

CARSON CITY AIRPORT AUTHORITY

Minutes of the August 17, 2011 Meeting

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A regular meeting of the Carson City Airport Authority was scheduled for 6:00 p.m. on Wednesday, August 17, 2011, in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Harlow Norvell
Member Alex Carter
Member Teresa DiLoreto-Long
Member Marcus Thomason

STAFF: Steve Tackes, Airport Counsel
Jim Clague, Airport Engineer
Tamar Warren, Recording Secretary

NOTE: A recording of these proceedings, the Airport Authority's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

- A. CALL TO ORDER AND DETERMINATION OF QUORUM** (6:02:48) – Chairperson Norvell called the meeting to order at 6:02 p.m. Roll was called; a quorum was present. Vice Chairperson Kelly, Member McClelland, and Member Saylo were absent.
- B. PLEDGE OF ALLEGIANCE:** (6:03:27) – Chairperson Norvell led the Pledge of Allegiance.
- C. ACTION ON APPROVAL OF PAST MINUTES** (6:03:59) – Member Thomason moved to approve the minutes of the July 20, 2011 meeting as written. Member Carter seconded the motion. Motion carried 4-0.
- D. MODIFICATION OF AGENDA** (6:04:51) – None.
- E. PUBLIC COMMENT** (6:05:05) – None.
- F. CONSENT AGENDA** (6:05:34) – None.
- G. PUBLIC HEARING ITEMS:**

1. DISCUSSION AND POSSIBLE ACTION REGARDING AIRPORT AUTHORITY POSITION ON PROPOSED CONSTRUCTION OF WIND TURBINE(S) TO BE LOCATED ON THE SOUTH SIDE OF HIGHWAY 50 EAST NEAR THE LYON COUNTY/CARSON CITY BORDER (IN THE MOUND HOUSE AREA), APNs 008-611-31, -33, -35, AND -37; SPECIAL USE PERMIT APPLICATION SUP-10-115. (6:05:33) – Chairperson Norvell introduced the item and advised of four new aeronautical study numbers that had been submitted (and the others withdrawn) for the current configuration of four wind turbines. Chairperson Norvell read the new numbers: 6009OE, 8741OE, 8742OE, and 8743OE, and explained that they represented evaluations by the FAA, currently in process. He added that he had numerous communications with the FAA over the last several weeks, and had discovered that for the approach procedure being engineered for the Carson City Airport from the east, the controlling obstacle had been determined to be 5,400 feet above Mean Sea Level (MSL). He then concluded that each of the turbines, with a maximum elevation for each turbine at 5,159 feet, were at 241 feet below the controlling obstacle. Chairperson Norvell believed that the FAA might raise the minima due to the missed approach requirements. He also added that the applied criteria for a straight-in approach had multiple obstructions due to terrain, and not due to the wind turbines. Therefore, Chairperson Norvell recommended, based on the communications from the FAA, the Authority indicate to the Planning Commission that they “see no effect on the Carson City airport based on the four wind turbine design submitted in the aeronautical study numbers that I had previously enumerated.” Chairperson Norvell advised Rob Matthews, project owner, to ensure the completion of the aeronautical studies prior to acquiring building permits. Member Carter wished to still be able to use the Parker Carson Airport. Mr. Mathews stated that as a private airport, the Parker Carson Airport

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owner would have to decide how to operate, and what kind of permits to issue for pilots to utilize that airport. Member DiLoreto-Long received confirmation that the terrain was the issue versus the wind turbines. Member Thomason stated that as long as the departure procedures were not an issue, he would not oppose the project. Mr. Matthews thanked the Authority for "giving me another shot". Chairperson Norvell called for public comments.

