

FLAPPINGS

**Serving the owners and tenants of
Hicks Airfield, Fort Worth, Texas (Tango 67) November 2021**

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Remember to RSVP by November 30th for the HAPA annual meeting. Please indicate your choice of the following: 8 oz ribeye, catfish, or chicken fried steak to Diane Dubeansky 915-549-3333 or Colleen Unick 817-821-8340.

Find Flappings online at t67.org under HAPA Info

Attend and Vote!

Election packets for those running for the three seats on the Board of Directors for the 2022/2023 term were mailed out and should have arrived in your mailbox. The election occurs Saturday, December 11, 2021, between 4 p.m. and 6 p.m., during the annual meeting at The Snooty Pig restaurant, 2401 Westport Pkwy, Fort Worth, TX 76177.

You can cast your ballot in a number of ways:

- At the annual meeting;
- By mail using the envelope included in the election packet. Ensure the ballot is received by 12:00 pm central time December 10, 2021;
- In person from 10 a.m. to 1 p.m. on December 11 at 604 Aviator Drive;
- By absentee ballot or proxy form (if you qualify to vote by proxy), which must be received by HAPA, c/o 598 Aviator Drive, Fort Worth, TX or the Board of Directors Secretary on or before 12:00 pm central time December 10, 2021.

There are seven people vying for office this election. In alphabetical order they are: Tom Boback, Barbie Brunson, Tim Carter, James L. Cox, Mitch Hamilton, Marlin Klotz, and Jody A Smith. Here are the resumes they submitted:

Tom Boback Candidate for Hicks Airfield Board of Directors

Two years ago, I ran out of reasons and excuses as to why I didn't have the time to volunteer in the service of Hicks Airfield-I had spent nearly 15 years of happy days, enjoying most things Hicks, but never contributed. So, I ran for the board, and with that began a two-year period at Hicks that was anything but normal.

As I stepped into the position, I really didn't know what to expect, but knew that at the heart of it was my objective to maintain Hicks as the first class "AIRFIELD" I had come to love. Then and now, I

rank our highest priorities at Hicks being the runway, the taxiways and the septic-without the first two, Hicks would be nothing more than a glorified industrial park.

That said, in short order I found myself tagged with the positions of septic chair person and taxiway chair person. I spent much of 2020 leveling our problem septic fields with nearly 20 truckloads of sand being spread. We had excellent results on some, while several other fields continue to be problematic. We have since experimented with returning one of our fields to aerobic functioning, with limited success. We continue to explore options that are within the regulatory limitations of what is allowed on community cluster septic fields. To be clear, there are no cheap fixes for what we face, and anyone that is telling you otherwise is clearly being less than honest with you.

As the taxiway chair, I worked on the paving project that began earlier in 2021, in preparation for resurfacing the runway and taxiways, I consulted with an engineering firm, and acquired the requisite bids to resurface the runway and taxiways. We are well into that project, and within the next month, Hicks will once again look like a first class airfield. Make no mistake, our taxiway surfaces are in a constant state of decline and will require regular maintenance - that will be an ongoing cost to HAPA. The engineering firm that consulted with Hicks made it clear that much of the expenditures incurred this year were due to a lack of regular taxiway maintenance in the past. This is an "AIRFIELD", and the true value of Hicks is tied to the condition of its taxiways and the runway. We have an infrastructure fund for this and it should be used to maintain it-It's your money and your investment. As per the engineering firm previously mentioned, with the resurfacing just completed, we should be able to get another 5-10 years out of this runway without MAJOR repairs.

At the most basic level, the board has a fiduciary responsibility to conduct the ongoing operations of the airfield while maintaining the safety and security of such. You elected and empowered the board to do just that. Within months of being appointed to the board, we were already being challenged on our most basic fiduciary duties, from individuals/entities within our own association.

To begin with, Hicks Airfield is a "Privately Owned/Public Use" airfield as specified by the FAA. YOU (HAPA) own Hicks Airfield AND assume the liability that comes with YOUR OWNERSHIP. In the interest of trying to increase the security of YOUR airport, the elected board decided after much discussion to change the operation of the south gate to access by remote control and keyboard operation, so as to reduce the number of potential liability events occurring on the airfield. THIS WAS DONE TO LIMIT YOUR LIABILITY EXPOSURE -exposure created by an open gate policy that allowed an ever-increasing amount of individuals unfamiliar with Hicks to enter and drive freely about the field. (FACT: A monetary award due to a liability event at Hicks could far exceed the liability limits of our airfield premises policy. In that case, all of the membership would be exposed to liability-both individually and collectively.)

Shortly after the south gate policy change was instituted, agents of Rio Concho Aviation (Barbie and Kevin Brunson) chose to sue YOU AND YOUR ASSOCIATION, effectively inhibiting the board's ability to exercise their duties and responsibilities in service to the membership. It would seem that Rio Concho Aviation (a for-profit entity) placed its financial gain/interest above the rights of the rest of the membership. Additionally, despite the fact that the gate never remained closed, Rio Concho Aviation chose to seek a payday of between (\$200,000 up to \$1 million) in damages FROM YOU (HAPA)... (see Plaintiffs Application for TRO 5/8/2020).

Rio Concho's lawsuit has already COST YOU (HAPA) in the vicinity of \$100,000 in legal expenses- expenses incurred in defending YOU(HAPA), the DEFENDANT. Could Rio Concho drop the lawsuit and walk away? As the plaintive, they could. As the defendant, could YOU (HAPA) simply walk away? No.

