosecution.

U. Sale of Merchandise

Except as authorized and expressly permitted by the prior written approval of the Airport President, it shall be prohibited for any person to sell or offer for sale any article of merchandise on Airport property; except as authorized on leased premises.

V. Signage

All identification, advertising, directional signage, circulate leaflets, or written material by users or tenants on MTAA property must meet the terms of the lease agreement or have said signage approved by the Airport President. No signage will be allowed that distracts or interferes with aircraft traffic, motor vehicle traffic, or in any way affects the safety of the Airport. MTAA has the right to remove any such sign, placard, picture, advertisement, name or notice in any such manner as the Airport may designate.

W. Solicitation, Picketing, and/or Demonstrations

Except as authorized and expressly permitted by the prior written approval of the Airport President, it shall be prohibited for any person or persons to engage in Solicitation, Picketing, and Demonstrations on MTAA property.

X. Special Events

A Special Event on the Airport requires written coordination, regulation, and authorization by the Airport President prior to the public disclosure or advertisement of the event. Certain events may require an operating agreement or temporary lease with the MTAA.

Y. Speed Limit and Safety

Except for emergency vehicles responding to an emergency, no person shall operate any motor vehicle or motorized conveyance on any drive or road at a speed greater than 25 miles per hour unless otherwise officially posted. All persons operating a motor vehicle or motorized conveyance on MTAA property must abide by all State laws when operating said vehicle. No person shall operate a motor vehicle or motorized conveyance in a careless or reckless manner or at a speed that may endanger person or property in the area.

Z. Storage of Flammable Materials

No person shall keep, store or discard any flammable liquids, gases, lubricating oils, signal flares or other similar materials on MTAA property unless such materials are kept in proper receptacles installed for such purposes or in such areas and such manner as is approved by the MTAA. No person shall store or stock materials or equipment in such a manner as to constitute a fire hazard in any building or hangar.

AA. Trash and Other Waste Containers

No person shall dispose of garbage, paper, refuse or other materials on the Airport except in receptacles provided for that purpose. Tenants, operators and other users of the Airport shall not move or otherwise re-locate Airport placed waste containers. Garbage, empty boxes, crates, rubbish, trash, papers, refuse, or litter or any kind shall not be placed, discharged, or deposited on the Airport, except in the receptacles provided specifically for that purpose. Burning of garbage, empty boxes, crates, rubbish, trash, papers, refuse, or litter of any kind on the Airport is prohibited. Trash and other waste containers at the Airport shall only be used for trash generated on Airport Property. Trash and other waste containers shall be kept clean and sanitary at all times. Tenants and operators shall ensure that their trash and waste containers are emptied with sufficient frequency to prevent overflowing. All MTAA tenants and operators shall provide appropriate receptacles with covers for the storage of such trash.

BB. Wildlife Hazard Reduction

The Airport President will designate individuals who are authorized to use FAA approved wildlife hazard reduction techniques including, but not limited to, the discharge of firearms on Airport property. Use of lethal reduction techniques will comply with FAA guidelines, Kansas Department of Wildlife and Parks guidelines and Federal Depredation permits and tag requirements assigned to the airport each year. Copies of the Federal Depredation permits are maintained in the Operations Office at the Topeka Regional Airport. Firearms shall be discharged in a safe manner away from people and property to avoid injury.

Section V

Philip Billard Airport

1. General Provisions

a. Aircraft

All persons shall taxi, take-off, land upon and fly from the Airport; service, maintain and repair any aircraft at the Airport; or conduct aircraft operation on or from the Airport in a safe manner and in conformity with the rules and regulations contained herein and in compliance with applicable FAA, TSA, Local, State and Federal regulations.

b. Commercial Use

All persons using the Airport for commercial aviation purposes, including but not limited to, agricultural aviation, the carrying for hire of passengers, freight or mail, flight instruction, or other commercial uses shall do so only after receipt of prior written permission from the Airport President subject to the terms and conditions of an agreement with the MTAA, payment of rates and charges and evidence of insurance as prescribed by the MTAA. Commercial aircraft not in compliance with this rule shall not be allowed to operate at the Airport.

c. Authority to Close Airport

Except for the emergency landing of aircraft, the President, or designee, in coordination with the FAA, may prohibit or restrict aircraft flying activities at any time when the President, or designee, deems such activity is likely to endanger persons or property.

d. Access to Hangars

No person, other than MTAA personnel, MTAA Tenants, Sub-Tenants that have a lease or an agreement with MTAA, shall have access to hangars on the Airport without permission from the Airport President.

e. Cleaning Aircraft

No person shall use flammable liquids in cleaning of aircraft, aircraft engines, propellers and appliances or accessories unless such cleaning operations are conducted in open air or in a room specifically designed for that purpose which room shall be properly ventilated, fireproofed and equipped with adequate and readily accessible fire extinguishing equipment. "DANGER - NO SMOKING" signs are to be posted in such areas, capable of being seen at a minimum distance of fifty (50) feet.

f. Doping and Painting

No person shall dope or paint any aircraft except in areas specifically authorized by the MTAA.

g. Rates for Airport Services and Facilities

The MTAA Board of Directors with the direct guidance of the Airport President and in compliance with FAA Order 5190.6B (Airport Compliance Manual) will set rates and charges for services and facilities at the Airport. All such rates shall be in force and effect until otherwise provided.

2. Air Operations Security Area

a. Security and Safety

All aircraft flying into Philip Billard Airport with a gross weight equal to or greater than 12,500 pounds are subject to TSA 1544 requirement for developing and implementing a Security Program. All aircraft under a gross weight of 12,500 pounds operating at Philip Billard Airport are to report any suspicious activity to the MTAA Police and Fire Department. Only MTAA Employees, Tower personnel, NOAA personnel, and Philip Billard tenants whose business requires they have access to the AOA shall enter into or upon an air operations area. This rule shall not apply to contractors and their employees performing authorized work on Airport property.

3. Aircraft Provision on AOA

a. Accidents or Incidents

Accidents resulting in damage to property, injury requiring medical treatment, or interference with normal airport operations shall be

promptly reported to 911 to request emergency services. Topeka Fire Department and Topeka Police Department have jurisdiction at Philip Billard Airport. The MTAA Police and Fire Department shall also be informed for the same events. The Police and Fire Department is then responsible for making notification to the Airport President. Aircraft operators involved in an incident or accident on the Airport resulting in an injury to a person, death of a person or damage to property shall complete any necessary reports and forms, and comply with all applicable provisions of National Transportation Safety Board (NTSB) Regulations Part 830. The aircraft operator is responsible for all damages to property, including, but not limited to, damage to a runway, taxiway, apron, signage, navigational aid, light or fixture. An aircraft involved in an accident on the Airport may not be removed from the scene of the accident until authorized by the FAA Regional Operations Office and approved by the Airport President. Once authorization to remove the Aircraft has been issued, the aircraft operator shall be responsible for the safe and prompt removal of disabled aircraft and parts. Subject to the requirements above, disabled aircraft shall be removed within 60 minutes from any runway or taxiway. If immediate arrangements are not made (so that the Airport can return to full operational status without unreasonable delay), the Airport may have any disabled aircraft removed, at the aircraft operator's sole risk and expense, without liability for damage arising from or out of such removal.

b. Aircraft Operations

- i. Operating an aircraft in a careless, negligent, or reckless manner; in disregard of the rights and safety of others; without due caution and care; or at a speed or in a manner which endangers, or is likely to endanger persons or property is prohibited.
- ii. All persons (with the exception of properly authorized and assigned military personnel) while operating an aircraft at the Airport must have in their possession a current, valid, and applicable FAA airman's license for the aircraft they are flying. All Student Pilots operating an aircraft must be accompanied by an individual who has a current and valid airman's license for the aircraft they are flying.
- iii. No person shall operate, or assist in the operation of, an aircraft at the Airport while under the influence of alcohol or substance which will cause impairment of mental or physical abilities.