(6:18:15) – Ginna Reyes, President of El Aero Services, cautioned against "the foresight of this body to be caught somewhere down the road, having made a ruling and allowed something to proceed that could come back to haunt us in the future". She also asked whether such decisions could be appealed. Chairperson Norvell explained that the role of the Airport Authority did not constitute the approval or disapproval of the project, since their role was an advisory one. He added that developers had to satisfy certain criteria prior to obtaining building permits. Mr. Tackes confirmed that a Planning Commission decision could be appealed to the Board of Supervisors, whose ruling would become final. Chairperson Norvell stated that "unfortunately, because of the terrain surrounding the airport, we will never be eligible for a precision approach". He added that future developments in the community and changes in zoning would be handled by the Planning Commission. Member Thomason clarified that the minima for all other approaches would always be lower than the straight-in approach minimum. Mr. Tackes inquired about "the possibility of having a straight-in approach for Category A and B aircraft". Chairperson Norvell replied that he was "pretty confident in saying that even if we did the minima, it would probably be higher". Mr. Rowe stated that he had discussions with persons in Oklahoma City and confirmed Chairperson Norvell's comments. Mr. Tackes suggested informing the Planning Commission of the reasons that the Authority would no longer oppose the construction of the four wind turbines, based on the project proposed by Mr. Matthews. Member DiLoreto-Long suggested drafting a letter to the Planning Commission with their suggestions and supporting documentation. Mr. Tackes suggested letting the Planning Commission know which wind turbine project the Authority was addressing, as he believed they had an older proposal. **Member Thomason moved to draft a letter to the Planning Commission, stating that the Authority had discussed the possible effects of the wind turbine project as presented to the Authority with the latest dimensions of the wind turbines, seeing no effect on the future proposed plans of the Carson City airport. The motion was seconded by Member DiLoreto-Long. Motion carried 4-0.**

2. DISCUSSION AND POSSIBLE ACTION TO ALLOW CARSON AVIATION SERVICES TO DESIGNATE AN AREA EAST OF CARSON AVIATION SERVICES AS AN AIRCRAFT RUNUP AREA.

(6:47:49) – Chairperson Norvell Introduced the item and deferred to Mr. Rowe who gave background. He stated that he had thoroughly inspected the area, not finding any noise or a reason to deny the request. He recommended approval of the project. In response to a question by Mr. Thomason, Chairperson Norvell explained that the location was the extreme northeast corner of the Sterling Air lease hold. Steve Poscic of Carson Aviation explained that he had been told to taxi to either end of the runway to do engine runs. He added that time, fuel, and the wear on customers' engines were the reason for his request. In response to Member Thomason's question about aircraft size, Mr. Poscic explained that this request was for single engine planes, "not jets or turbo props", and responded to Member DiLoreto-Long's question by stating that it would not impact any of the other lease holders, and said the work would take place between 8 a.m. and 5 p.m. Chairperson Norvell called for public comments and when none were forthcoming, a motion. **Member Carter moved to approve a request for an alternative runup area, to be located in the area described on the airport layout plan by the Airport Manager. The motion was seconded by Member Thomason. There were no public comments and discussion. Motion carried 4-0.**

3. DISCUSSION AND POSSIBLE ACTION TO CONTRACT WITH CAPITOL CITY TRANSIT AND SECURITY ON A FULL TIME BASIS.

(6:55:59) – Chairperson Norvell introduced the item. Mr. Rowe explained that the airport already had a part-time security service; however, due to several small incidents, and increases in break-ins around the airport, he was recommending that the Authority approve Capital City Patrol and Transit to either be hired full-time, or have their visibility increased at the airport. Virgil Hammond, Chief Executive Officer of Capital City Patrol and Transit, introduced himself and gave background on his company, employees, and services, all of which are incorporated into the record. He gave examples such as hangars that had been left open, holes drilled into the hangars for visual access, and a main water line break discovered by his patrol unit. Chairperson Norvell thanked Mr. Hammond for his insight and cited other instances of vandalism committed on airport property. He also wished to hear from both

