

WAYNE MUNICIPAL  
AIRPORT AUTHORITY  
AGENDA  
April 14, 2025  
5:30 p.m.

1. Call to Order

Anyone desiring to view the Open Meetings Act may do so. The document is available for public inspection and is located on the east wall of the Airport Terminal Meeting Room.

The Airport Authority reserves the right to adjourn into executive session as per Section 84-1410 of the Nebraska Revised Statutes.

Public Comments - Anyone desiring to speak on an agenda item is invited to do so, and should limit themselves to three minutes after being recognized by the Chair.

2. Pledge of Allegiance

3. Approval of Minutes

4. Approval of Claims

5. New Business

- Discussion/possible action regarding aerial spraying operation request- Heinen Bros.
- Discussion/possible action runway lighting

6. Old Business

- Discussion/update on 2 bay corporate hangar project
- Discussion/possible action on jet fuel truck
- Flight simulator/club update

7. Airport Manager Comments

8. Adjourn

WAYNE AIRPORT AUTHORITY  
BANK SUMMARY  
CHECKING ACCOUNT  
March 31, 2025

PREVIOUS BALANCE 10,171.03

DEPOSITS:

Interest on checking account	5.03
Avgas	5,247.83
County Treasurer	2,674.46
Accounts receivable	1,261.06
Transfer from MM	30,000.00

39,188.38

TOTAL AVAILABLE 49,359.41

CLAIMS:

Claims Paid March 39,068.73

BOOK BALANCE AS OF MARCH 31, 2025 10,290.68

Plus Outstanding Checks 0.00

Less Outstanding Deposits 0.00

BANK BALANCE AS OF MARCH 31, 2025 10,290.68

**WAYNE MUNICIPAL  
AIRPORT AUTHORITY**

April 14, 2025

Ck # 8836	Ace Hardware- Batteries, cords, straps, flag, crabgrass prevent. ....	217.94
Ck # 8837	Allo- Phone & internet.....	296.11
Ck # 8838	Appeara- Rugs & mops.....	76.76
Ck # 8839	Becker Flying Service –	
	Managers contract .....	3,000.00
	Less FBO lease.....	(100.00)
	Less storage bldg. ....	(61.00)
		2,839.00
EFT	Black Hills Energy- Natural gas .....	597.04
Ck # 8840	Bomgaars- Coating & paint brush .....	37.38
Ck # 8841	Builder’s Resource- Fascia & trim nails.....	114.79
Ck # 8842	City of Wayne	
	AWOS .....	19.73
	Apron lighting .....	99.25
	House.....	195.28
	Terminal/hangar .....	1,420.22
	Shop.....	121.22
	Office & irrigation.....	141.75
	Lift station .....	0.72
	Corporate hangar .....	89.98
	Postage.....	7.59
	Fuel truck meter.....	6,211.07
	Ads/notices .....	15.91
	Insurance .....	4,842.02
	Treasurer’s fee.....	500.00
	.....	13,664.74
Ck # 8843	Chesterman Co.- Rental .....	7.00
EFT	Department of Aeronautics –	
	Hangar Loan H06 .....	1,182.00
	Hangar Loan H07 .....	1,391.00
	AWOS .....	383.33
	.....	2,956.33
Ck # 8842	Johnny’s Pest Control- Pest control.....	195.00
Ck # 8843	Northeast Nebraska Aviators Inc.-Employment Agmt. April 2025.....	2,200.00
Ck # 8844	S2 Roll Offs LLC- Trash removal .....	102.00

EFT	Verizon – Cell phone .....	116.00
Ck # 8845	Wayne Co. Treasurer- Taxes .....	711.26
Ck # 8846	WisnerWest- Fuel .....	95.53
	TOTAL .....	\$24,226.88

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**Airport Money Market Account**

