

**CARSON CITY AIRPORT AUTHORITY**  
**Minutes of the February 15, 2012 Meeting**

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A regular meeting of the Carson City Airport Authority was scheduled for 6:00 p.m. on Wednesday, February 15, 2012, in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson Harlow Norvell  
Member Teresa DiLoreto-Long  
Member Ray Saylo  
Member Marcus Thomason  
Member Guy Williams

**STAFF:** Steve Tackes, Airport Counsel  
Jim Clague, Airport Engineer  
Tim Rowe, Airport Manager  
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 (6:04:30)** – Chairperson Norvell called the meeting to order at 6:04 p.m. Roll was called; a quorum was present. Vice Chairperson Kelly and Member Carter were absent.

**B. PLEDGE OF ALLEGIANCE: (6:05:10)** – Chairperson Norvell led the Pledge of Allegiance.

**C. ACTION ON APPROVAL OF PAST MINUTES (6:05:36)** – There were no minutes to approve.

**D. MODIFICATION OF AGENDA (6:05:48)** – Chairperson Norvell noted that he had received extensive input on agenda item G4; therefore, he requested that the item be deferred.

**E. PUBLIC COMMENT (6:06:38)** – Chairperson Norvell entertained public comment, however, none was forthcoming.

**F. CONSENT AGENDA (6:07:04)** – There were no items on the consent agenda.

**G. PUBLIC HEARING ITEMS:**

**1. DISCUSSION AND ACTION TO CONSIDER PROPOSALS MADE IN RESPONSE TO NOTICE OF REQUEST FOR PROPOSALS-AIRPORT 2012-1, SALE OF SURPLUS ROCK; DETERMINATION OF COMPLIANT PROPOSALS; AWARD RECOMMENDATION BY AIRPORT MANAGER; AWARD BY AIRPORT AUTHORITY OR REJECTION OF ALL BIDS; ACTION TO ESTABLISH NEW RFP OR OTHER COURSE OF ACTION. (6:07:08)** – Chairperson Norvell introduced the item. Mr. Rowe explained that he had received three Request for Proposals (RFP) for the rock removal project, on the east side of the airport, from Cinderlite Trucking, Inc., Rapid Construction, and Far West Aggregate. He noted that all three proposals were opened and reviewed at 10:10 a.m. on Friday February 13, 2012, and that Cinderlite had made the proposal that “would be best for the Airport Authority to consider”, buying the rock at \$1.52 per ton, over a four-year period, and removing over 45,000 tons-per-year. Mr. Rowe reminded the Authority that they also had an agreement with Rapid Construction to purchase 12,000-15,000 tons of rock, with the agreement ending in October, 2012. Mr. Tackes believed that the rock removed by Rapid Construction was outside the RFP area; however, Mr. Rowe believed that was not the case. Mr. Tackes advised including conditions to awarding the bid such as the removal of 45,000 tons per year, fitting it into the grading plan, and ensuring that the terms of the posted bond, per the RFP were identified. Mr. Clague noted that a Rapid Construction representative was in the audience and suggested verifying their rock needs from

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the east end of the airport. Danny Selmi, President of Rapid Construction, explained that they had several project bids that were dependent on the agreement with Mr. Rowe, and requested keeping it open “as long as we could”. Gary Lehman, President of Cinderlite Trucking, Inc., believed that there would be a conflict of interest, due to the fact that they had been asked to “clean up the slope”. Mr. Lehman believed that should there be complaints, they would not know which company would be responsible for the resolution. Mr. Rowe clarified that the agreement with Rapid Construction did not include any grading plans. Discussion ensued regarding awarding a contract to Cinderlite while having an open contract with Rapid Construction, and the terms of the Rapid Construction agreement. Erich Laetsch believed that an exhibit in the RFP designated the area to be used by the bidders of the RFP, and the area from which Rapid would remove the rock. Discussion ensued regarding grading plans. Member DiLoreto-Long wished to ensure that the specifics of the agreement with Rapid Construction are met prior to awarding the second RFP, which she believed should also be specific. She expressed concern that, in light of the existing Rapid Construction agreement, the conditions should be acceptable to the new bidders as well. Member Thomason was concerned about two companies removing rock from the same subject area. Mr. Tackes clarified the Airport Manager’s responsibility, indicating that Rapid Construction and the Airport Manager would need to agree upon the area from which the rock would be removed. Member Saylo believed that the Authority should not enter into a second agreement until the completion of the first one. Mr. Tackes clarified for Member Williams that the agreement with Rapid Construction stated that in area B1, the \$1 per ton price was for unprocessed weight. Mr. Lehman announced that he and Mr. Selmi had engaged in a side conversation and agreed to have Rapid Construction remove “whatever material they have left off of Bravo Way” and that “it won’t interfere with our operation on the east end, and what he needs, he will buy from us for the rest of his projects”. Mr. Selmi also noted that they would work with Cinderlite, and believed “everything should be written down”. Chairperson Norvell thanked Mr. Selmi and Mr. Lehman. Member DiLoreto-Long wanted “to get the ball rolling” as residents around the airport wished to see some progress. Member Saylo stressed the importance of getting all agreements in writing. Chairperson Norvell entertained public comments.