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Mr. Rowe and Mr. Hammond on the financial impact of increased security. Mr. Rowe explained that the power had been turned off at Mountain West Aviation Fuel, and a Porsche Cayenne was spotted speeding from the fuel pump. He also confirmed that a part had been removed from an airplane while on a ramp. Chairperson Norvell inquired whether Member Carter had been consulted about the cost of the additional service. Mr. Hammond referred to a handout, incorporated into the record, and presented two options to the Authority. He stated that Option Number 1 would provide an additional full-time and one part-time officer, with a coverage of 7 hours per day and seven days per week. He stated that the monthly contract service charge would be \$4,000 or \$48,000 annually, and would be prorated. Option Number 2, he added, would provide an additional full-time officer, with a coverage of 5 hours per day and 5 days per week. The contract service charge, according to Mr. Hammond, would be \$3,000 per month and \$36,000 per year. In response to a question, Mr. Hammond explained that currently the Authority pays \$300 per month; however an officer was not assigned to the airport, but provided five airport checks during the night. Mr. Hammond refrained from discussing the exact patrol times for security reasons.

(7:09:41) – Chairperson Norvell solicited comments from Authority members. In response to Member Thomason’s question, Mr. Hammond explained that the officers drove an unmarked Ford Crown Victoria and were identifiable by their badge and uniform, and identified themselves as employees of “the company representing the Airport authority”, when approaching individuals. He added that the only time they would interface with the Carson City Sheriff’s Department would be when requesting their assistance. Mr. Hammond also explained to Member Thomason that there were no specific times given by the newspaper on the break-ins, just that they had happened in the airport’s perimeter area. He confirmed that they had been supplied radio communications, by the prior Airport Manager, that enabled them to communicate with “any aircraft passing over the 123 frequency”. Mr. Rowe added that Capital City Patrol and Transit found time to “make sure that the pilot control lighting is working”. Member Thomason also wished to know how to better identify persons with key cards. Mr. Rowe clarified that he had been trying to control the gate card access as much as possible, adding that with the upcoming gate replacements, they could better identify the card users, and have the cards logged in electronically. He also cited examples of people sleeping under airplanes or parking cars at the airport, and said that tenants that had security issues could contact them if needed. Mr. Tackes preferred that tenants call 911 in case of emergency to reach the Carson City Sheriff’s Office, stating that this was written into law that created the Authority. Member DiLoreto-Long was under the impression that when the airport maintenance position was created, part of the job description included airport security. She also suggested having the security patrols occur during the night when no one was around. She also recommended revisiting the access procedures, as absorbing the proposed cost seemed as high as hiring another employee at the airport. Ms. DiLoreto-Long advocated looking into other services as a comparison, and suggested surveying the tenants to assess their concern level, in order to absorb some of the cost. Mr. Rowe explained that Gary Prentice, airport maintenance, “does keep his eyes open”. He believed that gate control could be better managed in the future. Mr. Rowe also responded that tenant involvement had been discussed. Member Carter advised that the \$300 monthly cost could be doubled within the current budget. However, he indicated, it would be unlikely for him to vote on a budget increase.

(7:30:40) – Chairperson Norvell called for public comments. Ms. Reyes believed that a lot could be done in conjunction with the Fixed Base Operators (FBO) and management, such as perimeter fencing, security cameras, and good control of gate cards. She felt that working with tenants and within the current budget could accomplish a lot. Mr. Tackes advised that contracts over \$25,000 would be subject to competing bids, and that this proposal could not be acted upon at this time. Mr. Rowe explained that the main purpose of the agenda item was to begin a discussion on the topic, and that he had received good input from the Authority members. Chairperson Norvell thanked Mr. Hammond for “really opening our eyes” and invited him to “do a sidebar with the tenants” if he wished. Mr. Hammond clarified that Capital City Patrol and Transit officers were former peace officers, some with extensive airport training. Member Thomason inquired about the airport’s responsibility to its tenants regarding security. Mr. Tackes explained that the Authority had “no obligation under our leases to provide security to the tenants on the airport”, adding that the airport area was under the jurisdiction of the Carson City Sheriff’s Office, which was noted on every lease. He also explained that each instance was different when it came to liability issues, and was not governed here by the level of security that Reno or Las Vegas airports provided. Mr. Rowe indicated that there was a \$25 non-refundable gate card fee, and that \$1,500 was budgeted for the purchase of new gate cards.