Your association dollars WERE being wasted in defense against this lawsuit rather than having that money being put towards infrastructure of which ALL OF THE MEMBERSHIP could benefit from. Thankfully, a resident attorney has stepped up and taken over the duty of counsel on a pro bono basis, effectively stopping the bleeding.

Although I am currently involved in the mediation process, and continue to encourage good faith discussions, my belief is that ONE entity should not have the ability to deny the rest of the membership their fundamental right to protect themselves from such liability exposure, for any reason. There are nearly 300 property owners at Hicks and as a board member, my responsibility is to do what is best for the majority of the membership. Money wasted defending against special interests, is unnecessary and more than just a financial burden to the association.

In closing, you can see what I have done, what we face as an association and what my position is regarding those issues. If you like what I've done for the association, and believe I can do a good job in service to the association in the future, then please VOTE FOR ME.

Thank you for enduring my long winded diatribe. Tom Boback

Barbie Brunson
Candidate for Hicks Airfield Board of Directors



Let me introduce myself, I'm Barbie Brunson, I graduated Cum Laude with a degree in Business Administration from Texas Woman's University. I have been a property owner and HAPA member for 26 years.

My passion for aviation began as a young girl with my earliest memories of flying with my dad in his Cessna 206. We lived in a small town in Missouri where my dad was the only towns doctor. Our family built a grass strip which served as the community's medical link. Younger days were spent with hosting various flying events that included flour bombing and landing contests as well as coupon leaflet drops from airplanes. As an adult I moved to Fort Worth where my dad worked as the FAA's Regional Flight Surgeon for the southwest division. Soon after I met my husband Kevin, a third- generation pilot, we began our flight instruction in the 1990's at Hick's Airfield.

At the time, the airport had few hangars and only one taxiway. Hicks was an isolated airfield surrounded by the high prairie. I recognize that the best way to conserve Hicks in the face of urban growth is to become a part of the local community, not shut ourselves off like hermits. Once again, I find myself working to promote general aviation for ALL not just a few. If Hicks closes itself off from the developing communities around the airfield, it will be the end of the airfield as the city will simply move in on Hick's as "a noisy nuisance."

Since becoming a property owner, I have brought my childhood memories to Hicks Airfield by hosting many events like Landing and Flour/Water Bombing Contests, Car Shows, Group Destination Fly- outs,

Young Eagles Programs, EAA and FAA Wings Seminars, Easter Egg Hunts, Halloween parties, Block parties, Bar-B-Que's, Neighborhood Open Houses and Hangar Tour of Homes to name a few. It would be nice to bring everyone together and enjoy events like these again.

I have served on the BOD in the past and I am running again because it is apparent to me that the current leadership of HAPA is not acting in the best interests of the membership, with their attempt to isolate Hicks Airfield from the community. Hicks Airfield was founded as a public access/private owned airfield.

These are some of the issues facing the airport that I would like to focus on as a BOD member if elected:

Septic Issues

Drainage Issues

Transparency that seeks the active involvement of all members and focusing on our commonalities not our differences.

Tim Carter
Candidate for Hicks Airfield Board of Directors

I'm volunteering to run for a Board of Director's position at Hicks Airfield. Here's a little about me:

I've been an aviator since 1971 starting in the Air Force where I went to pilot training and became a T-38 instructor. I got my CFI in 1977 and worked for Delta Airlines from 1978 until 2004. Since my early "retirement" from Delta I was a Part 135 charter pilot (CitationShares) for 8 years and an "Upset" instructor for 3 years at Aviation Performance Solutions, then 3 years as a Challenger 350 instructor at CAE where I retired again last May. I also flew competition aerobatics for 20 years and was co-owner of an aerobatic flight school. I hold 6 different type ratings and have accumulated over 20,000 hours flying time.

I have been an airplane owner since 1985, having owned more than 10 different airplanes, and owned a hangar at Hicks since 2010. I currently own 3 airplanes (one for sale if you want a single-seat aerobatic airplane).

I should retire! So, why am I running for a Board of Director's position? Partially because I have a little spare time now, partially a sense of civic duty, but mostly because I'm tired of watching the infighting and I want to be sure that I and the rest of the owners at Hicks have an airport and place to keep their airplanes well into the future.

Where do I stand on the issues? Well, first and foremost, I want to keep Hicks Airfield a viable airport. As for specific issues, I'll just say I need more information. I'm concerned that our money needs to be managed for the long term and that the investment that we all have made needs to be protected. I believe in the democratic process and keeping the interested parties informed about the issues and what is being done. Disagreements need to be handled in a civil manner. If you have a problem with the way things are being done, address the issues, not the parties working on your behalf. I don't have a problem with non-aviators or non-airplane owners having hangars here or running a business here, but again, Hicks is an airport and needs to remain so. The interests of all parties need to be addressed with the caveat that it's an airport first.

**James L Cox (Hangar 160)
Candidate for HAPA Board of Directors (BOD).**

I purchased Hangar 160 over 30 years ago because I am a PPSEL, High Performance, Complex, Mooney Owner, and A&P Mechanic. I moved into my hangar full time in 2018. I am not a developer or land speculator. I am a former FFL, and held a Presidential Helicopter Support Facility Secret Clearance at Pax River, MD. I've never been arrested, fired or asked not return to any job. I was married a total of 40 years, resulting in two beautiful daughters and two amicable divorces with no attorneys (I know when and how to negotiate.) I still maintain all my family's vehicles (married or not.) I am now fully retired after working 35+ years with Federal Contractors like Bell Helicopter, McDonald Douglas Helicopters, Boeing Helicopters, Lockheed Martin, and Bell Helicopter Canada. My entire career was spent reading, writing and performing to contracts. Contracts define what you must and cannot do. I've also spent the last 21 years reading and understanding the laws pertaining to Home Owners Associations, dealing with one of the largest HOAs in North Texas.