- iv. Aircraft operators shall obey all pavement markings, signage, and lighted signals unless instructed otherwise by the Air traffic Controller.
- v. Operating an aircraft constructed, modified, equipped, or loaded as to endanger, or be likely to endanger persons or the property of any person, is prohibited.
- vi. Experimental flights or ground demonstrations shall not be conducted on the Airport without the prior written permission of the Airport President.
- vii. The starting, positioning, or taxiing of any aircraft shall be done in such a manner to minimize the risk of directing any propeller slipstream or engine thrust or rotor wash that may endanger or result in injury to persons or damage to property.
- viii. Aircraft engines shall not be started within, and aircraft shall not be taxied into, out of, or within, any structure on the Airport.
- ix. Aircraft shall only be taxied or towed on runways, taxiways, and aprons.
- x. Aircraft operators shall not taxi an aircraft at the Airport at a speed greater than is reasonable and prudent under the conditions with regard for actual and potential hazards and other aircraft so as not to endanger persons or property.
- xi. Taxiing aircraft shall yield the right-of-way to any emergency vehicle. The runway aircraft weight limitations for the Airport (FAA Gross Weight Evaluation) set forth in the FAA Facility Directory shall not be exceeded without the prior approval of the Airport President.
- xii. Aircraft operators shall not land, take off, taxi, or park an aircraft on any area that has been restricted to a maximum weight bearing capacity of less than the weight of the aircraft. It shall be the aircraft operator's responsibility to bear the expense of repair for any damage to the Airport's runways, taxiways, or aprons caused by excessive aircraft weight.
- xiii. Aircraft flying into or taking off from Philip Billard Airport shall establish radio contact with ATC prior to taxiing, take-off, landing, or entering Billard Airport Airspace and proceed as instructed by ATC. During hours when the Airport Control Tower is not in operation all

Aircraft, Motor Vehicles, etc. shall announce their intentions on the Common Traffic Advisory Frequency (118.7).

c. Aircraft Parking and Storage

- i. FBO's are prohibited from providing aircraft storage to the public for the procurement of fuel or other supplies or services from a specific source as a condition of aircraft storage.
- ii. Aircraft shall be parked only in those areas designated for such purpose and shall not be positioned in such a manner so as to block a runway, taxiway, or fire hydrant, or obstruct access to hangars, parked aircraft, or parked vehicles. Aircraft operators shall ensure parked and stored aircraft are properly secured as set forth in FAA AC 20-35(current edition).
- iii. Parked or stored helicopters shall have braking devices or rotor mooring blocks applied to the rotor blades.
- iv. All aircraft loading and unloading at the passenger terminal must be parked at designated gate position.
- v. Upon request of the Airport President, the operator of any aircraft parked or stored at the Airport shall move the aircraft to the location and/or position on the Airport identified by the Airport President. In the event the aircraft operator refuses, is unable or unavailable, the Airport President may move the aircraft to the area at the risk and expense of the aircraft operator without liability for damage that may arise from such movement.

d. Tie-Down Rules and Regulations.

The Metropolitan Topeka Airport Authority will not be responsible for property loss, or damage, due to any condition, or injuries sustained by reason of customers use of tie-downs and Airport facilities. The FBO or owner operator will provide tie-down ropes, chains, cables, rings, blocks, and space; however, it shall be the responsibility of the customer to ensure that the aircraft is properly secured and all unattended aircraft shall be properly secured and tied down to prevent damage to property.

e. Engine Run Ups

Aircraft shall not perform run ups so that engine blast is directed at persons, other aircraft, hangars, or vehicles.

f. Fixed Wing Aircraft

Fixed wing aircraft shall land and take off in areas designed to support landing and taking off, for example on runways only. Landing aircraft will clear the runway as soon as possible when given clearance by the tower.

g. Fueling Operations (Aircraft)

All persons engaged in the fueling of Aircraft on the Airport shall use extreme caution and care to prevent the overflow of fuel. In the event of a spill of fuel on the Airport the party responsible for the spill will notify the MTAA Police and Fire Department. The party responsible for the spill will assume all the cost associated for the cleanup of the spill. No fueling activity will take place unless the appropriate fire extinguishing equipment is present. No individual will commence in a fueling activity without the proper training. Aircraft fueling while one or more engines are running is required to have an ARFF apparatus present. Fueling of an aircraft in a building is prohibited. No person shall participate in the any aircraft fueling or de-fueling except in compliance with the required training for Aircraft Fueling and NFPA 407.

h. Enplaned and Deplaned Passengers

Passengers either enplaning or deplaning should do so in the appropriate areas on the Airport.

i. Helicopter Operations

All helicopter operations, landing, take-off, and taxiing, shall be conducted on the Airport ramp, taxiway, and runways. Helicopters shall not be parked or operated within one hundred fifty (150) feet of any aircraft.

j. Specialized Aeronautical Events

All Specialized Aeronautical Events conducted on Airport property are prohibited on the Airport unless prior written approval from the Airport President is granted. Examples of Specialized Aeronautical Events are, but not limited to, hot air balloon operations, parachute drops, glider or banner towing, unmanned aircraft, air shows or air events. All event coordinators will need to show the Airport President they will abide by all FAA, TSA, and other Federal Regulations that would apply before receiving written approval from the Airport President.

k. Tail Skid

Aircraft (excluding Helicopters) equipped with tail or landing skids or other devices, which will damage to pavement shall not be operated on the Airport.

4. Motor Vehicle Provisions on AOA

a. Non-Movement Area

- i. All vehicles operating on the AOA shall always yield the right-of-way to an aircraft, emergency vehicles or pedestrians.
- ii. Vehicle operators must have a valid state operating license in order to drive on any portion of the AOA, and all vehicles must have evidence of proper vehicle insurance as required by State Law.
- iii. All vehicles operating on the AOA shall not drive within 100 feet of an aircraft while its engines are running.
- iv. The use of all-terrain vehicles, scooters, motorcycles, and bicycles are prohibited on the AOA. All motor vehicles, except emergency vehicles responding to an emergency, shall not operate on the apron at a speed greater than 20 miles per hour.
- v. Tugs and baggage carts shall be returned to designated areas following unloading.

b. Movement Area

No vehicles except airport vehicles, FAA vehicles, emergency vehicles, National Weather vehicles, or FBO vehicles are permitted within the movement area. Unless escorted, all vehicles in the movement area shall be equipped with a functional two way radio capable of operating on the proper aeronautical frequencies (118.7 or 121.9). A vehicle without a two way radio capable of communicating on said frequencies can enter the movement area only if escorted by a vehicle equipped with a two way radio capable of communicating on the proper frequencies. Vehicle operators must have a valid state operating license in order to drive on the AOA and all vehicles must have evidence of proper vehicle insurance as required by State Law. All vehicle operators driving in the Movement Area shall obey the instructions of the Air Traffic Controller on duty.

c. Parking

Vehicles shall be parked in areas designated for such use. Vehicles shall not stop or park in a manner such as to obstruct driveways, roadways, walkways, fire lanes, runways, taxiways, hangers, parked aircrafts, or other parked vehicles. All vehicles should park in a manner that occupies one parking space. All vehicles are prohibited from parking within 10 feet of a fire hydrant. Aviation fueling trucks containing either 100LL or Jet Fuel shall not be parked within 50 feet of any building. All aviation fueling trucks shall be parked in the designated area.

d. Vehicle Operations on the Airport

All vehicles operated on the airport must be driven in a responsible manner in regard to the rights and safety of others. Vehicle operators shall obey all posted speed limits. Vehicle operators must provide proper signals and obey all traffic signs and pavement markings. Vehicle operators must obey all Local, State, and Federal traffic laws while operating on airport property. All vehicle operators must have a valid state operating license in order to drive on the Airport, and all vehicles must have evidence of proper vehicle insurance as required by State Law.