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4. DISCUSSION AND POSSIBLE ACTION TO EXERCISE THE OPTION TO EXTEND THE CONTRACT PERIOD WITH ATKINS FOR AN ADDITIONAL TWO YEARS AND ENTER INTO A NEW AGREEMENT FOR AIRPORT PLANNING, ENGINEERING, AND CONSULTING SERVICES. (7:43:06) – Chairperson Norvell introduced the item. Mr. Clague gave background on the previous agreement between the Authority and PBSJ (now Atkins North America, Inc.), entered in 2008 for a three-year period, with an option to extend for two additional years. He referred to a proposed agreement distributed to Authority members and incorporated into the record. Mr. Tackes clarified that he had reviewed the original contract, the extension terms, and the new contract. He added that his modifications had already been incorporated in to the current version of the new contract. Mr. Tackes recommended accepting the two-year extension, and going through an RFQ process when the contract reached a near-expiration date. Chairperson Norvell called for discussion and public comment, and when none were forthcoming, a motion. **Member Thomason moved to exercise the option to extend the contract period with Atkins North America, Inc. for an additional two years and to enter into a new agreement for airport planning, engineering, and consulting services; and to authorize the chairperson to sign said contract comprised of tasks 1 and 2. The motion was seconded by Member Carter. Motion carried 4-0.**

5. DISCUSSION AND POSSIBLE ACTION TO APPROVE TASK NO. 3 WITH ATKINS TO PROVIDE DESIGN SERVICES FOR THE RECONSTRUCTION OF THE MAIN APRON AND THE REHABILITATION OF TAXIWAYS B AND C. (7:49:20) – Chairperson Norvell introduced the item. Mr. Clague gave background on the project, incorporated into the record. Mr. Tackes explained that historically, being ahead had resulted in successfully obtaining FAA grants. He urged the Authority to approve this task, adding that since a significant amount of the money was spent on legal and engineering services were included in the reimbursement, therefore the Authority would pay 5% of the project cost. Mr. Clague clarified that the task included more rehabilitation than reconstruction. Discussion ensued regarding funding. Member DiLoreto-Long expressed concern about several projects that were already waiting for reimbursement, and cautioned against a \$275,000 payment “with or without the grant money coming in”. Mr. Clague clarified that the Airport Authority would pay for the design services now and be reimbursed by the FAA upon receipt of the construction grant. The design includes the entire project, but only the first phase of the Main Apron and the rehabilitation of Taxiways B & C will be advertised for bids. After the bid opening, a grant application will be made to the FAA to fund the construction of the project. Mr. Clague cautioned that there is no guarantee that the FAA will make a grant offer next year. Chairperson Norvell stated that it wouldn’t be possible to receive an FAA grant for this project without the design and therefore we should move forward. Mr. Tackes suggested voting on this issue in September, after the expiration of the current FAA reauthorization. Mr. Clague clarified that the maximum exposure would be \$70,000 if the FAA does not receive reauthorization of their budget. Member DiLoreto-Long suggested breaking up the task into several phases, and voting on each phase individually. Chairperson Norvell cited the open meeting law and suggested voting on the agenda item as written. Mr. Clague explained that preliminary work could get started to carry out the immediate tasks, in order not to fall behind. Member Thomason received clarification that waiting until the September meeting would entail a compressed schedule, as the FAA expected designs “by the end of the year”. Chairperson Norvell called for public comments. Ms. Reyes inquired about the preliminary tasks and the impact on tenants, should the FAA not approve the project. Mr. Tackes clarified that the discussion was about design only for now, and Chairperson Norvell explained that it should not impact the tenants. **Member Carter moved to approve Task Number 3, as discussed, with the ability to put a hold on it, and to take extra care in monitoring the progress of the project. The motion was seconded by Member DiLoreto-Long. Motion carried 4-0.**

(8:19:54) – Chairperson Norvell announced that he would leave the meeting and passed the gavel to Member Carter. Mr. Tackes advised continuing the meeting, despite lack of quorum, as no action items remained on the agenda.

