

SHEBOYGAN COUNTY RESOLUTION NO. 09 (2013/14)

Re: **Petitioning the Secretary of Transportation for Airport Improvement Aid**

WHEREAS, Sheboygan County, Wisconsin, also hereinafter referred to as "Sponsor," being a municipal body corporate of the State of Wisconsin, is authorized pursuant to Wis. Stat. § 114.11 to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport, and

WHEREAS, Sponsor desires to develop or improve its Sheboygan County Memorial Airport, Sheboygan County, Wisconsin,

WHEREAS, Airport users have been consulted in formulation of the proposed improvements identified in this Resolution, and

WHEREAS, a public hearing was held on June 6, 2013, in accordance with Wis. Stat. § 114.33(2), and

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

"Petition"

NOW, THEREFORE, BE IT RESOLVED that the Sheboygan County Board of Supervisors, as Sponsor, petitions for Federal and/or State aid as follows:

Sheboygan County, desiring to sponsor an Airport Development Project with Federal and State aid, or State aid only, in accordance with the applicable State and Federal laws respectfully represents and states:

1. That the Airport, which it is desired to develop, should generally conform to the requirements for a general aviation-type airport as defined by the Federal Aviation Administration;
2. The character, extent, and kind of improvements desired under the project are as follows: replace gates; construct/expand/purchase/refurbish terminal building; conduct wildlife study; reconstruct/extend Taxiway B, Taxiway TH01SC-50 (PCI Index Map), GA apron and Taxiway A01SC-60 (PCI Index Map), Taxiway TWTSC-20 (PCI Index Map); and any necessary related work; and
3. The Airport project which Sheboygan County desires to sponsor is necessary to meet the existing and future needs of the Airport.

BE IT FURTHER RESOLVED that the County Board recognizes that the improvements petitioned for will be funded individually or collectively as funds are available with specific project costs to be approved as work is authorized; the proportionate cost of the Airport Development Projects described above shall be paid by the Sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purposes of the Project; any unneeded and unspent balance after the Project is completed shall be returned to the Sponsor by the Secretary; the Sponsor will make available any additional monies that may be found necessary upon request of the Secretary to complete the Project as described above; the Secretary shall have the right to suspend or discontinue the Project at any time additional monies are found to be necessary by the Secretary and the Sponsor does not provide the same; and in the event the sponsor unilaterally terminates the Project, all reasonable federal and state expenditures related to the Project shall be paid by the Sponsor.

"Designation of Secretary Of Transportation as Sponsor's Agent"

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

BE IT FURTHER RESOLVED that Sheboygan County requests that the Secretary provide pursuant to Wis. Stat. § 114.33(8)(a) that Sheboygan County may acquire certain parts of the required land or interests in land that the Secretary shall find necessary to complete the aforesaid project.

"Airport Owner Assurances"

BE IT FURTHER RESOLVED that Sheboygan County agrees to maintain and operate the airport in accordance with certain conditions established in Chapter Trans 55, Wisconsin Administrative Code, or in accordance with Sponsor assurances enumerated in a Federal Grant Agreement.

BE IT FURTHER RESOLVED that the County Administrator and County Clerk be authorized and directed to sign and execute the Agency Agreement and Federal Block Grant Owner Assurances authorized by this Resolution.

BE IT FURTHER RESOLVED that the Airport Superintendent is authorized and directed to forward copies of this petitioning resolution for the Secretary of Transportation and such other agency officials as may be necessary together with such necessary supporting documents including a transcript of the public hearing referred to herein.

Respectfully submitted this 16th day of July, 2013.

TRANSPORTATION COMMITTEE

Richard C. Bemis
Richard C. Bemis, Chairperson

Mark S. Winkel
Mark S. Winkel, Vice-Chairperson

Charles W. Conrardy
Charles W. Conrardy, Secretary

James P. Glavan
James P. Glavan

Jacob Van Dixhorn
Jacob Van Dixhorn

Opposed to Introduction:

ADOPTED 08.20.2013