e. Fuel Provisions

i. Aircraft Fuel Storage and Dispensing

FBOs and operators shall apply the standards set forth by the FAA Advisor Circular 150/5230-4(current edition) Aircraft Fuel Storage, Handling and Dispensing on Airports and National Fire Protection Agency 407. FBO's and operators will not install a self-serving fuel station or similar facilities without prior written approval by the Airport President.

ii. Fuel Flowage Fees

All FBOs, operators, or individuals selling aviation fuel on Airport Property are required to have a lease with MTAA specifying the allotted amount for a fuel flowage fee. All Fuel Flowage Fees are payable to the MTAA administration office. All FBO's, operators, or individuals selling aviation fuel on the Airport Property are required to pay Fuel Flowage Fees.

iii. **Fuel Storage Facilities**

All Fuel Storage Facilities existing or planned are required to have a written approval to use such area, or build such facility, by the Airport President. All Fuel Storage Facilities must meet all Local, State, and Federal requirements and regulations. Fuel Storage Facilities must abide by all Part 139 and NFPA 407 requirements.

iv. **Motor Vehicle Fueling Operations**

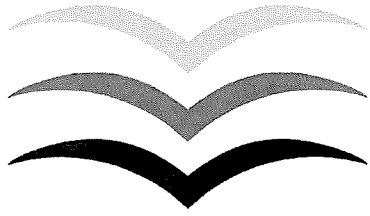
All persons engaged in the fueling of Motor Vehicles on the Airport shall use extreme caution and care to prevent the overflow of fuel. In the event of a spill of fuel on the Airport the party responsible for the spill will notify the MTAA Police and Fire Department. The party responsible for the spill will assume all the cost associated for the cleanup of the spill. No fueling activity will take place unless the appropriate fire extinguishing equipment is present. No individual will commence in a fueling activity without the proper training.

v. **Fueling Equipment and Structures**

All refueling of an aircraft will be done at a minimum distance of 50 feet from any building. All refueling vehicles shall be parked at least 50 feet from a building. All refueling vehicles will be parked in the designated area.

vi. **Fueling Training**

All personnel engaged in fueling operations shall be trained in procedures for fueling aircraft, those procedures are not limited to quality control, safety, fire prevention, use of a fire extinguisher, responding to a fuel spill, handling flammable materials, and actions required when an emergency occurs from a fuel spill or fire. All fueling personnel shall receive proper training upon employment. Records of training shall be maintained of each person engaged in fueling operations. Training records shall be made available for review when requested by the Airport President, or designee.



MTAA

METROPOLITAN TOPEKA AIRPORT AUTHORITY

TOPEKA REGIONAL | BILLARD AIRPORT
AIRPORT & BUSINESS CENTER

Rules & Regulations

Metropolitan Topeka Airport Authority
6510 SE Forbes Ave, Suite 1
Topeka, KS 66619
785-862-2362

Adopted by the Board of Directors _____, 2024

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RULES AND REGULATIONS FOR THE METROPOLITAN TOPEKA AIRPORT AUTHORITY

The following Rules and Regulations, as approved by the Board of Directors, are adopted by the Metropolitan Topeka Airport Authority pursuant to K.S.A. 27-327 et. seq. These Rules and Regulations may be altered, amended, or repealed and additional Rules and Regulations may be adopted by the MTAA. Any alterations or modifications to these Rules and Regulations will be available at the MTAA Administration Office.

SECTION I

COMMON DEFINITIONS

The following definitions are applicable to these Rules and Regulations as adopted by the Metropolitan Topeka Airport Authority. These definitions shall apply to these terms whenever used in this document, unless expressly defined differently therein.

Airport President

The President of the MTAA, who is appointed by the MTAA Board of Directors, who has the overall administrative authority to direct the operations of the MTAA

Board

The Metropolitan Topeka Airport Authority Board of Directors consists of five members. Three members shall be registered voters and Topeka residents who are appointed by the Mayor of Topeka with the approval of the City Council. Two members shall be Shawnee County residents residing outside the Topeka city limits and appointed by the Shawnee County Board of Commissioners.

Building

The main portion of each structure, all projections or extensions there-from and any additions or changes thereto, and shall include hangars, garages, outside platforms and docks, carports, canopies, eaves and porches. Paving, ground cover, fences, signs and landscaping shall not be included in this definition.

CFR

Code of Federal Regulations.

Commercial

That which involves or makes possible earnings, income, compensation (including exchange of service), and/or profit, whether or not such objectives are accomplished.

Courtesy Vehicle

Any vehicle used in commercial activity, other than a taxicab, to transport persons, baggage, goods, or any combination thereof, between the MTAA and off-site businesses such as hotels, motels, or other attractions and the business establishment owning or operating such vehicle, the operation of which is generally performed as a service without direct costs to the passenger.

Equipment

All machinery, supplies, tools, trade fixtures and apparatus necessary for the proper conduct of the activity being performed.

Environmental Laws

Any and all laws, rules, regulations, regulatory agency guidance and policies, ordinances, applicable court decisions, and MTAA guidance documents, directives, policies (whether enacted by any local, state or federal governmental authority, or by the MTAA) now in effect or hereafter enacted that deal with the regulation or protection of the environment (including the ambient air, ground water, surface water and land, including subsurface land and soil), or with the generation, handling, storage, disposal or use of chemicals or substances that could be detrimental to human health, the workplace, the public welfare, or the environment.

FAA

Federal Aviation Administration

Fuel Handling

The transporting, delivering, fueling, or draining of fuel or fuel waste products.

Hazardous Materials

Means any hazardous or toxic substance, material or waste, which is or becomes regulated by any local government authority, the State of Kansas or the United States Government. The term "Hazardous Material" includes, without limitation, any material or substance that is: (1) defined as a hazardous substance" under appropriate state law provisions; (2) petroleum; (3) asbestos (4) designated as "hazardous substance" pursuant to Section 311 of the Federal Water Pollution Control Act (33 USC Section 1321); (5) defined as "hazardous waste" pursuant to Section 1004 of the Federal Resource Conservation and Recovery Act (42 USC Section 9601); or (7) defined as a "regulated substance" pursuant to Subchapter IX, Solid Waste Disposal Act (Regulation of Underground Storage Tanks) (42 USC Section 6991).

Improvements

All buildings, structures and facilities, including, but not limited to, pavement, fencing, signs and landscaping constructed, installed or placed on, under or above any leased area by or with the concurrence of a lessee. Plans and specifications for all improvements must be approved by the MTAA before said improvements are initiated.

Law Enforcement Officer

Means an individual who meets the State of Kansas and or Federal Government requirements to be a certified Law Enforcement Officer.

Lease

A contractual agreement between the MTAA and a person, business, entity, etc., granting the use of a defined ground area on MTAA property for a term of years, and establishing conditions for its use.

Motor Vehicle or Vehicle

Means any self-propelled vehicle which is required to be registered and licensed with the State of Kansas and operated by the a State of Kansas licensed driver, except an aircraft, designed to transport persons, property or equipment.

Motorized Conveyance

Means any motor-propelled equipped mode transportation other than a motor vehicle.

MTAA

The Metropolitan Topeka Airport Authority, a political subdivision of the State or Kansas created and authorized pursuant to K.S.A. 27-327, et. Seq.

MTAA Police and Fire Department

Refers to the Metropolitan Topeka Airport Authority Police and Fire Department. All Police Officers employed in the Department are commissioned law enforcement officers vested with the authority, right, obligation, and duty incumbent upon a law enforcement officer as prescribed by the laws of the State of Kansas. All Fire Department employees meet and maintain the requirements to be a Part 139 aircraft rescue firefighter.