H. AIRPORT ENGINEER’S REPORT (8:20:36) – Member Carter introduced the item. Mr. Clague distributed a status summary of current projects, incorporated into the record, with an attached exhibit of the project and the financial summary. In response to Member DiLoreto-Long’s question, Mr. Clague explained that replacing the automatic gates was a reimbursable expense, and agreed that the item could be addressed earlier than planned. Mr. Rowe added that he had information regarding replacement gates in his office.

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I. AIRPORT MANAGER'S REPORT (8:28:18) – Member Carter introduced the item. Mr. Rowe explained that AIP-17-AOS 3 project had been closed, and that the holdup was due to the construction company's payment of the subcontractors. He added that a two-party check had been issued and All Weather, Inc. had been paid. He also noted that the inspection on the Automated Weather Observing System (AWOS) had been passed, and he was in the process of revising a letter to the National Weather Service in Reno for submittal. Mr. Rowe also explained that with the help of Mr. Tackes, a certified letter had been sent requesting payment, and a lien had been placed on an aircraft, which was also under lien for maintenance services. Mr. Rowe noted that he was in the process of updating the tenant liability insurance policies. He also informed the Authority that the tractor had been working well. Mr. Rowe added that he, along with Mr. Tackes and Mr. Rowe, had attended the Nevada Airports Technical Advisory Committee (NATAC) meeting, and announced that they would receive \$15,000 from the Aviation Trust Fund, to assist with the cost of construction.

J. LEGAL COUNSEL'S REPORT (8:33:13) – Member Carter introduced the item. Mr. Tackes corrected that the NATAC was formed by statute and advised the director of the Nevada Department of Transportation (NDOT) on how to expend money from the Aviation Trust Fund. He clarified that the \$15,000 amount was “not a done deal”, but was a recommendation to the NDOT director. Mr. Tackes also mentioned that KCXP Investments, LLC, was now out of bankruptcy, and they had filed a motion to dismiss their own bankruptcy. Therefore, according to Mr. Tackes, a request had been made to them to “get in compliance with their lease”. He hoped that the issue could be resolved cooperatively. Mr. Tackes also clarified for Member Thomason, that the NDOT property at the airport did not belong to the Authority. The Property, according to Mr. Tackes, had been acquired from the Bureau of Land Management (BLM) by the State. He also mentioned that the AWOS system “was reporting light rain yesterday”. Mr. Rowe indicated that the system would sense the wasps and report it as light rain, adding that he was working on a solution.

K. TREASURER'S REPORT (8:37:36) – Member Carter introduced the item and distributed a monthly budget report, incorporated into the record. He reported that the total balance in the account was \$301,680.76. Mr. Clague suggested drawing down \$103, 669 from the FAA for AIP-21 payment.

L. REPORT FROM AUTHORITY MEMBERS (8:38:56) – Ms. Reyes invited everyone to the Annual Sky Fair in Elko. She stated that a B17 and a B25 aircraft would be among the many featured. She also hoped that they would get a military aircraft. She added that the Carson City EAA would sponsor a Young Eagles program, and that the organizers planned a special 911 ceremony.

M. AGENDA ITEMS FOR NEXT REGULAR MEETING (8:41:47) – None.

N. ACTION ON ADJOURNMENT (8:42:00) – **The meeting was adjourned at 8:42 p.m.**

The Minutes of the August 17, 2011 Carson City Airport Authority meeting are so approved this 19th day of October, 2011.

HARLOW NORVELL, Chair