<b>Date</b>	<b>Transaction</b>	<b>Average Rate</b>	<b>Transaction Amount</b>	<b>Balance</b>
3/18/2019	Opening Balance		\$ 1,000,000.00	\$ 1,000,000.00
3/29/2019	Interest earned	1.83	\$ 702.15	\$ 1,000,702.15
4/30/2019	Interest earned	1.83	\$ 1,506.26	\$ 1,002,208.41
5/31/2019	Interest earned	1.83	\$ 1,558.85	\$ 1,003,767.26
6/28/2019	Interest earned	1.83	\$ 1,510.87	\$ 1,005,278.13
7/31/2019	Interest earned	1.83	\$ 1,563.63	\$ 1,006,841.76
8/31/2019	Interest earned	1.73354	\$ 1,483.46	\$ 1,008,325.22
9/30/2019	Interest earned	1.68666	\$ 1,398.78	\$ 1,009,724.00
10/31/2019	Interest earned	1.60	\$ 1,373.02	\$ 1,011,097.02
	Transfer to checking cost of flight simulator			
11/19/2019			\$ (92,779.00)	\$ 918,318.02
11/29/2019	Interest earned	1.52	\$ 1,218.18	\$ 919,536.20
12/31/2019	Interest earned	1.50	\$ 1,172.19	\$ 920,708.39
1/31/2020	Interest earned	1.50	\$ 1,170.47	\$ 921,878.86
2/28/2020	Interest earned	1.50	\$ 1,096.30	\$ 922,975.16
3/31/2020	Interest earned	1.33225	\$ 1,042.07	\$ 924,017.23
4/30/2020	Interest earned	0.88916	\$ 673.68	\$ 924,690.91
5/31/2020	Interest earned	0.807	\$ 632.26	\$ 925,323.17
6/30/2020	Interest earned	0.807	\$ 612.27	\$ 925,935.44
7/31/2020	Interest earned	0.707	\$ 554.63	\$ 926,490.07
8/31/2020	Interest earned	0.707	\$ 554.97	\$ 927,045.04
	Transfer to checking cost of jet fuel truck			
9/28/2020			\$ (28,500.00)	\$ 898,545.04
9/30/2020	Interest earned	0.707	\$ 535.73	\$ 899,080.77
	Transfer to checking cost of loan to flying club, retro flying club employment agreement, and OGP 1st payment			
10/12/2020			\$ (183,525.00)	\$ 715,555.77
10/30/2020	Interest earned	0.62493	\$ 421.41	\$ 715,977.18
11/30/2020	Interest earned	0.548	\$ 321.67	\$ 716,298.85
12/31/2020	Interest earned	0.548	\$ 332.55	\$ 716,631.40
1/31/2021	Interest earned	0.548	\$ 333.61	\$ 716,965.01
2/28/2021	Interest earned	0.548	\$ 301.46	\$ 717,266.47
3/31/2021	Interest earned	0.50009	\$ 304.71	\$ 717,571.18
4/30/2021	Interest earned	0.449	\$ 264.86	\$ 717,836.04
5/31/2021	Interest earned	0.31696	\$ 193.27	\$ 718,029.31
6/30/2021	Interest earned	0.15	\$ 88.53	\$ 718,117.84
7/31/2021	Interest earned	0.15	\$ 91.49	\$ 718,209.33
8/31/2021	Interest earned	0.0887	\$ 54.11	\$ 718,263.44
9/30/2021	Interest earned	0.05	\$ 29.52	\$ 718,292.96
10/31/2021	Interest earned	0.05	\$ 30.50	\$ 718,323.46

11/30/2021	Interest earned	0.05	\$ 29.52	\$ 718,352.98
12/31/2021	Interest earned	0.05	\$ 30.51	\$ 718,383.49
1/31/2022	Interest earned	0.05	\$ 30.51	\$ 718,414.00
2/28/2022	Interest earned	0.05	\$ 27.56	\$ 718,441.56
3/14/2022	Transfer to checking Est #8- Final & Est #25- Final		\$ (91,137.85)	\$ 627,303.71
3/31/2022	Interest earned	0.05	\$ 28.26	\$ 627,331.97
4/30/2022	Interest earned	0.05	\$ 25.78	\$ 627,357.75
5/9/2022	Transfer to checking OGP contract costs for 2022 Mayday event		\$ (61,628.25)	\$ 565,729.50
5/31/2022	Interest earned	0.05	\$ 24.70	\$ 565,754.20
6/30/2022	Interest earned	0.05	\$ 23.25	\$ 565,777.45
7/31/2022	Interest earned	0.14677	\$ 70.53	\$ 565,847.98
8/31/2022	Interest earned	0.2	\$ 96.12	\$ 565,944.10
9/30/2022	Interest earned	0.2249	\$ 104.62	\$ 566,048.72
10/31/2022	Interest earned	0.449	\$ 215.90	\$ 566,264.62
11/1/2022	Transfer from checking- received final from State		\$ 91,137.85	\$ 657,402.47
11/30/2022	Interest earned	0.8312	\$ 449.27	\$ 657,851.74
12/31/2022	Interest earned	1.07467	\$ 600.71	\$ 658,452.45
1/31/2023	Interest earned	2.38983	\$ 1,337.79	\$ 659,790.24
2/6/2023	Transfer to checking Est #1		\$ (28,685.71)	\$ 631,104.53
2/14/2023	Moved funds to CD		\$ (500,000.00)	\$ 131,104.53
2/28/2023	Interest earned	2.57925	\$ 721.81	\$ 131,826.34
3/13/2023	Transfers costs for STOL contracts		\$ (20,000.00)	\$ 111,826.34
3/31/2023	Interest earned	2.63164	\$ 267.44	\$ 112,093.78
4/10/2023	Transfer to checking Est #2		\$ (25,061.33)	\$ 87,032.45
4/30/2023	Interest earned	2.713	\$ 211.08	\$ 87,243.53
5/15/2023	Transfer costs for Fly In event		\$ (23,282.03)	\$ 63,961.50
5/31/2023	Interest earned	2.71616	\$ 171.99	\$ 64,133.49
6/12/2023	Transfer costs for Fly In event		\$ (48,831.43)	\$ 15,302.06
6/30/2023	Interest earned	2.762	\$ 75.50	\$ 15,377.56
7/31/2023	Interest earned	2.762	\$ 36.11	\$ 15,413.67
8/14/2023	Deposit CD funds		\$ 512,248.19	\$ 527,661.86
8/31/2023	Interest earned	2.762	\$ 734.37	\$ 528,396.23
9/30/2023	Interest earned	2.762	\$ 1,200.85	\$ 529,597.08
10/31/2023	Interest earned	2.762	\$ 1,243.74	\$ 530,840.82
11/30/2023	Interest earned	2.762	\$ 1,206.40	\$ 532,047.22