Sitting on the Board of Directors is a difficult task. The BOD must observe the Bylaws, Deed Restrictions, Dedicatory Instruments, County Law, State Law and Federal Law, and rules of multiple government agencies. To do a good job on the BOD, a member must have a good understanding of these laws, contract law, Real Estate law, and Non-profit statutes. The job of the BOD is to protect and defend the rights of all property owners of Hicks Airfield. I am prepared to take on this task.

The BOD has the authority to change the Bylaws; however, it DOES NOT have the authority to change Deed Restrictions. Deed Restrictions can only be changed by a 60% majority of the property owners of that specific Section or Block as defined by the original plat. Hicks Airfield consists of Block 1 (Section 1), Section 2 (Blocks 2 & 3), and Section 3 (Blocks 4 & 5). The airport and all its lots are commercial properties according to Tarrant County.

This is not a Country Club, we are not building a golf course or a swimming pool; however, our septic situation is threatening HAPA with similar liabilities. The Hicks Airfield Dedicatory Document gives us the ability to address these issues with a long term solution that will reduce cost, improve maintenance and ensure that those using the system will have a working system without jeopardizing the airport. So called "illegal hookups" could be included in the solution and become "legal."

All Board Members should be invited to all activities requiring Board action. The policy of excluding any Board Member from any Board meeting has got to stop.

Most of the problems we have were created by previous BOD actions that were inconsistent with our Dedicatory Document. This has left HAPA open to law suits, most notable, the Primary Directive of the Board from Page 5 of the Declaration states: "1. . . . each Owner. . . shall have an easement of ingress and egress to and from the Property and adjacent streets and roads, over the portions of the Property designated for use as the taxiway/roadway, subject to such reasonable Rules and Regulations as the Association may from time to time implement." Visitors, customers, friends and family of each owner are included in this defining document.

If you agree with me, then please vote for me, James L Cox. Thanks!

**Mitch Hamilton
Board of Director Candidate**

I am volunteering and asking for your vote. I am fully aware that this position is unpaid and strictly voluntary and that is the last you'll hear that point from me. Born and raised in Fort Worth, Texas.

Married for over 15 years with two boys ages 13 and 12. I have owned and operated a micro asset based logistics company for over 20 years. I am somewhat of an infant when it comes to aviation. My wife and I caught the aviation bug much too late in life but am glad it bit. You may have seen me or my wife in our grey C150/150, N21634. I received my PPL just over a year ago and am now pursuing my instrument/commercial ticket in my M20J. If it takes a hot shot pilot to be on the board then I am not your guy. I have invested in this airfield in way of two properties, one with a hangar and one empty lot and am currently renting two additional T-hangars. You could say I am all in. I will point out I have nothing new or modern to offer this airfield. There is nothing new under the sun. But what I do have is a philosophy that a board should be measured on how it is preserving our funds and moving this airfield in a direction of fiscal longevity. If elected, my mindset will be of a frugal steward guarding over OUR reserve fund and only approving expenditures for what we pilots need most of all... safety and a first class airfield that puts our pilot community first and not waste time on personal vendettas and conflicts. I would count my time on the board productive if the boards only accomplishments are maintaining our airfield and growing our reserve funds, not by passing unnecessary motions and settling personal scores.

Here if you want a newcomer!

Mitch Hamilton

Marlin Klotz
Candidate for Hicks Airfield Board of Directors

My name is Marlin Klotz and I am excited to run for a third term on the HAPA Board of Directors. I was born and raised in a small rural community in Missouri on a family farm before moving to Fort Worth in 2000. I graduated with degrees in both Mechanical Engineering and Manufacturing Engineering. After graduating, I accepted a position with Kiewit Construction as an Equipment Design Engineer and have served many roles within the company. Over my 21 year career, I has been involved in several large projects both locally and throughout the northern United States and Canada. I am currently the Eastern Regional Equipment Operations Manager, overseeing an equipment fleet of over 4,000 units across the east coast. During my years with the company I have gained extensive experience in managing projects, facilities (large and small), cost forecasting, budget analysis, recruiting, and employee training. On my off time, I enjoy several hobbies including enduro, street and dual sport motorcycle riding, scuba diving, golf, and traveling.

As a resident of Hicks Airfield for the last eleven years, I have attended several HAPA meetings as a property owner and have had the opportunity to meet many of the residents while learning about the events surrounding this community. I am currently a student pilot. I have also had the pleasure of serving on the board for the last four years.

By re-electing me to the Board, HAPA would gain detailed experience in project management, budget management, construction practices, and most important, team development. My problem-solving abilities based off of observation and conversation would be a valuable asset to the Hicks community.

Cooperation and teamwork should be the driving force to secure a positive future for all property owners within the airfield. I feel I have the ability to foster this environment through open and honest communication. Voting for someone requires a measure of trust and that will not be taken for granted. If elected, I will support decisions that achieve the best interests of Hicks and all of its' property owners.

There have been many changes within the board over the last 4 years of my term. I have seen 4 presidents in two years and served in the role of as vice president in 2019 until taking over as president and then

acting as president in 2020 as well. Then serving as Vice president in 2021. Since then, the other board members and myself have been focused on executing the paving needs, achieving resolution to some issues in the septic issues, and we hope to resolve the issues tied to the gates and airport security. I view this as an airport first and my goal is to protect the needs of the pilots first. There are still a lot of items which I have identified as areas which need improvement and would be honored to serve 2 more years towards achieving resolution to these items.