National Fire Protection Association (NFPA)

All codes, standards, rules, and regulations contained in the Standards of the National Fire Protection Association, as may be amended from time to time, and are incorporated herein by reference.

Non-Commercial

Not for the purpose of securing earnings, income, compensation (including exchange of service), and/or profit.

Perimeter Fence

The line defined by buildings and perimeter fencing enclosing the A.O.A. as required under the Airport Security Program and applicable Federal regulations.

Person

Any individual, firm, sole proprietorship, corporation, company, limited liability entity, association, joint stock association, partnership, co-partnership, trust, estate, political body or other form of entity, and includes any trustees, receiver, assignee, or similar representative thereof.

Police

Refers to the Metropolitan Topeka Airport Authority Police Department that have law enforcement jurisdiction over all MTAA property

Regulatory Measures

Federal, state, county, local, codes, statutes, ordinances, orders, policies, rules, and regulations, including, without limitation, those of the United States Department of Transportation (USDOT), United States Department of Homeland Security, FAA, TSA, NFPA, the Airport Certification Manual, Airport Security Plan, and these Rules; all as may be in existence, hereafter enacted, and amended from time to time.

Release

Any releasing, disposing, discharging, injecting, spilling, leaking, leaching, pumping, dumping, emitting, escaping, emptying, seeping, dispersal, migration, transporting, placing, and actions of similar nature, including without limitation, the moving of any material through, into or upon any land, soil, surface water, ground water, or air, or otherwise entering into the environment.

Sublease

A lease granted by an MTAA lessee to another entity of all, or part, of the property leased from the Authority, where on a sole or joint lease basis.

Tenant

Any individual, firm, corporation, company or other similar entity having proprietary control over any area of the MTAA by virtue of, and subject to, a lease, contract or other formal arrangement with the MTAA.

SECTION II

COMPLIANCE PROGRAM FOR THE MTAA **RULES AND REGULATIONS**

Any permission granted directly or indirectly, expressly or by implication, to an entity or individual to enter upon or use MTAA property is conditioned upon assumption of responsibility to fully and completely comply with these Rules and Regulations and all regulatory measures that may be promulgated by any governing body or agency having jurisdiction on MTAA property. These Rules and Regulations are subject to enforcement by the MTAA. The MTAA maintains a Police and Fire Department that provides police and fire protection to the general public under the MTAA jurisdiction. Neither the existence of these Rules and Regulations nor the enforcement of these Rules and Regulations establish any special relationship between the MTAA and any member of the general public. The MTAA Police and Fire Department does not assume any special obligation to provide police and fire protection to MTAA tenants or to the leased premises. The privilege of using MTAA property and its facilities shall be conditioned on the assumption of full responsibility of risk by the user thereof.

Authority

Pursuant to the Bylaws and subject to the overall supervision of the Board of Directors, the MTAA President may remove or evict from MTAA property any person who violates any rule prescribed herein, or any applicable statute, rule or regulation of the Federal Government of the State of Kansas, and may deny use of the it's facilities to any such person if it is determined by the MTAA President that such denial is in the public interest. The MTAA President is granted the authority to designate other MTAA employees the authority to enforce these rules.

Variance or Waiver

The MTAA President may vary from the provisions of these Rules and Regulations at any time when circumstances may require, in the interest of the public safety. Any variance shall be in writing and shall not constitute a waiver or modifications of any of the provisions herein for any purpose except as to the particular operator and the particular provision, which is the subject of the variance and only for so long as the circumstances warranting the variance exist.

SECTION III

GENERAL PROVISIONS APPLICABLE TO ALL AREAS OF THE TOPEKA REGIONAL BUSINESS CENTER

A. Abandoned, Derelict or Lost Property

Property including, without limitation, vehicles, equipment, machinery, baggage, or personal property shall not be abandoned on MTAA property. Abandoned, derelict, or lost property found in public areas at the TRBC shall be reported to the President. Property unclaimed by its proper owner or items for which ownership cannot be established will be handled in accordance with applicable law. Nothing in this section shall be construed to deny the right of operators and other lessees to maintain "lost and found" service for property of their customers and/or employees. Any person finding lost articles shall deliver the articles to the MTAA Police and Fire Department located at Topeka Regional Business Center.

B. Accidents or Incidents

Accidents resulting in damage to property, injury requiring medical treatment, or interference with normal airport operations shall be promptly reported to the MTAA Police and Fire Department. The Police and Fire Department then is responsible for making notification to the MTAA President.

C. Alcoholic Beverages

No person shall consume any alcoholic or cereal malt beverage upon any portion of MTAA property except in such places and at such times as authorized by the prior written approval of the President for dispensing and consumption of alcoholic beverages. Permission for such dispensing and consumption must be requested for each and every function at which liquor or cereal malt beverages will be present and must be in compliance with any applicable Local, State, and Federal Laws relating to the consumption of alcoholic or cereal malt beverages.

D. Animals

Domestic pets and animals, except animals required for assistance or law enforcement dogs, are not permitted on MTAA Property or in the Airport passenger terminal building, unless being transferred or shipped, and then only if controlled and restrained by a leash, harness, restraining strap, portable kennel, or other appropriate shipping container. Leashes, harnesses and straps shall not exceed six (6) feet. It shall be the responsibility of the owner or handler to exercise control over the animal at all times. Owners or handlers are responsible for the immediate removal and disposal of animal waste. No person, except those authorized by the MTAA President shall intentionally hunt, pursue, trap, catch, injure, or kill any bird or animal on MTAA property. Feeding or otherwise encouraging the congregation of birds or animals on MTAA property is prohibited, as established in the Airport Wildlife Hazard and Management Plan.

E. Buildings and Remodeling

No person, other than MTAA, shall construct, reconstruct or remodel any building or other improvement without first obtaining written permission from the MTAA President. All such work shall be done in a safe and workmanship manner and in accordance with all applicable building codes, laws, ordinances and FAA AC 150/5190-4(current edition) (Height limits of objects around Airports). Any changes, alterations, or repairs made without proper approval, and any damage resulting there from shall be paid for by the person responsible and in accordance with the direction of the MTAA.

F. Business

Except as authorized and expressly permitted by the prior written approval of the MTAA President, it shall be prohibited for any person to promote, solicit, or engage in any business, service, or trade on MTAA Property; except as authorized on leased premises. Example of written approval includes, but is not limited to a lease, sublease, or written temporary permission.

G. Commercial Activities

Commercial activity of any kind requires the express written approval of the MTAA through a specifically authorized lease, sublease, or written temporary permission, and upon such terms and conditions as they may prescribe, and the payment of any required fees. Unless otherwise provided in such document, any permission may not be assigned or transferred and shall be limited solely to the approved activity.

H. Damage to MTAA Property

Any and all MTAA property, real or personal, and/or facilities destroyed, broken, or damaged by accident or otherwise, shall be paid for by the person responsible for the damage.

I. Emergency (Confidential) Contact List

MTAA will maintain a Confidential Emergency Contact List for every tenant, sub-tenant, etc. All tenants, sub-tenants, and individuals requested by the MTAA President shall provide the following information on a monthly basis, (as requested by an MTAA staff member) name, address, telephone number, and emergency contact telephone number. All FBO's shall maintain a file with current information on all hangar aircraft including make, model, tail number, owners name, address, and telephone number.

J. Fire/Open Flame Operations.

Open flames of any kind are prohibited on MTAA property without first securing written permission from the MTAA President or his designee. Smoking and the use of any open-flame device is prohibited on any apron, or within fifty (50) feet of any aircraft, fuel truck, fueling facility, or other flammable storage facility. Any fires (regardless of the size of the fire or whether or not the fire has been extinguished) shall be reported immediately to the MTAA Police and Fire Department. No welding/cutting activities shall be conducted on the MTAA property without an approved fire extinguisher and a person trained in its proper usage present for the duration of any welding/cutting activities.