12/31/2023	Interest earned	2.762	\$ 1,249.50	\$ 533,296.72
1/31/2024	Interest earned	2.762	\$ 1,249.01	\$ 534,545.73
2/29/2024	Interest earned	2.762	\$ 1,171.07	\$ 535,716.80
3/31/2024	Interest earned	2.762	\$ 1,254.67	\$ 536,971.47
4/30/2024	Interest earned	2.762	\$ 1,217.00	\$ 538,188.47
5/31/2024	Interest earned	2.762	\$ 1,260.46	\$ 539,448.93
6/11/2024	Transfer costs for est #1		\$ (110,342.39)	\$ 429,106.54
6/27/2024	Deposit costs for est #1		\$ 110,342.39	\$ 539,448.93
6/30/2024	Interest earned	2.762	\$ 1,089.27	\$ 540,538.20
7/9/2024	Transfer costs for est #2		\$ (190,231.97)	\$ 350,306.23
7/15/2024	Deposit costs for est #2		\$ 190,231.97	\$ 540,538.20
7/31/2024	Interest earned	2.762	\$ 1,179.71	\$ 541,717.91
8/12/2024	Transfer 10% cost share FAA project- Aug claims		\$ (39,977.58)	\$ 501,740.33
8/31/2024	Interest earned	2.762	\$ 1,208.35	\$ 502,948.68
9/11/2024	Transfer costs for est #4		\$ (279,664.43)	\$ 223,284.25
9/16/2024	Transfer costs for est #4		\$ 279,664.43	\$ 502,948.68
9/30/2024	Interest earned	2.762	\$ 1,034.23	\$ 503,982.91
10/31/2024	Interest earned	2.762	\$ 1,180.35	\$ 505,163.26
11/11/2024	Transfer costs for est #5		\$ (177,254.68)	\$ 327,908.58
11/22/2024	Transfer costs for est #5- auth. Share		\$ 151,131.00	\$ 479,039.58
11/29/2024	Interest earned	2.762	\$ 1,020.05	\$ 480,059.63
12/31/2024	Interest earned	2.762	\$ 1,124.32	\$ 481,183.95
1/31/2025	Interest earned	2.762	\$ 1,130.05	\$ 482,314.00
2/28/2025	Interest earned	2.762	\$ 1,022.97	\$ 483,336.97
3/10/2025	Transfer to checking		\$ (30,000.00)	\$ 453,336.97
3/31/2025	Interest earned	2.762	\$ 1,085.12	\$ 454,422.09

**Beth Porter - [External] Request to Fly Out of Wayne Municipal Airport**

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**From:** John Lueger <john@heinenbrosag.com>  
**To:** "bporter@cityofwayne.org" <bporter@cityofwayne.org>  
**Date:** 3/31/2025 10:15 AM  
**Subject:** [External] Request to Fly Out of Wayne Municipal Airport  
**Cc:** "Elizabeth A. Vasseur-Browne" <lbrowne@coolinglaw.com>

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Beth,

Elizabeth said you asked for some additional information that you could take to your board regarding our request to fly off Wayne Municipal Airport. Below is what we are thinking. We are open to having a conversation to make it work for everyone involved.

To better service our farmer customers in northeast Nebraska, Heinen Brothers is requesting the ability to load aircraft on the ramp or another suitable location out of Wayne Municipal Airport. Our request would be on an as needed basis from around April 1 to October 31 with the bulk of operations occurring in July during the corn and soybean aerial season. We would like to bring in a trailer which contains Jet A fuel, water, and the inductors so we can mix and load the chemical onsite. If there is water available that we can purchase, that would be ideal. We anticipate using only one or two aircraft when we do fly out of Wayne Municipal Airport.

Regards,

John Lueger  
Heinen Brothers Agra Services  
GIS/Contract Specialist  
Mobile: (816) 898-4602  
Email: John@HeinenBrosAg.com

**Beth Porter - [External] Stan Morris FLD/Wayne Airport Minimum Standards**

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**From:** "Elizabeth A. Vasseur-Browne" <lbrowne@coolinglaw.com>  
**To:** "BPorter@CityOfWayne.org" <BPorter@CityOfWayne.org>  
**Date:** 3/25/2025 2:34 PM  
**Subject:** [External] Stan Morris FLD/Wayne Airport Minimum Standards  
**Attachments:** Wayne Airport Minimum Standards.pdf

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Dear Ms. Porter,

As we discussed, our firm represents Heinen Bros. Agra Service [hereinafter, "HBAS"] an aerial application business. HBAS would like to operate a very small number of aircraft (1-2) from the Stan Morris FLD Airport (KLCG). We have been advised by the airport manager Tom Becker that because it's a small airport, the airport minimum standards only allow two businesses to operate from KLCG: his business Becker Flying Service and one other applicator. See attached minimum standards.