JODY A SMITH

Candidate for Hicks Airfield Board of Directors

729 Aviator Drive, Ft. Worth, TX
 jodys@cornerstonestaffing.com
 817-991-7800

OBJECTIVE | Be elected to the HAPA Board of Directors, to continue the maintenance and growth of a first class Airfield and Airport Community.

SKILLS & ABILITIES | Served on many non-profit boards as well as municipal boards and commissions. Details upon request.
Mayor of the Town of Flower Mound 2004 to 2010.

EXPERIENCE | **OWNER AND PRESIDENT, CORNERSTONE STAFFING AND CORNERSTONE MEDICAL.**

JUNE 1991 TO PRESENT

Successful grew company from one branch office to fourteen and survived the 2020-2021 pandemic.

AMERICAN AIRLINES, Flight Attendant

JANUARY 1986 to Present

EDUCATION | **CARTHAGE COLLEGE, KENOSHA, WI**

BA IN INTERNATIONAL BUSINESS, EMPHASIS IN SPANISH

COMMUNICATION | My strengths are seeing opportunities and needs, and being able to bring plans and actions to a consensus that ultimately is best for all concerned.

LEADERSHIP | My service as the Mayor of Flower Mound, dealing with multiple groups of people, as well as leading CornerStone Staffing and CornerStone Medical does prove my leadership ability.

PERSONAL | I have been interested in pursuing a pilot's license and purchasing a hangar home, an airplane, taking flight lessons shows my commitment to aviation, and the new "home" I call Hicks Airfield. Please contact me to further discuss Hicks Airfield.

Sincerely,

Jody A. Smith

President's Message

In this season of gratitude and giving, I wish to recognize the many ways in which our 100% volunteer Board has invested significant personal time, effort and energy to improve, serve and support this Airfield and the best interests of our membership in a fiscally responsible manner.

The end of the year is rapidly approaching and as we reflect upon what has been accomplished; I would like to share some notable progress the current Board has made to date this year in our continuing efforts to maintain the integrity of our runway and taxiways, maintain the safety and security of the airfield, mitigate the risk and associated liability of our airfield and the membership, respond to concerns, and to respect our governing documents. When confronted with complex or divergent issues, this Board has taken their responsibilities fully to heart and made every effort to do what is best for our community as a whole. We have sought and made significant progress on many fronts. This includes, but is not limited to, the following:

1. **Legal/Lawsuits & Legal Fees:** The current Board was left saddled to deal with outstanding lawsuits which had previously been filed against our Association along with the associated hefty legal expenses already incurred and with ongoing legal expenses and fees held over from the prior administration to defend our Association in Cause No. 236-292837-17 and Cause No. 096-316827-20. (Related Documentation may be found on T67.org)

In effort to bridle, rein and contain the runaway legal expenses the current Board inherited from prior administrations which HAPA (the "Defendant") incurs defending our Association in the above referenced Causes; the current BOD was able to retain Mr. David Coker, CISA, CISSP, as our legal counsel who has graciously and generously provided his professional services to HAPA on a "Pro Bono" basis (Letter of Engagement signed in March 2021) thereby saving our Association tens of thousands of dollars (in fair estimation). Under the guidance and auspices of our legal counsel we have made some promising forward motion on the lawsuits from the previous stalemate position this current BOD encountered when taking office in January of 2021.

Contrary to what you may have heard from airfield disinformation rumormongers intent on causing strife - HAPA has **not** filed any lawsuits. HAPA is the "Defendant" in both of the above referenced lawsuits. I encourage the membership to 'Be in the Know' and read the related legal documentation, filings, counterclaims, etc., for the above referenced lawsuits which the current BOD has made available to the membership and for the convenience of our membership may be accessed 24/7 on T67.org. You will also find the 'Financials' for our Association (Both the P&L and Balance Sheet) uploaded to T67.org and the "Minutes" from BOD and Membership meetings are reported in "Flappings".

2. **Runway & Taxiways:** The condition of our Taxiways were in a sad state of decline. We consulted with an engineering firm and acquired the requisite contractor bids to repair, resurface, reseal and restripe our Runway and Taxi-ways. The engineering firm opined the scope (*and cost*) of the necessary repair work for this project resulted primarily from lack of regular maintenance in the past. To effect readiness preparation for this infrastructure project and help SAVE the Association money; BOD Volunteers and other HAPA 'Good Neighbor' Volunteers joined together in manual labor mode to remove Grass and Debris from the Runways and Taxiways.

Many thanks to Steve Grace, Jeff Sheets, Roy Geer, Tom Boback, Mary Reddick, John Unangst. This effort consumed several hundred-man hours. Special thanks to Ron Wasson our good neighbor here at Hicks who generously donated the Water for this Infrastructure Project upon learning Rio Concho (Hicks Water Utility Services Provider) refused to allow the Contractors access or the use of water

necessary to perform the scope of work on the Runway/Taxiway project. (Neither would Rio Concho allow the Contractor to temporarily park on the empty Terminal ramp parking area while here conducting this work for our airfield/association.)

3. **Septic and Drainage:** As most are aware the Septic Issue at Hicks is decades old and still remains today a persistent, chronic and enduring problematic legacy issue to contend with as a result of the design and limitations of the cluster systems installed by the original Property Developer Don Davis. The systems were designed for a max of 40 gallons per day per hangar. These legacy septic/drainage issues have been amplified exponentially over the ensuing years by the increase of living units at Hicks resulting in overburdening of the system. Unfortunately, to the lament of all there is no quick fix. However, this BOD continues to explore options, including, but not limited to: block of illegal taps and penalty surcharges for excessive usage of water; and has endeavored to improve the drainage of many cluster septic fields by adding, spreading and leveling hundreds of yards of dirt (nearly 20 truckloads); and has kept up with the maintenance and ongoing pump repairs.