K. Fire Equipment

No person shall remove or cause the removal from its holder, container, reel, or bracket etc., any equipment or device used in fire detection, prevention or suppression, except in the case of an emergency or fire. In any event such equipment shall not be taken for any hangar or building for any other use than for which the fire equipment was intended for. All fire doors, fire boxes, fire hydrants and all other firefighting equipment shall be kept clear of obstructions at all times.

L. Fireworks

The use of Fireworks is prohibited on all MTAA property. All tenants, sub-tenants, and individuals on MTAA property wishing to engage in the selling or distribution of Fireworks shall acquire prior written approval from the MTAA President, and be in compliance with all Federal, State, and County regulations.

M. Firearms and Explosives

No persons, except law enforcement officers on official duty, authorized federal agents on official duty, MTAA employees authorized by the MTAA President, USDA employee responsible for Wildlife reduction purposes, members of the Armed Forces of the United States on official duty, and authorized foreign armed forces on official duty, shall carry any firearms or any explosives on MTAA property. Unloaded and properly secured firearms may be stored as cargo for travel on MTAA property.

N. General Conduct

No person shall use or otherwise conduct himself upon any portion of the MTAA property in any manner contrary to any posted or otherwise visually indicated directions applicable to that area. Overnight camping or lodging on the MTAA property is prohibited. Except for the MTAA Police and Fire Department station, use of any facility on, or area of, MTAA property for sleeping or other purposes in lieu of a hotel, motel, residence or other public accommodation is prohibited. Spitting on, marking, or defacing the floors, walls, or other surface of the Airport is prohibited.

O. Hazardous Material Spills

Any person who experiences overflowing or spilling of oil, grease, fuel, alcohol, glycol or any other hazardous material anywhere on MTAA property shall immediately call the MTAA Police and Fire Department. Persons involved in hazardous material incidents shall take action to prevent/minimize danger to personnel, property and the environment while awaiting arrival of the MTAA Police and Fire Department personnel. At the discretion of MTAA, the entity responsible for the spill may be required to clean and properly dispose of the material/substance which shall be performed in compliance with all applicable federal, state, and local regulations and guidelines. In addition, the entity may be required to provide the MTAA with required documentation of proper disposal. Any costs incurred by MTAA in such instances shall be reimbursable to the MTAA by the person responsible for the spill.

P. Painting and Finishing

All persons applying paint, doping processes, or paint stripping shall be performed only in those facilities approved for such activities by the MTAA President and in compliance with all State and Federal laws and regulations or as provided in the MTAA leases.

Q. Pictures

Except as authorized and expressly permitted by the prior written approval of the MTAA President it shall be prohibited for any person to take still or motion pictures on MTAA property for Commercial purposes; except as authorized on leased premises.

R. Preservation of Property

No person shall destroy, or cause to be destroyed, damage, deface, or disturb, in any way, property of any nature located on MTAA property. Any person causing or responsible for such injury, destruction, damage or disturbance to MTAA-owned property shall report such damage to the MTAA President and shall reimburse the MTAA the full amount for the repair of property. Any activity which results in littering, environmental pollution or vandalism on the MTAA property is not permitted and violators are subject to arrest.

S. Sale of Merchandise

Except as authorized and expressly permitted by the prior written approval of the MTAA President, it shall be prohibited for any person to sell or offer for sale any article of merchandise on MTAA property; except as authorized on leased premises.

T. Signage

All identification, advertising, directional signage, circulate leaflets, or written material by users or tenants on MTAA property must meet the terms of the lease agreement or have said signage approved by the MTAA President. No signage will be allowed that distracts or interferes with motor vehicle traffic, or in any way affects the safety of the public. MTAA has the right to remove any such sign, placard, picture, advertisement, name or notice in any such manner as the MTAA may designate.

U. Solicitation, Picketing, and/or Demonstrations

Except as authorized and expressly permitted by the prior written approval of the MTAA President, it shall be prohibited for any person or persons to engage in Solicitation, Picketing, and conduct Demonstrations on MTAA property.

V. Special Events

A Special Event on MTAA property requires written coordination, regulation, and authorization by the MTAA President prior to the public disclosure or advertisement of the event. Certain events may require an operating agreement or temporary lease with the MTAA President.

W. Speed Limit and Safety

Except for emergency vehicles responding to an emergency, no person shall operate any motor vehicle or motorized conveyance on any drive or road at a speed greater than 35 miles per hour unless otherwise officially posted. All persons operating a motor vehicle or motorized conveyance on MTAA property must abide by all State laws when operating said vehicle. No person shall operate a motor vehicle or motorized conveyance in a careless or reckless manner or at a speed that may endanger person or property in the area.

X. Storage of Flammable Materials

No person shall keep, store or discard any flammable liquids, gases, lubricating oils, signal flares or other similar materials on MTAA property unless such materials are kept in the aircraft or building area in proper receptacles installed for such purposes or in such areas and such manner as is approved by the MTAA. No person shall store or stock materials or equipment in such a manner as to constitute a fire hazard in any building or hangar.

Y. Trash and Other Waste Containers

No person shall dispose of garbage, paper, refuse or other materials on MTAA property except in receptacles provided for that purpose. Tenants, operators and other users of MTAA property shall not move or otherwise re-locate MTAA placed waste containers. Garbage, empty boxes, crates, rubbish, trash, papers, refuse, or litter or any kind shall not be placed, discharged, or deposited on MTAA property, except in the receptacles provided specifically for that purpose. Burning of garbage, empty boxes, crates, rubbish, trash, papers, refuse, or litter of any kind on MTAA property is prohibited. Trash and other waste containers shall only be used for trash generated on MTAA Property. Trash and other waste containers shall be kept clean and sanitary at all times. Tenants and operators shall ensure that their trash and waste containers are emptied with sufficient frequency to prevent overflowing. All MTAA tenants and operators shall provide appropriate receptacles with covers for the storage of such trash.

Z. Wildlife Hazard Reduction

The MTAA President will designate individuals who are authorized to use FAA approved wildlife hazard reduction techniques including, but not limited to, the discharge of firearms on MTAA property. Use of lethal reduction techniques will comply with FAA guidelines, Kansas Department of Wildlife and Parks guidelines and Federal Depredation permits and tag requirements assigned to the MTAA each year. Copies of the Federal Depredation permits are maintained in the operations office. Firearms should be discharged in a safe manner away from people and property to avoid injury.

Office of: President

To: Board of Directors

From: Eric M. Johnson

Subject: **Policy on Reimbursement of Major
Repair and Remodel Projects
(Board Action Required)**



Date: February 14, 2024

At its January 16, 2024 Work Session, the Board discussed the proposed Policy on Reimbursement of Major Repair and Remodel Projects. The policy establishes a mechanism for negotiating rent abatements to reimburse tenants for major improvements they have made to their premises.

Following that discussion, staff revised the proposed Policy to clarify that while tenants are ordinarily not eligible to receive full reimbursement of their project costs, those projects which are more material and add the most value to the property will usually be considered for a higher rate of reimbursement than those which add less long-term value.

The Board is asked to formally adopt this Policy effective following the date of adoption and direct that it be published via the MTAA's website.



Policy on Reimbursement of Major Repair or Remodel Projects

The MTAA provides a certain level of maintenance in accordance with its lease obligations. Some Lessees wish to make repairs, remodels or improvements to their leased properties which either fall outside the normal scope of the MTAA's obligation or will be difficult to accomplish in a timeframe that meets the Lessee's needs. In such cases, the Lessee may find it expeditious to undertake the work themselves.