We would like to schedule a call with you to discuss this matter. It is our position that excluding other aerial applicators from using the Wayne airport is a violation of the FAA's grant assurances and specifically #s 22-23. We have confirmed that the airport has received AIP funding and therefore is obligated to make the airport reasonably available for aeronautical businesses, that would include our client Heinen Bros. Agra Services. See Grant Assurances #s 22-23 below.

**22. Economic Nondiscrimination.**

a. [The airport sponsor] will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.

b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to:

1. furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
2. charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

...

f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees (including, but not limited to maintenance, repair, and fueling) that it may choose to perform.

g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.

h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.

i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

**23. Exclusive Rights.**

[The airport sponsor] will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public.

Please let me know when you are available to discuss. Thank you for your courtesies.

v/r

**Elizabeth A. Vasseur-Browne**  
**2400 City Center Square**  
**1100 Main Street**  
**Kansas City, MO 64105**  
**Telephone: 816-474-0777**  
**Facsimile: 816-472-0790**  
**Cell Phone: 516-473-6106**  
**lbrowne@coolinglaw.com**



# **Wayne Municipal Airport – Stan Morris Field**

## **Minimum Standards for Commercial Aeronautical Activities Use and Operation**

### **Introduction**

The City of Wayne owns the Wayne Municipal Airport – Stan Morris Field (Airport). The Wayne City Council created for the city an airport authority, which shall be managed and controlled by a board. The airport authority board shall have the full and exclusive jurisdiction and control over all facilities owned or acquired by the city for the purpose of aviation operation, air navigation and air safety operation. The board is a body corporate and politic, constituting a public corporation, and an agency of the city. The daily management of the Airport is under the direction of the Airport Manager or his designee. The Wayne Airport Authority has approved these Minimum Standards.

The Airport Authority has assumed certain responsibilities and obligations to operate the Airport for the use and benefit of the public, and make it available for all types, kinds, and classes of aeronautical activity. It wishes to make the Airport available for public use by applying reasonable terms, without unjust discrimination, for those desiring to offer services or commodities at the Airport. The imposition of these Minimum Standards will provide to all entities who desire, to conduct, carry on, or engage in aeronautical, vehicular, or pedestrian activities at the Airport, the basic requirements to conduct such activities without exclusive right or infringing on the abilities of others to provide similar activities. The Airport Authority is authorized to access fees and charges for conduction, carrying on, on engaging in activities or services as described in these Minimum Standards. The Wayne Municipal Airport fees and charges shall be established to make the Airport as self-sustaining as possible and sufficient to cover Airport costs.

These Minimum Standards establish the threshold entry requirements for those wishing to provide Aeronautical Services to the public and to ensure that those who have undertaken to provide commodities and services are treated fairly. These Minimum Standards were developed taking into consideration the aviation role of the

Airport, facilities that currently exist at the Airport, services being offered at the Airport, future development plans for the Airport, and to promote competition at the Airport.

Any activity for which there are no specific Minimum Standards will be addressed by the Airport Authority on a case-by-case basis.

The Authority may waive or modify any portion of the Minimum Standards for the benefit of any governmental agency performing non-profit public services, fire protection, or emergency response actions. The Airport Authority may waive or modify any portion of these Minimum Standards for any Entity when it is determined that such waiver or modification is in the best interest of the public and will not result in discrimination against other commercial operators at the Airport

The granting of such right and privilege by the Airport Authority for those wishing to provide to the activities selected and specified by written agreement shall not be construed as affording any Operator the exclusive right of use of the premises and facilities of the Airport other than those premises which may leased exclusively by the Operator, and then only to the extent provided in a written agreement.

**Section 1. Definitions:**

**Aeronautical Activity** - any activity conducted at airports which involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations. These activities include, but are not limited to, air taxi and charter operations, pilot training, aircraft renting, sightseeing, aerial photography, crop dusting, aerial advertising, aerial surveying, air carrier operations, skydiving, ultra light operations, aircraft sales and services, sale of aviation petroleum products, repair and maintenance of aircraft, or sale of aircraft parts and aircraft storage.

**Aeronautical Service** - any service which involves makes possible or is required for the operation of aircraft, or which contributes to or is required for the safety of aircraft operations commonly conducted on the airport by a person who has a lease from the airport owner to provide such service.

**Air Operations Area or AOA** – Any area of the airport, both public and leased, used or intended to be used for the landing, takeoff, taxing, or parking of aircraft, or any other area designated so by the Airport Manager.

**Air Traffic Control or ATC** – personnel, equipment, air traffic services and Federal Aviation Administration procedures provided or prescribed for use at the airport, including those procedures for operation of aircraft at an uncontrolled airport.