We ask you do your part not to overtax the system and adhere to best practices if you utilize these systems. Provided in every issue of "Flappings" is a helpful Septic Field Information guide. Please remember to NEVER flush or dump or otherwise improperly dispose of chemicals or fuels that could contaminate surface and groundwater, such as: paints, varnishes, thinners, waste oils, photographic solutions, pesticides, etc. Such waste contaminants may be harmful to pets, livestock and wildlife.

3a. Maintained harmony and good will with our East area farm/ranch neighbor. *related efforts and motion reported in the HAPA "Minutes" from Oct. 14, 2021, BOD Meeting.

FYI- Are you aware the "**Minutes**" and other announcements are regularly reported, posted and made available for the convenience of the membership in "**Flappings**" with easy 24/7 digital accessibility on T67.org? And thanks to Roy Upshaw, our good neighbor here at Hicks, a printed copy of "Flappings" has also been individually mailed to members monthly at no cost to HAPA. Let's also give a big hand to another good neighbor Lois Kinman here at Hicks who puts in numerous hours of effort as our Volunteer Editor for "Flappings".

4. **Lighting:** New Taxiway Lights Installed in June

5. **Windsocks:** New Windsocks Installed in June

6. **Signage:** New Signage installed at South Gate

7. **South Gate:** South Gate Repaired in April

8. **HAPA Hangar:** Cleaned out and Reorganized HAPA Hangar in April

9. **Insurance:** Obtained approval from Insurance Underwriters to increase Liability Policy for HAPA in June effective in August

10. **TSA:** Working with TSA for our security assessment

11. **FAA:** Working with the FAA for communication upgrades to our airport

12. **Emergency Water Provisioning:** The life threatening "Big Chill" Winter Freeze of February 2021 left property owners at our Airfield without Water for days. As Rio Concho (Hicks Water Utility Provider) apparently has no back-up generator or emergency plan for water provisioning; Members of the BOD took it upon themselves to make numerous supply runs during this extended period of brutally

inclement weather to fill 5 Gallon Jugs with Water (made available through the kind offices of a fellow Association member generously allowing usage of their private well) and distribute this absolute necessity for the safety, health and well-being of life to our members and neighbors in need at the airfield.

These accomplishments are a testament to the dedication and service of the Volunteers on the Board. While we recognize there is '*always*' more work to be done; I am proud of the progress we have made since our term began in January of 2021 and hope you will join me in applauding the efforts of your Board (and all the Volunteers!) who as members of our community and our good neighbors have generously donated their personal time, efforts and expertise for the benefit and greater good of all.

The Annual Meeting and Elections for 3 vacant BOD seats for the two year term of 2022 and 2023 will soon be upon us. This year's meeting and Annual HAPA Dinner will be held on Saturday, December 11th, from 4-7 PM at the Snooty Pig Cafe located at 2401 Westport Parkway, FTW.

Special thanks to our most charming HAPA Social Committee Co-Chair Volunteers Diane Dubeansky and Colleen Unick for making all the arrangements. If you haven't already done so; **Please RSVP** for the Annual Dinner to Diane Dubeansky at **915-549-3333** or Colleen Unick at **817-821-8340** or **Online** @ <https://www.facebook.com/events/446441286899575>

All members should have received an Election Packet in the mail. If you have not received your packet, our webmaster has uploaded the entire election mailer to T67.org where you may view the Candidate Bios along with Election Info and Download the Documents including the Absentee Ballot and Proxy Form.

Many thanks to the dozen Volunteers who jumped in with both hands to "Get 'Er Done" preparing the hundreds of Election Mailers for our membership after the management company abruptly quit at the proverbial 11th hour without the customary professional courtesy of Notice leaving 'HAPA' in the lurch.

If you are unable to attend the Annual Meeting to Cast YOUR Vote; please utilize the **Absentee Ballot**. A pre-addressed and stamped return envelope is included in the Election Packet for your convenience.

Please be reminded: If your Property is owned or held by a **Legal Entity** defined as a corporation, LLC, partnership, or multiple owners of a hangar/s, or other legal formations such as a Trust, etc., a completed, signed and dated **PROXY Form must accompany** the completed, signed/dated Ballot.

All Absentee Ballots (and accompanying Proxies) must be Signed/Dated; Returned to and Received by HAPA, **c/o 598 Aviator Drive, Fort Worth, TX 76179** or the HAPA Board of Director Secretary (hapa.sec21@gmail.com) **on or before 12:00pm (noon) CT on December 10, 2021. Please allow ample time for return mailing!** (Please note that a vote cast in person supersedes an absentee ballot)

If you are Voting in Person, YOUR Ballot must be turned in at the **Annual Meeting** NOT later than **6PM CT**. Additionally, you may cast YOUR Vote IN PERSON in **Early Voting** which will be available from **10AM-1PM** at **Hangar 604** on **Saturday, December 11th**.

