



HIGH FLIGHT *Newsletter*

Lakeway Airpark, Inc.
July/August, 2001

Message From Your President

...Ken DeBower

My first two months as President are over and they have been busy, but constructive. There always seems to be something more to do. I suspect this is pretty normal.

The effort to correct the facility problems identified by FAA continues and is very nearly complete. The last tasks are under way and, hopefully, will be completed by the time you read this. These last tasks are the trimming of trees and removal of a small hilltop at the southwest corner of the Airpark property.

Our legal battles continue. We are defending a civil suit and a criminal action and have successfully defended another criminal action. These actions have now cost the Airpark approximately thirty five thousand dollars, and this figure is climbing. So far, our insurance company has declined to help but we are taking action to recoup these costs.

The ongoing operation of the Airpark requires much effort by many people. Special thanks to Wayne Wagner who has been tagging airplanes and cars these last several months virtually unassisted. **We need volunteers** to help with that activity. Ramp check duty runs for a week and the effort and time required are minimal. Please call Wayne or me to volunteer. Special thanks also to Rocky Peebles, Bill Schleifer, and our neighbor Ty Davis for fixing our sprinkler system.

As always, on the **second Saturday of each month**, we meet for **Workday at 8:30 a.m.** and then we hold our **board meeting starting at 9:30.** *All members are invited.* The Workday gatherings are always great fellowship and the volunteer help is greatly appreciated. And remember, on the

Message From Your President – cont'd.

Thursday evening before each Workday, we meet at **Rosie's for dinner at 6:30 p.m.**

As the summer winds to a close, our weather will become far more pleasant which will afford more opportunities for Hangar Flying around the shack. I hope to see many of you there.

Safe flying. – Ken

Airpark Polo Shirts

Everyone liked the Lakeway Airpark polo shirts we ordered last year. In fact, some folks have reported they “wore them out”! So for those of you who've washed yours one too many times, our new members, or those of you who didn't get one the first time around, we are **now taking orders** for more shirts. The price of the shirts will depend on how many we order, so if you would like to order a shirt, or want more details before you decide, please **call Cora or Wayne Wagner at 261-0331.**

WASPs Honored in Special Exhibit

An easy hour and half-ish flight from Lakeway (depending on your aircraft and prevailing winds, of course) will land you at Scholes Field in Galveston (GLS, Unicom 123.05). A short walk from the tie-downs at Evergreen (the terminal building currently has no FBO) will put you at the doorstep of the **Lone Star Flight Museum**. From July 7– October 26, 2001, along with all of their regular displays, the Museum has a special exhibit honoring **Women Air Service Pilots** (“WASP”). Admission ranges from \$4 to \$6, the Museum is open every day from 10 a.m. to 5 p.m., and fly-in visits are encouraged.

The Lone Star Flight Museum derives all funds from admissions, donations, and fund raising activities. No State or Federal funding is received. All donations are tax deductible within IRS guidelines. To learn more about the Museum, its mission, events, and displays, see www.lsfm.org, or contact 409-740-7722 or email flight@lsfm.org.

Aircraft Owner Liability for Air Crashes

— (Part 5 of a Series) ...John C. “Rusty” Allman
"NON-OPERATOR" OWNER LIABILITY EXPOSURE

Where does the owner of an aircraft, who is not actively involved in the operation of the aircraft or

Aircraft Owner Liability for Air Crashes

– continued

piloting of the aircraft, fit in terms of liability exposure? Remember, I call this individual a "non-operator owner". "Non-operator" aircraft owners may avoid liability for air crashes in most states as long as:

1. The owner was not in control of the maintenance or operation of the aircraft in all relevant times leading up to the accident;
2. The owner was not the employer of the operator or maintenance professional who was a fault for the crash;
3. The owner had no knowledge of any dangerous condition or defect in the aircraft at the time they transferred control to another; and
4. The owner did not entrust the aircraft to someone incompetent to fly it.
5. The state laws applicable to ownership liability do not include a specific statute imposing vicarious liability on owners who impliedly or expressly grant permission to other people to operate their aircraft.

Contact Rusty at airlaws@austin.rr.com

Newsletter Gets New “Co-Editor”

Editor Mark Mims (who promises to continue to contribute) has passed the torch of getting *High Flight* published to me, Ginger

New “Co-Editor” - continued

Baldwin. You may recognize my name from articles in past issues of *High Flight*, or you may have seen me on the 3R9 ramp trying to get a handle on Mooney N4710H.

If you don't know me, chances are you know my husband, Mike Pollard, who is Treasurer for the Lakeway Airpark Hangar Owners' Association. Mike is one of those folks who always knew he wanted to fly. His dad was a flight instructor during WWII, and Mike inherited his love of aviation. So when Mike wanted to get back to flying in 1995 after a 12-year hiatus, I encouraged him while resisting learning anything about it myself.

But a funny thing happened on the way to the airport... Mike suggested I take AOPA Safety Foundation's Pinch Hitter Course in December of 1997. That class set in motion the thoughts that led to my first flight lesson in January of 1998. And Mike's been trying to get me to come down ever since. Both of us have since gotten our instrument ratings and I am currently working on my commercial license.

I love writing almost as much as flying, and have spent several years working various other flying- and non-flying-related newsletters. This issue isn't too fancy because of time constraints, but it is *your* newsletter, so if you've got aviation information you'd like to share (fly-ins, maintenance issues, meetings, air shows, clinics, short anecdotes, etc.), drop me a note at gingered@inetport.com.

– Ginger



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We're on the Web: www.onr.com/user/3r9/index.htm