(6:53:14) – Mr. Laetsch commented that he was “very glad [to see] the way this has proceeded”. However, he noted that a lot more work needed to be done outside the RFP area. He suggested the formation of a “task group” to “assist and advise the Airport Manager in manners that concern the east end”. Mr. Laetsch suggested utilizing the expertise of the Authority members, such as Member DiLoreto-Long. Member Saylo noted that this topic was not an agenda item, therefore action could not be taken about it at this time, adding that other community members might wish to participate. Mr. Laetsch reminded the Authority that the agenda item read “other course of action”; therefore, it would be discussed. Chairperson Norvell called for additional discussion, and when none was forthcoming, a motion. **Member Saylo moved to award the RFP bid to Cinderlite “conditional upon a signed agreement between Cinderlite and Rapid Construction concerning the area of rock removal by Rapid Construction during this time period and following the terms of the RFP, and including such additional detail as indicated in those terms, and instruct the airport staff to work to implement the bid”.** The motion was seconded by Member DiLoreto-Long. Chairperson Norvell called for additional discussion; and when none was forthcoming, a vote. **Motion carried 5-0.**

**2. DISCUSSION AND ACTION TO REPLACE THE EL AERO PORTAHANGAR LEASE DATED DECEMBER 4, 1981 AND TEN LEASE ADDENDUMS WITH A SINGLE UPDATED LEASE THAT PRESERVES THE LEASE PROVISIONS.** (7:05:32) – Chairperson Norvell introduced the item. Mr. Tackes explained that the original lease had been signed in 1981, with the addition of 10 addenda over the years, causing errors in interpretation. The new lease which is incorporated into the record, includes “all the rights and protections that they had in the original lease”, according to Mr. Tackes. Chairperson Norvell entertained discussions from members of the Authority and the public, and when none were forthcoming, a motion. **Member Thomson moved to approve the replacement lease to the El Aero portahangar lease. The motion was seconded by Member Saylo. Motion carried 5-0.**

**3. DISCUSSION AND ACTION TO APPROVE A SUBLEASE FROM EL AERO TO THE EXPERIMENTAL AIRCRAFT ASSOCIATION CHAPTER 403, ON THE EL AERO (‘PORTAHANGAR’) LEASE AS RESTATED FOR THE CONSTRUCTION OF 4 NEW T-HANGARS.** (7:08:34) – Chairperson Norvell introduced the item. Mr. Tackes explained that the Experimental Aircraft Association (EAA) Chapter 403 would sublease

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the area from El Aero to build hangars. He presented the lease, incorporated into the record, and noted that all subleases and assignments must be approved by the Airport Authority, adding that the sub-tenant must comply with all the requirements of the master tenant. Mr. Tackes recommended the approval of the sublease and stated that all leases and subleases must also be approved by the Board of Supervisors. Chairperson Norvell entertained discussions from members of the Authority and the public, and when none were forthcoming, a motion. **Member Williams moved to approve the sublease between El Aero and the EAA for the area indicated on the El Aero portahangar lease. The motion was seconded by Member Thomason. Motion carried 5-0.**

**4. DISCUSSION AND POSSIBLE ACTION TO APPROVE AN EMPLOYMENT CONTRACT FOR THE AIRPORT MANAGER.** – Postponed per agenda item D.

**5. DISCUSSION AND POSSIBLE ACTION TO APPROVE TASK 4 WITH ATKINS TO PERFORM THE ENVIRONMENTAL ASSESSMENT PHASE 2 FOR THE NORTH APRON RECONSTRUCTION, HILL REMOVALS WEST OF GONI ROAD, AND THE OVERLAY OF THE PERIMETER ROAD. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE CHAIRMAN TO SIGN AND SUBMIT THE FAA GRANT APPLICATION TO FUND THE ENVIRONMENTAL ASSESSMENT PHASE 2.** (7:11:21) – Chairperson Norvell introduced the item. Mr. Clague gave background and presented a status summary of the project, both of which are incorporated into the record. He also noted that the FAA had requested a “full-blown environmental assessment”, therefore he was requesting that a “time and expense contract” be signed authorizing the \$71,7000 cost, adding that if a public meeting was not required, the cost would be reduced by \$15,000. Mr. Clague also explained that the completion timeframe was contingent upon the FAA review, and estimated it to be 10 to 18 months. He noted, however, that the FAA match percentage might change. Mr. Tackes explained that he had received confirmation from Senator Reid’s office that “the match is now 10 percent for all airports in Nevada, except for special need airports”. Mr. Clague concluded that he was requesting an authorization for Chairperson Norvell to sign a grant application for \$75,000, because of the additional \$3,500 needed for Staff to attend the public meeting, and to obtain \$67,500 (90 percent of the cost) in Federal funds. Chairperson Norvell noted that the north ramp should have been replaced 10 years ago, and entertained member comments. In response to Member Thomason’s question, Mr. Clague stated that the FAA would set up the specific mitigations for the project to move forward. Mr. Tackes clarified that even if the environmental assessment prevents from the construction to occur, the FAA would still fund the assessment, calling it highly unlikely, as they are only replacing existing pavement. Discussion ensued regarding the shelf life of an environmental assessment. Chairperson Norvell entertained public comments. Ginna Reyes, representing El Aero Services, Inc., inquired about the trigger for the greater environmental assessment and wondered if it would be challenged or appealed. Mr. Clague explained that they did not know the reason for the trigger, and believed that a challenge would not be feasible. In response to Ms. Reyes’ question about the public forum criteria, Mr. Clague stated that it would be the decision of the FAA. **Member Thomason moved to approve Task 4 as outlined and contingent upon FAA funding. The motion was seconded by Member Williams. Motion carried 5-0.** Mr. Tackes suggested a second motion for the latter half of the agenda item. **Member Saylo moved to authorize the Authority Chairperson to submit the FAA grant application to fund the environmental assessment. The motion was seconded by Member Williams. Motion carried 5-0.**