Thank you to ALL (7) Candidates for running! "When we vote, we take back our power to choose, to speak up, and to stand with those who support us and each other." "**Someone struggled for YOUR right to vote. Use it.**" I encourage each of you to take an active role in your community and personally participate in the election process. Validate the inviolate principle so dear to the American voting process of "**One person – One vote.**" Model the conduct of a Free and Fair Election. "**Never cede the privilege or the power of YOUR vote to another.**" Personally **Cast 'YOUR' Vote** for the three (3) candidates you feel will best support the Preservation of Our Property Values by actively maintaining the

physical integrity of our Runway and Taxiways and the Safety and Security of this Privately Owned Airfield. **Cast 'YOUR' Vote** for the Candidates you believe will truly commit to participate as a unifying and cohesive member of our Board without any direct or indirect *Conflict of Interests* or business/financial interests or vitriolic personal agendas that will hinder or otherwise sway or impede their ability to **honor** their Fiduciary Duty to HAPA.

I look forward to seeing each and every one of you at the Annual Meeting and Dinner on Saturday, December 11th My best wishes for bountiful blessings to you and yours and may you all enjoy a happy, healthy and hearty Thanksgiving.

Kind Regards,

 John Unangst
 President, HAPA

Hicks Airfield Pilots Association November 11, 2021 Board Meeting

Meeting called to order by HAPA Pres. Unangst at 7:12 pm at Hangar 137.

Board Directors present: Tim Bero, Tom Boback, Roy Geer, Jeff Sheets, John Unangst
 Mike Reddick present as HAPA Treasurer & Mary Reddick present as Alt Secretary.
 Attorney David Coker on Zoom call.
 Directors Absent: Jeff Allred, Marlin Klotz

Meeting open to Hicks property owners only.
 Hold your questions until the end of the meeting.

Summary of Closed session of the board:

- No HAPA violations document in last month
- Replacement company for MFA needed ASAP
- Discussed budget for 2022
- Discussed purchased of new batch of taxiway lights
- Discussed hiring a vote count personnel for election results

Motion to approve Oct 14 Board minutes: Maker: Jeff Second: Tom Vote 4-0 (Roy abstained)

President's remarks:

- Re-sealing of runway and taxiways: I wish it had gone a little quicker. The runway and taxiways have never looked better. Lots of volunteer work done to supervise the subcontractor. Tom, Steve, Roy, and I oversaw the project and I wish to thank those involved. The runway and taxiways are our most vital common areas.
- Our property manager quit without the customary professional courtesy of notice and left HAPA in the lurch. I personally find his actions unprofessional and unethical. He earns his pay from doing 3 things for the association: taxes, elections, and dues. He's a manager and CPA and not an attorney...for him to make judgements to usurp his paid job is just wrong. We are where we are. Our board is having to put in extra time to keep HAPA running smoothly. Thanks to the 12 volunteers that stuffed election info into envelopes.

- Septic issues have been plaguing HAPA for decades. This is HAPA's only 1000 lb TNT can. We must remain pro-active and show the county that we want to work with them.
- Election time brings out opposing opinions. We often have a divided membership but we want the same thing: A safe and secure airfield. Today is Veteran's Day. Most of your board are veterans. Veterans fought for your right to vote. Yet I see a group of people that do not want us to get you to vote. They want you to give them their vote....they want your voice. We decided to make the vote as easy as possible. We want you alone to vote or not vote as is your right. We don't want ballot harvesting. Only you have the right to cast or not cast your vote. I'm happy there are 7 candidates running for the board. I hope they all understand the amount of time it takes to volunteer to be on the board. We all need to work together.
- The annual meeting happens to coincide with the election and has done so for years, but they're independent of each other. If we get no quorum at the annual meeting, we will hold a follow-on meeting in which whomever shows up will be the quorum. That completes the requirements for the annual meeting. The election will occur at the Dec 11th date, however, the results may not be known for several days.
- I've directed the Runway Reserve Fund be renamed to the Infrastructure Reserve Fund. The money didn't go away, the fund has been renamed to better reflect it's usage.

Secretary's Report:

The Board had an electronic meeting on Oct 28 to discuss legal strategy with our attorney and the next steps in the lawsuit. It was in executive session due to attorney-client discussions. Two motions resulted from that meeting.

Motion: The HAPA Board of Directors directs HAPA attorney David Coker to file any valid counterclaims against Howard Cox regarding the north gate lawsuit. Maker: John Second: Jeff Vote: 6-0 (Tim absent)

Motion: The HAPA Board of Directors directs HAPA attorney David Coker to file any valid counterclaims against Thomas Edward Martin regarding the north gate lawsuit. Maker: John Second: Tom Vote: 6-0 (Tim absent)

Treasurer's Report:

We have no financial report as none was received from Marc Foreman. We need to get new signatories on the account so we can continue to pay bills and operate as normal.

Security Issues:

A vehicle drove southbound on main taxiway and went thru both fences on the farmer's property. His license plate was torn off which was left at the scene. We know who did it. The Sheriff was notified. The fence was repaired by Steve Grace & Tom Boback.

The T67 website has a form for reporting security issues if you see an issue on the airfield. We investigate all issues you report, so please use the website.

Airport Manager's Report:

- Some striping still remains to be done.
- Pilot Controlled Lighting: the controller remains in the FAA bldg at Hicks. We hope to save utility money by utilizing PCL. We're still investigating.
- Exploring AWOS for Hicks with the FAA.
- TSA visited for a Safety and Risk Assessment for the airport. I haven't seen the report yet. The TSA report will cover all aspects of operations at Hicks.

Old Business:

Septic Issues:

Some of our septic fields are struggling more than other fields. We're addressing some of the illegal taps that we've discovered into our septic fields. In addition, we've discussed penalty surcharges for excessive usage of water. We will block illegal taps.

HAPA Social: Occurred on Saturday, Oct 16, and was a success. Everyone had a good time. Thank you to the social committee for their efforts.