This policy prescribes a method for Lessees in that situation to present their proposed improvements to the MTAA for approval and then negotiate a possible rent abatement to offset their costs.

Adopted by the MTAA Board of Directors on _____, 2024.

Approval of Major Repair or Remodel Project

1. Lessee may, at any time during the term of this Lease, provided there is more than one year remaining in the term, apply to the MTAA for approval to undertake a Major Repair or Remodel Project on the Leased Premises.
2. A "Major Repair or Remodel Project" is:
 - a. a proposed repair, replacement or improvement to:
 - i. the structure, roof, foundation or exterior (exclusive of basic window repairs) of the Leased Premises;
 - ii. the parking lot, ramps, aprons, docks, sidewalks or ground immediately abutting the Leased Premises; or
 - iii. any of the major systems servicing the Leased Premises (e.g. electrical, HVAC, water, sewer)to the extent the same are not otherwise expressly identified as Lessee's responsibility under the Lease;
 - b. which is projected to cost at least ten thousand dollars (\$10,000); and
 - c. which has an expected useful life in excess of 10 years, as established by objective industry standards or experts.
3. Lessee's application to undertake a Major Repair or Remodel Project must include the following information:
 - A description of the project, including the non-unique benefit it will bestow on the Leased Premises; "non-unique" meaning the project would reasonably hold value or usefulness for an entity that is not Lessee;
 - The estimated total cost of the project;
 - The expected useful life of the proposed repair, replacement or improvement;
 - The names of contractors and suppliers the Lessee proposes to engage to perform the work, and evidence that they are reputable, solvent and insured against liability;
 - The project plans; and
 - The proposed timeline for the project.

Lessee will provide such additional information as the MTAA may reasonably request in the course of its review of the application.

4. If the MTAA determines, in its sole discretion, that (i) the proposed Major Repair or Remodel Project will bestow a non-unique benefit with a useful life of at least ten (10) years on the Leased Premises, (ii) the firms or individuals undertaking the work are solvent and competent, (iii) the timing and manner of the work will not burden other tenants or otherwise interfere with operations of the airport and (iv) the project is not otherwise violative of airport rules and regulations, the Lease or applicable federal, state or local law, it will notify Lessee of its approval. Thereafter, any material change in the project scope, quality, contractors or timeline must be approved in writing by the MTAA.

Potential Rent Abatement

1. Generally, Lessee is able to seek reimbursement under this policy of a portion of its total project costs for an approved Major Repair or Remodel Project ("Reimbursable Amount"). All other things being equal, projects which will result in a major, long-lasting improvement to the property are eligible for a higher Reimbursable Amount. The Reimbursable Amount will not exceed 90% of the project costs unless the MTAA finds the Major Repair or Remodel Project is of such a magnitude or value that a greater reimbursement is justified under the circumstances.
2. Once the parties have agreed upon a Reimbursable Amount, they may then negotiate a Rent Abatement which will be ascertained by dividing the Reimbursable Amount by the years remaining in the Initial Lease Term. The total cumulative Rent Abatements in effect at any one time shall not exceed fifty percent (50%) of the then-current Base Rent set forth in the Lease, unless the MTAA finds the Major Repair or Remodel Project is of such a magnitude or value that a greater abatement is justified under the circumstances.
3. The parties may then negotiate a written lease amendment to memorialize the amount of any Rent Abatement and such requirements as are warranted to ensure the project is completed in a good and workmanlike manner and in accordance with MTAA standards.


4. A lease extension of not more than ten (10) years, but in no event longer than the expected useful life of the Major Repair or Remodel Project, may also be negotiated to provide sufficient term for Lessee to receive the entire Reimbursable Amount, subject to the agreed upon value and useful life of the Major Repair or Remodel Project.
5. Any Rent Abatement will take effect only after the MTAA has inspected the project and confirmed it has been satisfactorily completed in accordance with the submitted plans and is of a professional quality. If Lessee's actual costs incurred in completing the project are less than they were projected to be, the Rent Abatement will be adjusted accordingly.
6. Only fair market rents can be abated. This policy is not applicable to land leases or leases under which a Lessee is paying rent substantially below the average rental MTAA receives for similar building space.

Additional Terms

1. Any work undertaken by Lessee pursuant to this Exhibit is expressly subject to those provisions of the Lease which preclude Lessee from acting as an agent of the MTAA or from causing or allowing a lien to attach to the Leased Premises.
2. Lessee will promptly cause any warranties accompanying a Major Repair or Remodel Project to be assigned to the MTAA.
3. Upon completion of any Major Repair or Remodel Project, the results thereof will be considered Permanent Improvements as that term is defined in the Lease, unless otherwise specifically agreed by the parties.

Office of: President

To: Board of Directors

From: Eric M. Johnson 

Subject: **Standards of Maintenance and Upkeep
(Board Action Required)**



Date: February 14, 2024

At its January 16, 2024 Work Session, the Board discussed the proposed Standards of Maintenance and Upkeep. These set forth clearly the MTAA's expectations for how tenants will maintain their leased premises; mainly with regard to aesthetics and safety.

Following that discussion, staff revised the proposed Standards slightly to distinguish the maintenance tenants are already obligated to perform by virtue of the MTAA's standard form lease from these standards which are more detailed in certain regards.

The Board is asked to formally adopt these Standards of Maintenance and Upkeep and direct that they be communicated to all existing tenants and incorporated into all new and renewed leases executed following the date of adoption.

EXHIBIT D

Standards of Maintenance and Upkeep

It is the intention of MTAA that its properties be maintained in an attractive, first-class and fully operational condition. To that end, Lessee shall maintain MTAA buildings and land for which it is responsible to the following standards:

1. Lessee shall suffer no waste or injury to the Premises and shall keep the Premises safe and clean and shall comply with all laws and regulations governing care and maintenance of the Premises.
2. All doors, windows and exterior covering on all structures shall be kept in a state of good repair, free of holes, breakage, deterioration, decay or undue wear and tear.
3. Exterior buildings, signs and other structures shall be painted regularly so as to prevent undue rust and deterioration. Prior to the construction or display of any exterior signage, written approval must be obtained from the MTAA.
4. Any paint materials, lacquers or finishing materials applied to any portion of the Leased Premises must first be approved by MTAA as to composition, quality and color.
5. Storage areas outside of buildings on the Leased Premises shall be screened from public view.
6. Lessee shall not cause or permit materials, supplies or equipment to be stored such that they are visible from outside of the Leased Premises without first obtaining the MTAA's written approval.
7. Lessee shall not allow storage of trailers, CONEX, or similar containers on the Leased Premises without first obtaining the MTAA's written approval. Any such approved trailers or containers shall be kept in working condition, with doors closed. The MTAA may withdraw its consent to such containers if, in its sole discretion, Lessee has allowed them to become a nuisance or to detract from the overall appearance of the Premises.
8. The piling or other inappropriate storage of crates, boxes, barrels, and containers is not permitted on MTAA property.
9. All used or unused oil, solvents, and similar substances, whether or not legally definable as "hazardous materials," shall be handled and disposed of in accordance with applicable Federal, State and Local requirements and in a manner which does not encroach on neighboring properties, detract from the appearance of the Leased Premises or create an odor or other nuisance detectable from without the Leased Premises.
10. Uncontained trash is not allowed on MTAA property. Trash and cigarette cans are to be placed in a safe, reasonably inconspicuous location on the Leased Premises. Lessee shall not allow rubbish to accumulate on the Premises and shall be responsible for removing same, at its sole expense.
11. Lessee, at its sole expense, shall cause non-paved portions of the Leased Premises to be landscaped in a manner approved by the MTAA. Lawns, shrubberies and other landscaping features shall be cut, trimmed and maintained to present a neat appearance.
12. All paved surfaces for which Lessee is responsible shall be joint-sealed and painted regularly.

