

MINUTES OF AIRPORT COMMISSION STUDY SESSION
TUESDAY – DECEMBER 9, 2025
FORT SMITH REGIONAL AIRPORT CONFERENCE ROOM

The study session of the Fort Smith Airport Commission was called to order at 5:30 p.m. by Chairman Voris, presiding. Commissioners Barr, Cooper, Hagy, Kelly, Pendergrass, and Ridgley were present. Also present were Andrew Meyer, Operations Director and Lindsay Conley, Finance & Administration Director. Subject matter experts in attendance were Chip Brown, AEDC Director of Military Affairs, Steven Hyjek, Senior Policy Advisor to Baker Donelson, Thomas Shaw, Vice President of Baker Donelson, and Kelly Johnson of Kelly Johnson & Associates.

ITEMS OF BUSINESS

1. Airport Joint Use Agreement (AJUA) – Commissioner Pendergrass presented the AJUA, a document collaboratively developed over several months by himself, airport staff, military officials, and the Baker Donaldson team. The AJUA establishes a formal operational framework between the airport and the U.S. Air Force to support the F-35 Foreign Military Sales Training Mission. The agreement term is five years, with renewals to be renegotiated after that time. The AJUA is a payment document, not a contract. The Air Force will reimburse a proportionate share of direct costs for jointly used areas (runways and taxiways), based on the percentage of military operations calculated by tower counts. Aircraft Rescue & Firefighting (ARFF) services provided to the airport by the Air National Guard (ANG) will offset these costs. Should the Air Force reduce or withdraw ARFF services, they will be required to give the airport 12 months' notice. Under the proposed agreement, the airport would receive an average of \$430,000 annually from the Department of Defense (DOD) as reimbursement for costs incurred by military use of the airport. The funds will be subject to appropriation. All airport use rules, especially with respect to access and security, must meet with Federal Aviation Administration (FAA) and Transportation Security Administration (TSA) approval. Operational control of the airport remains with the airport commission and staff.

Fort Smith Regional Airport Operational Guidelines established with the AJUA include:

- Coordination Meetings: Monthly meetings established, with option to meet more often as needed. Attendees to include Airport, Military, USDA Wildlife, and FAA/Tower.
- Badging Security: Alternative Means of Compliance (AMOC) was developed with TSA. ANG holds primary responsibility for their badging, and is to provide notification to the airport, police, and FAA tower.
- Perimeter Road/Jet A: Ramp security will prevent prohibited petroleum, oil and lubricant (POL) vehicles from accessing a portion of the airport perimeter road next to the F35 holding area, now known as the Transportation Security Area. This requirement does not prevent the use of the Transportation Security Area by non-prohibited POL vehicles, nor does it prevent prohibited POL vehicles from using any other airfield route.

Minutes of F.S.A.C. Study Session

December 9, 2025

Page 2

- Military Operation Area Maintenance & Access: establishes procedures for access to military systems within the Controlled Movement Area (CMA), as well as emergency notifications, NOTAMs, and runway closures.
- Bird Hazard Mitigation: Establishes coordinated wildlife mitigation strategies and bird strike response.
- ARFF: Fire services to be provided by ANG. Staffing levels must exceed Part 139 requirement. ARFF facilities will be owned by the airport and leased to the ANG. The airport will provide equipment to meet Part 139 index level requirements.
- Snow & Ice Removal: The airport has an FAA-approved plan to provide service to the Joint Use Flying Field and military areas. Responsibilities will be split between FSRA and Air Force.

Commissioner Kelly questioned the cost for 24-hour coverage by three ARFF personnel, versus the previous 18-hour standard. Director Meyer explained that the annual cost (\$279,000) was comparable to the 2017 Pro-Tec costs (\$264,000). Steven Hyjek clarified that the worksheet calculation was based on 19 ARFF personnel working 8-hour shifts, operating 24/7, not three firefighters working 24/7. Commissioner Ridgley confirmed the airport remains responsible for ARFF truck maintenance as in the past.

Commissioner Kelly asked about guarantees if Congress fails to appropriate funds in the future. Hyjek explained under the Anti-Deficiency Act, the DOD is required to maintain funds even during a government shutdown, supported by continuing resolutions. Kelly asked for an example of an airport closure scenario by the DOD. Chip Brown cited 9/11.

Chairman Voris asked how the airport would charge other military users not covered by the AJUA for landing fees. Commissioner Pendergrass explained there was an FAA Grant Assurance that states the airport must allow government aircraft to land at no charge, unless the landing counts of the military aircraft trigger substantial use, at which point an AJUA could be established.

Commissioner Kelly asked about using Taxiway A for POL transport. Commissioner Pendergrass noted FAA initially prohibited this for safety/security reasons, but discussions continue, and the AJUA does not preclude future approval.

Commissioner Hagy noted that the 12-month notice requirement for discontinuation of ARFF services was not in the draft AJUA document presented to the commission; Hyjek confirmed it would be included in the termination clause in the final agreement presented for approval. Commissioner Hagy suggested looking at the limitation on the firefighting crash rescue statement in paragraph 8(D). Hyjek clarified that ARFF services would cease only if the ANG were no longer a tenant of the airport.

Minutes of F.S.A.C. Study Session

December 9, 2025

Page 3

Commissioner Hagy asked how the reimbursements were incorporated in the agreement. Commissioner Pendergrass said this will be addressed in the Payment Paragraph, currently incomplete.

Next steps for the AJUA include finalizing the payment mechanism, obtaining Air Education and Training Command (AETC) approval and Air Force General Counsel review. Commissioner Pendergrass hoped to present the finalized AJUA at the December 16 Commission Meeting for approval.

NEXT COMMISSION MEETING

The next meeting of the Fort Smith Airport Commission will be Tuesday, December 16, 2025, at 5:30 p.m.

ADJOURNMENT

On motion by Commissioner Pendergrass and second by Commissioner Kelly, the meeting adjourned at 6:42 p.m. Voting aye: Barr, Cooper, Hagy, Kelly, Pendergrass, Ridgley and Voris. Voting Nay: none. Motion Carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew Meyer', with a stylized, flowing script.

Andrew Meyer
Airport Director