**Aircraft** – Any weight-carrying structure for navigation in the air and which obtains support by the dynamic reaction of the air to any obstruction connected with the structure, gliders and ultra-lights, either powered or un-powered, helicopters, hot air balloons or airships will be considered aircraft.

**Aircraft Emergency or Emergency** – A problem or condition involving an aircraft whether in flight or on the ground, which could endanger lives or property. An aircraft emergency can be declared by the pilot, ATC, Airport Manager or other personnel responsible for the safe operation of the aircraft or airport.

**Airport Manager or Manager** – The Airport Manager as appointed by the Wayne Airport Authority. Said Manager or his/her designee is responsible for administration, operation and maintenance of the Airport.

**Airport** - the Wayne Municipal Airport - Stan Morris Field, and all of the property, buildings, facilities and improvements within the exterior boundaries of such airport as if

now exists on the Airport Layout Plan or as it may hereinafter be extended, enlarged or modified.

**Airport Roadway** – Those portions of the airport designated and made available temporarily or permanently by the Airport Authority for vehicular traffic and not located on ground leased by others.

**Airport Tenant** – Any person, firm, or corporation leasing property or improvements from the Wayne Airport Authority who is not a Fixed Base Operator (FBO)

**Apron or Apron Area** – Those portions of the airport, both public and leased, designated for the parking and/or storage of aircraft.

**Business Franchise** – The Commercial Operator/Airport operations Franchise issued Commercial Tenants and FBO's by the Wayne Airport Authority certifying compliance with the airport's minimum standards.

**City** – The City of Wayne, Nebraska.

**Commercial Business or Commercial Business Activity** – The conduct of any activity on the airport for hire, whether conducted by a licensed business or individual.

**County** – Wayne County, Nebraska.

**FAA** - Federal Aviation Administration.

**FAR** - Federal Aviation Regulation.

**Fixed Base Operator (FBO)** - Any aviation business or Fixed Base Operator duly licensed and authorized by written agreement with the airport owner to provide aeronautical activities at the airport under strict compliance with such agreement and pursuant to these regulations and standards.

**Franchise Fee** – As established by the Wayne Airport Authority Rates and Fees Schedule.

**Flying Club** - a non-commercial organization established to promote flying, develop skills in aeronautics, including pilotage, navigation, and awareness and appreciation of aviation requirements and techniques.

**Fueling Operations** - the dispensing of aviation fuel into aircraft.

**Large Aircraft** - An aircraft of more than 12,500 pounds maximum certified takeoff weight or turboprop and turbojet aircraft.

**Lease** - (pertaining to the lease by an aeronautical activity) a long-term written agreement established on a minimum basis of six (6) months.

**Minimum Standards** - the standards which are established by the airport owner as the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the airport.

**NOTAM** - a Notice to Airmen published by the FAA.

**Operator** – Any person who pilots, controls, or maintains, whether directly or indirectly, an aircraft, airport or vehicle.

**Owner** - the Wayne Municipal Airport - Stan Morris Field.

**Permittee** – any organization, business or person not leasing space at the airport who has been authorized by the Wayne Airport Authority, and has paid a fee, to access the airport from an off-airport parcel of land.

**Person** - Any individual, firm, partnership, corporation, association, or company (including any assignee, receiver, trustee, or similar representative thereof), or the United States of America or any government or governmental subdivision, partnership, association, or any other legal entity.

**Public Area** – Those portions of the airport available for the use of the general public.

**Restricted Area** – Any portion of the airport to which no ingress is permitted except upon specific authorization by the Airport Manager.

**Ramp Privilege** - the driving of a vehicle upon an aircraft parking ramp on the airside of the airport to deliver persons, cargo or equipment to an aircraft as a matter of convenience or necessity.

**Run-up** – Any operation of a stationary aircraft engine above idle power except to overcome inertia for taxiing for takeoff.

**Small Aircraft** - an aircraft of 12,500 pounds or less maximum certified take-off weight.

**Specialized Aviation Service Operations** – (SASO) Any aviation service provider that is not an FBO. A SASO may be engaged in one or more activities.

**UNICOM** - Non-governmental communication facility which provides airport advisory information.

**Wayne Airport Authority Board** – The Wayne Airport Authority Board, an elected board, which has policy, and decision-making authority for the operation of the airport.

This term shall also include the persons employed by the Wayne Airport Authority when acting in an official capacity on behalf of the WAA.