13. Lessee will promptly, at its sole expense, remove snow and ice from the parking lots and sidewalks on the Leased Premises and shall ensure that accumulation of ice and snow does not present an undue hazard to persons lawfully on the Premises.

These standards are being incorporated into all MTAA leases. They are subject to modification following notification of the Lessees. MTAA Lessees, especially those engaged in aeronautical activities, may be subject to additional rules, regulations and standards.

Where these Standards call for the approval or consent of the MTAA, the MTAA President is the only MTAA official authorized to grant same. Unless otherwise stated above, such approval shall not be unreasonably withheld or delayed.

Office of: President

To: Board of Directors

From: Eric M. Johnson 

Subject: **Review and Consider Quotes for Purchase
of Sewer/Drainage System Camera.
(Board Action Required)**



Date: February 14, 2024

The MTAA Maintenance Department is tasked with making repairs to buildings in preparation for lease or to be occupied by MTAA staff. It is not uncommon that a camera is required to inspect a pipeline to determine the cause of a blockage or identify the location of an underground break.

Staff requested prices from vendors for the purchase of the Sewer/Drainage System Camera and received three quotes. Johnstone Supply offered the lowest quote for a Milwaukee 18-Volt, 200 ft. Pipeline Inspection System with monitor and locator.

I recommend the Board approve the purchase from Johnstone Supply for a Milwaukee 18-Volt, 200 ft. Pipeline Inspection System, monitor and locator at a cost of Thirteen Thousand Nine Hundred Forty-Seven Dollars and Twenty-six Cents (\$13,947.26). Funds are included in the 2024 budget for the purchase of the camera system.

If you have any questions, please do not hesitate to contact me.



Quoted

MTAA METRO TOPEKA AIRPORT AUTH
6510 SE FORBES AVE STE 1
TOPEKA KS 66619
Buyer: Terry Poley
Tel: 785-862-2362 Fax: 785-862-1830

Ship To

MTAA METRO TOPEKA AIRPORT AUTH
6510 SE FORBES AVE STE 1
TOPEKA KS 66619

Quote #	Quote Date	Exp Date	Customer #	Customer P/O #	Ship Via	Writer
Q822671	02/01/2024	02/11/2024	0015428	SEWER INSPECTION	WILL CALL TOPEKA	JS
Job ID	Customer Terms			Salesman		
	NET 10TH FOLL PURCH			TOPEKA HOUSE		
Product	Description	UM	Quant	Unit Price	Extension	
NS-2971-20	2971-20 MILWAUKEE M18 18-Volt Lithium-Ion Wireless Pipeline Inspection System Monitor (Tool-Only)	EA	1	1587.51	1587.51	
NS-2974-22	2974-22 milwaukee M18 18-Volt Lithium-Ion Cordless 200 ft. Pipeline Inspection	EA	1	9934.76	9934.76	
NS-2580-21	2580-21 PIPE LINE LOCATOR	EA	1	2424.99	2424.99	
X: _____ (Accepted by)				Sub Total	\$13,947.26	T o t a l \$13,947.26
				Freight	\$0.00	
				Misc Charges	\$0.00	
				Tax Amount	\$0.00	

MESSAGE

Thank you for giving us this opportunity to
bid merchandise for your upcoming jobs!

TERMS

** All returns subject to restock fee **
** No return on special order or installed parts **
** No return after 30 days must have invoice **
** Warranty Fee May Apply **



SALES QUOTE

Quote #	00-00177015
Page	1 of 1

114 SE QUINCY STREET
TOPEKA, KS 66603
Ph: 785-233-7411

METROTOP

BILL TO: METROPOLITAN TOPEKA
AIRPORT AUTHORITY
6510 SE FORBES AVE, SET 1
TOPEKA, KS 66619-1446

SHIP TO: METROPOLITAN TOPEKA
AIRPORT AUTHORITY
6510 SE FORBES AVE, SET 1
TOPEKA, KS 66619-1446

Contact: TERRY POLEY

Terms: NET 30

Order Notes:

Quote Date	Expiration Date	Entered By	Ship Via	Freight	Salesperson
01/30/2024	02/29/2024	MSTEVENS	WILL CALL STORE PICKUP		TOPEKA TIM MESA

Item # / Description	Customer Part Number	U/M	Order Qty	Unit Price	Ext Price
*130 63658 REEL 200' SEESNAKE RM200A CAMERA Item Type: U		EA	1	9,192.1500	\$9,192.15
*130 64968 MONITOR CS6X VERSA W/2 BAT LI Item Type: U		EA	1	3,428.8600	\$3,428.86
130 19238 RIDGID NAVITRAC SCOUT LOCATOR Item Type: U	19238	EA	1	1,776.7100	\$1,776.71

THANK YOU FOR ALLOWING US TO BE OF SERVICE TO YOU!!

Sub Total: \$14,397.72
Sales Tax: \$0.00
Order Total: \$14,397.72

Neenan Co. Topeka
 3210 S. Kansas Ave
 Topeka KS 66611
 785-267-0444 Fax 785-266-5146

Quotation

QUOTE DATE	QUOTE NUMBER
02/01/24	S3081234
ORDER TO: Neenan Co. Topeka 3210 S. Kansas Ave Topeka KS 66611 785-267-0444 Fax 785-266-5146	PAGE NO 1

QUOTE TO:
 METRO TOPEKA AIRPORT AUTH.
 6510 SE FORBES AVE
 SUITE 1
 TOPEKA, KS 66619-1446

SHIP TO:
 METRO TOPEKA AIRPORT AUTH.
 6510 SE FORBES AVE
 SUITE 1
 TOPEKA, KS 66619-1446

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON	
1581	SEESNAKE		CASEY BREES	
WRITER	SHIP VIA	TERMS	SHIP DATE	FREIGHT ALLOWED
SARAH PHILLIPS	OT OUR TRUCK	2% 10TH NET 20TH	02/01/24	No
ORDER QTY	PART NO	DESCRIPTION	Net PRG	Ext PRG
1ea	400743	RDG 76883 REEL, 200FT MINI 25MM DSL HDR	7933.303	7933.30
1ea	384413	RDG 64968 MONITOR, CS6X VERSA W/2 BAT LI	3516.783	3516.78
1ea	67867	RDG 21893 UTIL LOCATOR RECEIVER *WILL LOCATE THE CAMERA BY ITSELF	3084.219	3084.22
1ea	130847	RDG 21898 TRANSMITTER, ST-305 UTIL 5 WATT *TO TRACE THE LINE OPTIONAL TAXES NOT INCLUDED	1107.403	1107.40
Subtotal				15641.70
S&H CHGS				0.00
Amount Due				15641.70

This is a Quotation.

Price are firm for 30 days, subject to change without notice after 30 days.
 Applicable taxes extra.