Motion: To rescind the October motion to utilize Election Buddy to conduct an electronic election in December. Maker: Jeff Second: John Vote 5-0

Discussion: Timing didn't work out for various reasons. Foreman's wife was in the hospital. He didn't coordinate with me. Costs were too high when all incidentals were added.

HAPA has the ability to conduct it's own online election. Programming costs are estimated to be around \$500. Compare that to the \$1339 we've spent on copies, envelopes, & postage spent so far for this election, and you see the advantage of an electronic election. That figure is on the low side as we had the stamped envelopes for the return ballots. Cost would have been over \$1500 without those stamped envelopes.

HOA Elections: Seven candidates signed up to run for the board. It's a 2 year term. Elections will occur on Dec 11th.

New Business:

Motion: Due to the resignation of Foreman & Associates, HAPA motions to replace Foreman on our bank accounts with the Secretary & President as signatories. Maker: John Second: Roy Vote 5-0

Discussion: We are looking for either a bookkeeping company or another CPA to take over HAPA accounting.

Motion: I propose we approve the 2022 budget proposal A, as amended. Maker: John Second: Jeff Vote 5-0

Motion: to move \$142,000 from the Infrastructure Reserve Fund to our operating account to pay for the runway re-sealing, re-striping project and new taxiway lights. Maker: John Second: Roy Vote 5-0

Motion: to authorize up to \$2,000 to purchase replacement taxiway lights and the glue necessary to glue the taxiway lights down. Maker: John Second: Roy Vote 5-0

Motion: I motion that we move our bank account from Wells Fargo to another more friendly local bank with a more friendly fee structure. Maker: John Second: Roy Vote 5-0

Motion: to rescind the current change regarding proxies during the upcoming election cycle. Maker: Tim Second: none Motion dies for lack of a second.

Legal Status update by Dave Coker:

- **CLARIFICATION ON PREVIOUS COMMUNICATIONS:** It was clarified that the HAPA's dissatisfaction with the previous property management related to property management duties only. This firm suddenly, and without warning, voluntarily “terminated” its services based on a disagreement related to how procedural controls would be implemented in regards to the election of board members. This was the second time the firm has attempted to “terminate” its services, the first being in the summer of 2021, stating reasons unrelated to voting procedures.
- There are no “new” lawsuits filed at this time. What we filed were counterclaims but are part of the same lawsuit, or are so substantially related to the same lawsuit as to be considered part of the original lawsuit filed by Hicks Asset Partners, LLC.
- Fee and Representation agreements were signed by the designated Legal Point of Contact for HAPA, and were distributed to the board.
- Proxy decision: It appears that we have a “conflict of laws” at Hicks. Hicks Airfield is not a traditional community. Hicks does not necessarily fall under the Texas Property Code as not every building at Hicks is a residence. Hicks is an FAA designated airport subject to TSA security guidelines and overseen by federal FAA laws. Hicks is not a typical Texas non-for-profit business. The safety and security of the rapidly urbanizing community must also be taken into account. There are also concerns relating to the potential for liability in the event of injury occurring on the Airfield.
- Proxies have been a historical problem and an ongoing subject of community debate and concern. HAPA implemented a relatively minor control on proxies in an attempt to find a “compromise” control that could help reduce any perceived abuse of the proxy voting procedures and quell lot owner concerns. This is a very unique situation, involving a unique community, and involves unique legal issues compounded by active litigation that may necessitate Judicial intervention and interpretation. Regardless, all votes cast, including votes ignoring procedural interpretations, will be retained in the event of any recount requests.
- South gate: The last proposal sent was from HAPA. HAPA is still waiting for a response.
- North gate: Counterclaims were filed this week that describe the allegations against Howard Cox and Tom Martin as individuals. All documents have been posted to the T67 website. HAPA encourages you to read these documents and form your own conclusions based off what has been filed with the Court. HAPA did not originally file the North Gate lawsuit, Hicks Asset Partners, LLC (“The Partners”) originally filed suit against HAPA. HAPA has received no written offers from Hicks Asset Partners, LLC (“The Partners”). HAPA sent an offer in April 2021 to negotiate but has received no response to date. Court is currently scheduled for Feb 22, 2022. With the counterclaims, HAPA will investigate every party involved and additional claims may be involved. HAPA will be seeking attorney fees above and beyond the \$500,000 counter claims that we filed.
- One should be careful “inserting” themselves into the middle of a lawsuit unless one is prepared to become involved in the controversy. Due diligence requires an investigation as to why a lot owner would proactively become involved. What are the motives? What is their relationship with each of the parties? Etc.
- Costs to date are deposition fees, witness fees, subpoena fees. I believe those costs have been less than \$5,000 over the last 6 months. This number could be off, but not by more than +/- 15%.
- In most civil lawsuits in Texas, the plaintiff has the burden of proof in proving his/her/its allegations.

Open Discussion:

Steve Grace asked for time to ask board member Tim Bero a question:

“Tim: Other than accusing the BOD members of untruths, fabricating stories, distorting the facts for your own agenda, not willing to return HAPA Documents, sitting behind a keyboard creating emails, and having your own meetings trying to overthrow the BOD in the electoral process, what have you physically done to help the airport? You say you are all inclusive yet you refuse to allow everyone to attend your meetings including the current ‘trespassed’ BOD members and the editor of Flappings. I wish you good luck with your attempting take-over of the BOD. Yes, you had the most votes but without proxies, you would be on this side of the table not that.”

Tim responded: “Thank you for your statement. I think it’s highly (?) and I’m not surprised it’s coming from you. Thank you very much for your time.