## **Section 2. General Requirements**

1. **Written Agreement.** Prior to the commencement of operations, the prospective Operator will be required to enter into a written agreement with the Authority. It should be understood that these Minimum Standards do not necessarily represent a complete recitation of the provisions to be included in the written agreement and that other provisions may be added, modified, or adopted, provided that any such contract provisions shall not be inconsistent with these Minimum Standards.
2. **Insurance.** The Authority shall set the minimum insurance requirements as they pertain to the particular type of operation to be performed. Operator covenants and agrees to hold Authority free and harmless from loss from each and every claim and demand of whatever nature made by or on behalf of any person or persons for any wrongful act or omission arising out of the use of the airport on the part of the Operator, Operator's agents, servants, invitees, and employees, and for such purpose Operator agrees to carry liability insurance naming the Authority as additional insured. Operator shall file a certificate of insurance with Authority evidencing that such insurance has been furnished, and the same will not be canceled without written notice to Authority thirty days in advance of cancellation. These minimum requirements shall be applicable to all operations of a similar nature. All operators will, however, be required to maintain the following types of insurance:
  - a. Aircraft liability
  - b. Comprehensive liability and comprehensive property damage, including vehicular

## **Section 3. Fixed Base Operators**

The Airport Authority will only enter into an agreement with one FBO for use of the Wayne Municipal Airport owned FBO facility at the Airport. (In the current economic

climate there is not sufficient volume of business to attract more than one FBO.) This does not mean that the City will grant an exclusive right to this FBO for providing aeronautical service to the airfield. A Review of the FBO's lease shall occur every five (5) years.

A. An FBO shall meet the following minimum standards:

1. The FBO shall agree to a lease for a term to be mutually agreed upon between the parties. The lease will include appropriate office, hangar or shop space for the proposed services. The applicant must obtain the Wayne Airport Authority's approval prior to beginning commercial operations.
2. The FBO shall provide the personnel, equipment and facilities required to service all types of Aircraft normally frequenting the Airport.
3. The FBO shall conduct its business and activities on and from the leased/assigned premises in a safe and professional manner consistent with the degree of care and skill exercised by experienced FBO's providing comparable products, services, and activities from similar airports in like market.
4. The FBO shall have the premises open and services available within a reasonable time period
5. The FBO shall possess a valid Nebraska State Tax ID Number, collect appropriate sales tax on revenue, file tax reports with the Department of Revenue and IRS and make all appropriate tax payments required by law.
6. The FBO shall comply with all federal, state, and local environmental requirements.
7. The FBO shall adhere to the airport's Rules and Regulations and to conform to all applicable local, state, and federal laws.
8. An FBO must show proof of financial responsibility or be properly bonded with the airport owner listed as beneficiary in the event the FBO cannot or will not return the property to an acceptable condition after the term to the lease or if the lease is prematurely terminated. The airport authority may require different coverage based on review of the proposed business and the background of the applicants.

- B. The Airport Authority reserves the right to reject any or all proposals.
- C. Agreements will be negotiated separately and in the airports best interest for the use of its FBO facilities.
- D. Hangar space, shop areas, restrooms, and other equipment as well as sufficient personnel shall not necessarily be accumulative for each service provided. The actual contract agreement between an FBO and the airport owner shall spell out the required services of the FBO and the square footage, number of personnel, etc. which must be provided by that FBO.
- E. An FBO is required to perform the following functions or abide by the following rules:
  - 1. Install, operate, maintain, repair, and store all equipment necessary for the conduct of the FBO's business subject to the approval of the airport owner.
  - 2. Use, with others so authorized, any common areas or equipment on the airport including, but not limited to, the runways, taxiways, public aircraft and auto parking aprons, roadways, and navigational aids.
  - 3. Upon termination of the lease, return any leased property to the airport owner in the same condition as it was at the start of the lease, normal wear excluded. Any improvements or additions made to real property during the term of the lease will become property of the airport owner at the termination of the lease.
  - 4. Will not prevent any person, company, or employee of a company from servicing, maintaining, or fueling their own aircraft that might be parked or hangared at the airport.
  - 5. Make its business open to all forms and classes of aeronautical use.
  - 6. Submit to and abide by periodic safety inspections by the Airport owner, the FAA, and/or the Nebraska Department of Aeronautics.
  - 7. Maintain all leased areas and the interior and exterior of any leased or constructed buildings to an acceptable standard.
  - 8. Remove and properly dispose of any trash from the leased property.
  - 9. Notify and gain approval of the airport owner of any intended reduction of

services which are included in the FBO's lease agreement.

10. Furnish all applicable services in a fair, equal, and nondiscriminatory manner to all airport users.
  11. Abide by any and all rules, requirements, or mandates placed upon the airport owner by the FAA or the State of Nebraska including, but not limited to, the Grant Assurances of FAA grants and the Terms and Conditions of State of Nebraska grants.
  12. An FBO's rights do not supersede the airport owner's rights and obligations.
  13. An FBO may not park vehicles, trailers, motor homes, mobile homes, or any other vehicle or trailer on airport property without written approval of the airport owner.
- F. The airport owner retains the right and/or obligation to do the following:
1. Approve placement of buildings, parking areas, or equipment to assure such development is accomplished in an orderly fashion and does not impede the future development or expansion of the airport as shown on an FAA or Nebraska Department of Aeronautics approved Airport Layout Plan.
  2. Maintain the airport in a safe and serviceable condition.
  3. Direct the repairs of all airport property and equipment.
  4. Collect all fees for the use of the airport; these fees include lease of hangar space, office space, T-hangar space, aircraft or auto parking areas, fuel flowage fees, and tie-down fees. The airport owner may charge these fees as long as such fees are fair and appropriate and not intended to discriminate for or against any FBO or airport user or type of user. Increase or decrease the fee or required services of an FBO at any time the FBO's contract is renegotiated or at any such time as authorized by the lease contract.
  5. Impound any personal property, tools, furniture, aircraft, or equipment located on the leased property and hold or liquidate such until all fees and taxes due the airport owner are paid, subject to a court judgment.