Maintenance Report
January 11, 2024 – February 9, 2024

01/11/24

- Worked on snow blowers, made brackets
- Cleaned sidewalks and steps at the terminal
- Plowed snow on the north ramp
- Put away all snow equipment
- Moved sheet rock in building 167 for tenant
- Visited with Tracy about his needs at Billard and made a plan
- Water Testing
- Airfield Inspection and Repairs as Needed

01/12/24

- Picked up metal for Billard T-Hangers
- Started drilling holes in metal for screws, started cutting and building brackets (Billard)
- Plowed snow drifts before leaving for the day
- Put snow equipment away
- Worked on drains at Admin
- Plowed snow drifts at Billard
- Double checked that all buildings we maintain were winterized
- Water Testing
- Airfield Inspection and Repairs as Needed

01/15/24

- Called in for snow removal

01/16/24

- Plowed both AOA's – Billard and Forbes
- Fueled all snow equipment
- Worked on un-thawing Billard fuel truck
- Worked on un-thawing Billard plow truck
- Worked on un-thawing Diesel fuel pump at Forbes
- Worked on getting Forbes skidsteer started – low battery
- Helped clear path at Forbes Terminal
- Water Testing
- Airfield Inspection and Repairs as Needed

1/17/24

- Worked on putting plow and frame together on plow #4
- Brought broom head to back of shop for easy access to switch out from blower.
- Plowed terminal parking lot at Billard
- Picked up cords and heat lamps for Billard FBO to help keep trucks from freezing up
- Picked up wire for Billard gate

Maintenance Report
January 11, 2024 – February 9, 2024

- Worked on cleaning snow off Forbes Terminal sidewalks
- Unthawed diesel fuel pump
- Fueled all snow equipment
- Cleaned up trash from Forbes Terminal left by Military
- Worked on J Gate
- Worked on winterizing buildings 624 and 252
- Worked on blue slips and paperwork
- Water Testing
- Airfield Inspection and Repairs as Needed

1/18/24

- Worked on draining fire sprinkler system in building 252 to winterize it
- Repaired signs on AOA at Forbes
- Took metal to Billard to build a wind break around fuel trucks
- Worked on assisting Admin on things left by tenant in building 252 and 624 – pictures
- Water Test and turned into KDHE due to boil water order from the city.
- Airfield Inspection and Repairs as Needed

1/19/24

- Finished draining fire suppression system at bldg. 252
- Plowed snow at Billard
- Took Unit 213 to get new tires
- Tried to air test building 3211
- Water Testing
- Airfield Inspection and Repairs as Needed

1/22/24

- Spread urea at both airports, all runways, taxiways and ramp
- Took three trucks to refill with urea
- Did electrical readings
- Started water meter readings
- Took lift to Billard hangar #17 to start removing gas line and taking down heaters
- Got keys made for building #252
- Inspected Billard airfield to update Notams
- Worked on plow truck F550, broken bearings
- Met with Casey R&R Pallet about moving electrical
- Water Testing
- Airfield Inspection and Repairs as Needed

1/23/24

- Worked on installing straps and start hanging insulation at Bldg. 17 (Billard)
- Worked at Admin removing door and electrical to start building wall for sound barrier
- Started removing carpet and wall base at Forbes Terminal from weekend water break

Maintenance Report
January 11, 2024 – February 9, 2024

- Met with contractors at Billard
- Water Testing
- Airfield Inspection and Repairs as Needed

1/24/24

- Worked on insulation at Billard Hanger #17
- Worked on wall at Admin
- Worked on tests for KDHE
- Isolated water valve that started leaking
- Took paper products to Billard old Terminal
- Met with two contractors at Billard
- Water Testing
- Airfield Inspection and Repairs as Needed

1/25/24

- Worked on wall at Admin – installed sheet rock, mud and tape
- Took down three damaged heaters at Forbes Terminal, due to water break
- Worked on Hangar 17 at Billard
- Checked problem with MALSF – believe to be FAA Problem in the Tower
- Got keys made for Admin
- Worked on meter location for new terminal at Billard wanted to narrow down which meter goes to what part of the terminal
- Water Testing
- Airfield Inspection and Repairs as Needed

1/26/24

- Worked on hangar 17 at Billard
- Worked on wall at Admin
- Water Testing
- Airfield Inspection and Repairs as Needed

1/30/24

- Put on last coat of mud at Admin
- Worked on hangar 17 insulation
- Picked up lift at VLP started installing t-hangar brackets at Billard
- Worked on shop trucks
- Water Testing
- Airfield Inspection and Repairs as Needed

1/31/24

- Worked on t-hangar brackets at Billard
- Worked on Hangar 17 insulation
- Fixed AOA signs

Maintenance Report
January 11, 2024 – February 9, 2024

- Worked with contractor of SRE building to identify pipe that was found (border gas line)
- Finished sanding and started to paint admin wall
- Water Testing
- Airfield Inspection and Repairs as Needed

2/1/24

- Worked on installing door brackets on t hangars
- Still working on installing insulation at hangar 17 at Billard
- Put finish paint on wall at admin
- Installed insulation on ceiling at admin to help with sound proofing
- Worked on shop trucks
- Worked on paperwork
- Water Testing
- Airfield Inspection and Repairs as Needed

2/2/24

- Worked on installing insulation at hangar 17 at Billard
- Worked on installing t hangar door brackets
- Cut built and painted door brackets for t hangar doors
- Finished painting and clean up of Curtis's office
- Worked on board room north wall
- Ordered AOA Led parts
- Worked on maintenance trucks
- Water Testing
- Airfield Inspection and Repairs as Needed

2/5/24

- T-hanger door brackets & insulation
- Electrical work hangar 17
- Sweep ramp
- Water Testing
- Airfield Inspection and Repairs as Needed

2/6/24

- Finish installing insulation hangar 17 and work on electrical
- Load and move lifts to take to Forbes
- Install and test fan in terminal
- Clean and repair all plow trucks at all locations
- Meetings
- Cat 5-E cable run in admin building
- Pricing on lights for building 252
- Water Testing
- Airfield Inspection and Repairs as Needed

Maintenance Report
January 11, 2024 – February 9, 2024

2/7/24

- Finish electrical in hangar 17
- Sweep north ramp
- Brackets for t-hangar door seals
- Move TV in admin board room and sheet rock and mud wall
- Shop cleanup
- Inspect and repair shop trucks
- Water Testing
- Airfield Inspection and Repairs as Needed

2/8/24

- Work on door seals
- Work on admin board room wall
- Sweep north ramp and front of terminal
- Clean up from water break at terminal
- Install studs and sheet rock bldg. 167
- Start to bring in mowing equipment from storage
- Unload crack sealer
- Work on billard loaner car
- Assist new fuel farm where phone line was hit
- Water Testing
- Airfield Inspection and Repairs as Needed

2/9/24

- Hooked batwings to tractors and moved to be serviced
- Sheet rock and painting in admin board room
- New tires on 2 vehicles – Kansasland
- Water Testing
- Airfield Inspection and Repairs as Needed
- Billard pickup trash at terminal and park

Sales By Product Summary

Receipt Date : 01-Jan-24 to 31-Jan-24

Products : All

Product	Remittance Report	Quantity	Product Total	Tax	Total Sales
Avgas 100LL	Cash	207.3	\$ 1,077.07	\$ 100.71	\$ 1,177.78
Avgas 100LL	Credit Card	1427.1	\$ 7,438.49	\$ 695.49	\$ 8,133.98
Tax Exempt Avgas	Cash	183.4	\$ 976.16	\$ -	\$ 976.16
Tax Exempt Avgas	Credit Card	59.2	\$ 315.09	\$ -	\$ 315.09
SUB		1,877.00	\$ 9,806.81	\$ 796.20	\$ 10,603.01
Jet A Fuel with FSII Additive	Cash	2154	8626.8	806.61	9433.41
Jet A Fuel with FSII Additive	Contract Fuel	471	0	0	0
Jet A Fuel with FSII Additive	Credit Card	3049	12575.18	1144.93	13720.11
Jet A Tax Exempt	Cash	366	1430.17	0	1430.17
SUB		6,040.00	\$ 22,632.15	\$ 1,951.54	\$ 24,583.69
TOTAL		7,917.00	32,438.96	2,747.74	35,186.70

Based at Billard

Tenant	Quantity	Sales
T-Hangar sales	442.00	\$ 2,452.74
TAC	147.50	\$ 819.87
Post 8	-	\$ -
State Aircraft		\$ 1,369.12
Newcomer	630.00	\$ 2,628.30
Jetz	1,504.00	\$ 6,787.19
Top Aviation Services	288.50	\$ 1,601.87
	3,012.00	\$ 13,206.35