Mary Reddick: Are you not going to tell us what you’ve done for this board?

Tim: There will be another time and date for that statement.

Mary: No, I would like to know.

Tim: I don’t care if you’d like to know, I’m not going to.

Mary: What about these people, do they want to know?

Tim: No, those accusations are not worth responding to.

Mary: No accusation. I’m asking you, Tim, what have you done for this board? Working for this board. What have you done? We cleaned out the hangar...you weren’t there. You came to get records but you didn’t help us for a minute. We were out here on every taxiway, in front of every hangar, we weed-eated, we blew off grass, we worked for weeks...”

Tim: Yes, you guys act like martyrs and victims.

Tim to Tom: You were elected by proxy the first time.

Tom: No I wasn’t.

Tim: Yes, you were. So was Marlin.

From the crowd: Barbie Brunson: “Yes you were.” Tom Martin was observed nodding Yes.

The Annual Meeting will be held on 11 Dec at the Snooty Pig, 2401 Westport Pkwy, Fort Worth, TX 76177 from 4 pm to 7 pm. Voting will occur between 4-6pm.

Turnout for this meeting: 24 owners attended. Thank you for making the effort to be involved.

Motion to adjourn: Maker: John Second: Roy at 0855 pm. Vote 5-0

Contacts (Who to Contact about What)

2021 Officers

John Unangst President
hapa.prez@gmail.com
817-300-6670 cell
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ubangi2000@att.net

Marlin Klotz Vice President
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Michael Reddick Treasurer
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Mary Reddick Asst. Secretary
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2021 Board Members

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Social

Diane Dubeansky 918-549-3333

Colleen Unick 817-821-8340

South Gate Directory Database Morry Anderson 817-703-9021 morry.anderson@gmail.com

South Gate Emergency Marlin Klotz 817-412-8796 marlin.klotz@kiewit.com

Tables & Chairs: Bill Guy 817-937-8977 williamguy44@att.net

Webmaster Brock Street 817-779-4664 brockcstreet@gmail.com

Airport Manager Steve Grace 817-239-2432 hicks.t67.manager@gmail.com

Safety Rules and Regulations

1. Airport access is limited to airport owners, tenants, pilots, and guests. All parties entering the airport who are not owners or pilots must receive safety instructions from the property owner prior to entry. Safety instructions should include, but are not limited to, the rules contained below.
2. Gate codes may be distributed to guests only after a complete safety briefing has been given and an understanding has been expressed by the guest. If gate codes are distributed without associated safety instructions, the offender's code will be removed from the database. The offender will not be entitled to a new code until any associated fines are paid in full.
3. No person or vehicle, other than lawfully operated aircraft, shall enter the runway or runway safety zones. Runway safety zones include the grass areas surrounding the runway.
4. All automobiles must yield to aircraft. Automobiles in the path of an aircraft shall immediately pull off of the taxiway into the nearest apron until the aircraft has passed. If this is not possible, the automobile should turn around and depart the path of the aircraft.
5. The maximum permissible speed is 15 mph throughout the entirety of the property.
6. Taxiways must remain unobstructed within 30 feet of the taxiway centerline.
7. Persons must not approach an aircraft under power. An aircraft which is not under power must not be touched without the consent of the aircraft owner.

HAPA DIRECTORY INFO

The HAPA membership directory is now online. To access the directory, go to www.t67.org and log into your account. From here, you can also manage your privacy settings.

Creating an account gives the board an opportunity to contact you should there be an emergency at your hangar, an ELT signal related to your aircraft, a flight plan that was not closed, or other need for contacting you.

- If you haven't yet provided created an account at www.t67.org, please do! We would like to be able to contact as many **HAPA** members as possible via email.
- This is YOUR newsletter. Please submit articles, pictures, thoughts, etc to the newsletter publisher.
- If you have an issue and would like to address the HAPA BOD during a Board meeting, Please contact the HAPA President to be put on the agenda.
- For South Gate Directory Changes contact Morry Anderson at morry.anderson@gmail.com or login to www.t67.org and choose "Gate Codes".
- For **Emergency** South Gate Issues, call Marlin Klotz at 817-412-8786

Septic Field Information

Check out the info below and see if you are up to speed!

Do's & Don'ts

Do use environmentally friendly liquid detergents for washing machines and dishwashers.

Don't use liquid fabric softener.

Do use dryer sheets.

Don't pour grease into drains. Grease won't break down and will solidify in your system.

Do dispose of it in the garbage as solid waste.

Don't use garbage disposals as a trash can. Garbage disposals are to be used for table food scraps. (ex: No corn husks, paper, meat bones)

Don't wait until the weekend to do the whole weeks' worth of laundry.

Do spread out the laundry over the course of the week, so you don't over work your drain field.

Do use bleach in moderation. Large amounts of chlorine kills the good bacteria needed to maintain a healthy septic system.

Don't flush anything that is not septic safe toilet paper or waste down the toilet. (ex: feminine products and baby wipes)

Do remember, if it's toxic to you... it is also toxic to the septic system.

Don't Flush It

Homeowners wanting to take good care of their septic systems should make note of the following items that should never be flushed down the drain or toilet. These items can overtax or destroy the biological digestion taking place within the system or clog pumps and pipes.

Take care not to flush the following:

- hair combings, coffee grounds, dental floss, disposable diapers, or kitty litter,
- sanitary napkins, tampons, cigarette butts, or condoms, gauze bandages, fat, grease, or oil, paper towels, shop towels and **NEVER** flush chemicals that could contaminate surface and groundwater, such as: paints, varnishes, thinners, waste oils, photographic solutions, or pesticides.