6. Reserve the right to take any actions necessary to protect the safety and usability of the airport and the approach surfaces to all runway ends.
7. Owner may cancel the contract FBO as stated within the FBO lease. The Wayne Airport Authority may also cancel the FBO lease in the event of any of the following acts or omissions by the FBO.
  - i. The FBO does not meet the qualifications, standards and requirements established by these Minimum Standards;
  - ii. The proposed operation, Airport development or construction does not comply with the approved Airport Layout Plan.
  - iii. The FBO creates a safety hazard;
  - iv. The FBO discontinues required services to the public
  - v. Has defaulted in the performance of any lease or other agreement with the Wayne Municipal Airport or any lease or other agreement at any other airport.
  - vi. The applicant does not have the finances necessary to conduct the proposed operation for a minimum period of six months;
  - vii. Fall below or be in non-compliance with any Federal, state or local laws governing the occupancy or use of associated facilities such as hangars, offices, fuel tanks, etc.
  - viii. The FBO has committed any crime, or violated any local rule or regulation which adversely reflects on its ability to conduct FBO operations.

#### **Section 4. Aerial Applicators**

Any person, Airport Tenant, or FBO desiring to engage in aerial application operations must have an Agricultural Aircraft Operator Certificate Issued by the FAA; comply with the requirements of all Federal, State, and local laws and/or regulations applicable to aerial application operations. The Airport Authority will only enter into an agreement with (2) two permanent operators and (0) no temporary operators. Those engaged in the above activities shall meet the following minimum standards:

1. The Operator shall lease land from the Authority. The minimum area in each instance shall be subject to the approval of the Authority. The operator shall make suitable arrangements and have such space available in the leased area for safe loading and unloading and storage and containment of chemical materials.
2. All operators shall demonstrate that they have the availability of aircraft suitably equipped for the particular type of operation they intend to perform.
3. The Operator shall have in its employ and on duty during appropriate business hours trained personnel in such numbers as may be required to meet the minimum standards herein set forth in an efficient manner.
4. The Operator must provide, by means of an office or a telephone, a point of contact for the public desiring to utilize the operator's services.
5. The Operator shall comply with all pertinent FAR requirements
6. The Operator shall comply with all applicable rules and regulations governing pesticides and other chemicals used by the operator and employ certain safeguards and safe operating practices to prevent spillage, including:
  - a. Cleanup and remove all containers at the end of each day's activities
  - b. Maintaining all loading and mixing facilities
  - c. Use dry break devices or equivalent couplings to the aircraft loading receptacle to prevent leaks of all materials.
  - d. Position aircraft and loading equipment in such a manner as to not interfere with normal aircraft operations at the Airport.
  - e. Remove in the event of a small pesticide or pesticide solution spill, the contaminated surface material will be removed from the premises and treat the area of the spill. In the event of a reportable amount of spilled pesticides, the Operator will contain the material and contact those agencies that the State Department of Natural Resources (DNR) regulations require.
  - f. Operator will be responsible for all cleanup cost.
7. The Operator will keep appropriate spill kit on site in a known and easily accessible location.

8. Applicator shall provide a current copy of the Nebraska Department of Agriculture Aerial Pesticide Business License.
9. The operator, for all chemicals kept or stored on the airport shall do so in accordance with the Material Safety Data Sheet (MSDS) requirements for that chemical. MSDS sheets for chemicals stored on the airport shall be made available to the Authority and/or Airport Manager upon request.
10. Aerial applicators will make a reasonable effort to safely integrate with all other airport users and operations.
11. Any alterations operator undertakes shall be in conformance to design standard plans.

#### **Section 5. Flight Instruction**

All independent flight instructors desiring to engage in flight instruction shall provide at a minimum the following:

1. The Operator shall construct a building or lease all or portion of a building to provide suitable facilities for student instruction and flight planning, including parking for customers and employees.
2. The Operator shall provide a minimum of one person holding a current commercial pilot certificate with appropriate ratings for flight instruction.

#### **Section 6. Air Taxi or Charter Service**

Any Operator desiring to engage in air taxi or charter service shall provide, in addition to meeting all provisions of FAR Part 135, as a minimum the following:

1. The Operator shall construct a building or lease all or portion of a building to provide suitable facilities for office space, flight planning, customer lounge area, aircraft parking and storage, and automobile parking for customers and employees.
2. The Operator shall provide a minimum of one FAA certified commercial pilot appropriately rated to conduct the service offered, and additional personnel as required to attend office during normal working hours.
3. The Operator shall provide a minimum of one (1) aircraft.

4. The Operator shall post and maintain hours of operation convenient to customers.

### **Section 7. Specialized Commercial Flight Services**

Any Operator desiring to engage in specialized commercial air activities such as, but not limited to the following: banner towing and aerial advertising; aerial photography or survey; firefight or fire patrol; power line or pipeline patrol; any other operations specifically excluded from FAR Part 135, shall comply with the following minimum requirements:

1. The Operator shall construct a building or lease all or portion of a building to provide suitable facilities for office space, flight planning, customer lounge area, aircraft parking and storage, and automobile parking for customers and employees.
2. The Operator shall provide a minimum of one FAA certified commercial pilot appropriately rated to conduct the service offered, and additional personnel as required to attend office during normal working hours.
3. The Operator shall provide a minimum of one (1) aircraft.
4. The Operator shall post and maintain hours of operation convenient to customers.

WAYNE AIRPORT AUTHORITY,

By *Mitchell Nissen*  
Chairman

Date: *12-10-12*

**Beth Porter - RE: [External] State Grant - Runway Lighting**

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**From:** Curtis Christianson <cchristianson@olsson.com>  
**To:** Beth Porter <bporter@cityofwayne.org>  
**Date:** 4/7/2025 12:04 PM  
**Subject:** RE: [External] State Grant - Runway Lighting

---

Beth,

Last year the State Grant Applications were due September 1<sup>st</sup>. So, we have time to think about this.

Also, we are waiting for the final grant rules to come out at the commission meeting in June to verify if this project would still be eligible.

I just wanted the group to start thinking about this, and if they would like to pursue the grant.

If things stay very similar to previous grant requirements, we will need to have the grant application in to NDOT by the deadline, which will most likely be around that September 1 again as the grants will be given out in the October commission meeting. Also, one thing to note is that, when airports applied for a grant of this nature, it was best that the airport was there to provide a presentation of the project. Which I would be more than happy to help out with.

If there are any questions after the authority meeting, please feel free to let me know.

Thanks.

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**From:** Beth Porter <bporter@cityofwayne.org>  
**Sent:** Monday, April 7, 2025 11:45 AM  
**To:** Curtis Christianson <cchristianson@olsson.com>  
**Subject:** Re: [External] State Grant - Runway Lighting

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Curt,

Thanks for putting all this information together.

I will share with the Airport Authority. When would you need to have a decision from the Board regarding applying/pursuing the funds for this project?

Thanks,

Beth Porter  
Finance Director  
City of Wayne  
402-375-1733

>>> Curtis Christianson <cchristianson@olsson.com> 4/4/2025 1:37 PM >>>  
Beth,

I spoke with Travis earlier this week as I was thinking about the want/need to switch runway lights to LED fixtures, and how to complete this.

I believe that there could be a possibility to upgrade the lights to LED fixtures through the NDOT State Grant program. If we were to do this as an AIP project the FAA would require us to remove and replace all the light bases, cable and conduit. This would significantly increase the overall cost and duration of the project. I think that if we go through the state grant program, we could possibly just remove and replace the fixtures. I would also suggest that the cable be removed and replaced due to the age.

The NDOT State Grant program has been in place for a while, however there was little to no money available until last year when two legislative bills were passed that provided money for the program.

I have attached current NDOT State Grant program. This was revised at the last commission meeting and will be finalized and sent out after the next commission meeting in June. So, there may be some changes to come. But based on the previous grant program, the lighting project would look to be eligible. Some other things to note in the grant program is shown below:

- Limited to \$250k per fiscal year
- 90% state share, 10% local share
- Project requests greater than \$49,999 require engineered plans and specifications
- Larger projects require project to be bid
- Closeout of project

I have put together just a basic exhibit and cost estimate for the replacement of lights for Runway 18/36 and Runway 5/23. It looks like both projects would be in excess of the \$250k limit. So, we would be limited to doing one runway this year and possibly the other one next year or following year. As for the engineering, I think that we could discuss the scope and limit that to the least possible needed to meet the NDOT requirements.

I will make note that the NDOT grant program funding is limited to the money in the program. And the money that is input into the program is based on the two legislative bills that were passed. As a reminder, those bills were the aviation fuel sales tax, which in the past went to cover the costs/salaries of the NDOT Div. of Aeronautics, and the revenue generated from the taxes collected from the sales and lease of aircraft. So the total amount in the grant program is unknown. But could be a possibility to get the lights replaced.

One other thing to note is that each project is rated based on the established priority system, as to be used to score and compare with other projects for available funds. In that scoring system, one of the categories is funding requests. There has been a few comments that if an owner chooses to fund their projects at more of a 10% share as noted above, they would rank higher than projects requesting the full 90% state funds. So may be something to discuss with the airport authority if they would like to propose requesting the 90% or something less as to score higher.

Again, this is all based on the previous grant program, with the new program coming out after their next aeronautics commission meeting. I don't foresee a huge rewrite of the program, just some improvements after the first year of the program.

I will keep you updated as for any potential changes in the program that would impact the possibility of this project.

I will not be able to attend the next authority meeting, but if there are any questions, please do not hesitate to reach out.

Thank you and have a good weekend.

**Curtis Christianson, P.E.**  
Senior Team Leader / Aviation

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