**6. DISCUSSION AND POSSIBLE ACTION REGARDING IMPLEMENTATION, ENFORCEMENT AND AMENDMENT OF THE RAPID AGREEMENT.** (7:29:59) – Chairperson Norvell introduced the item. Mr. Laetsch presented a highlighted and marked-up version of the Rock and Aggregate Material Agreement between Rapid Construction and the Airport Manager, which is incorporated into the record. He also suggested the inclusion of “qualified people” to assist the Airport Manager, in the future, and reiterated his idea for a task group and suggested the inclusion of an Authority member in it. Mr. Laetsch noted that the Rapid Construction agreement had referred to the term “processing” which he had interpreted as sorting bulk material “by taking out the good stuff and leaving the reject material, and putting the good stuff in their trucks”. He walked the authority through his highlighted items and the photographs he had attached. He also suggested persuading Rapid to “relocate the rejected material, or have Cinderlite buy it”, advising that this portion of the contract be enforced. Chairperson Norvell recounted his conversations with the engineers who did not consider moved and rejected but not removed rock to be paid for. He also explained that a grading plan was not requested by Rapid, because the amount of rock to be removed was not large.

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Discussion ensued regarding the definition of “processed rock” and its interpretation within the agreement with Rapid Construction. Mr. Clague clarified that the agreement with Rapid Construction was the agreement used with Granite Construction, and referred to processing as a rock crushing operation. Mr. Tackes clarified that “what matters in a contract is the understanding of the parties to the contract, not anybody else that’s not a party to the contract”, adding that he had not heard any of the parties indicate that moving the material would constitute processing. Member DiLoreto-Long believed that Section A3 of the agreement specified Rapid Construction’s “right to reject” material upon inspection. She also suggested that in the future documents become more specific, noting that she considered all rock at the airport as “processed” since they all had been moved around. Member Thomason questioned the intent of the term “inspecting the material”, and would consider moving rock as processing. Member Saylo believed that because the definition of processing was different for everyone and lacked a “leveled playing field”, he did not believe there was a breach of contract. Member Williams advised to consider accuracy over expediency in the future, and inquired about the details of the agreement between Mr. Rowe and Rapid Construction. Mr. Rowe clarified that they had agreed upon “loaded weight”, adding that at the time of the negotiations four months ago he knew nothing about rock or processing, and that he did now. Chairperson Norvell noted that at the time, they were operating on the premise that “we’ve got an airport to run and we’re gonna get the best price we can find”. Chairperson Norvell entertained public comments, however none were forthcoming. Mr. Tackes agreed that in the future, all the verbal understandings should be reduced to writing; however, he cautioned against “second guessing” the terms of the current agreement between Rapid Construction and Mr. Rowe which he interpreted as “the rocks that go in the trucks”. Member Saylo explained the since past practice did not indicate a breach of agreement by Rapid Construction, there was no need to change it. Chairperson Norvell asked all Members present whether a motion was needed, and the consensus was that no motion was required. He concluded that “the implementation of the Rapid agreement/contract will continue as it has for the last three-and-a-half months”.

**H. AIRPORT ENGINEER’S REPORT (8:39:55)** – Chairperson Norvell introduced the item. Mr. Clague referred to his report, incorporated into the record, and stated that the design of the main apron was on hold until the FAA approval of the project funding. He also anticipated that the advertising for the Rehabilitation of Taxiways B and C project would take place in March and the grant submittal would be in April. Mr. Clague noted that they had invited airport tenants to participate in this project at their cost, for a better price.

**I. AIRPORT MANAGER’S REPORT (8:42:14)** – Chairperson Norvell introduced the item. Mr. Rowe reported that he had received CPI increases from the accounting firm of Kohn-Kolodny, which included a miscalculation. He also added that the changes had been communicated to all the tenants. Mr. Rowe read a letter from Bob Thomas, an airport tenant, who was unhappy with the increase and had asked that his letter be read at this meeting. Mr. Rowe pointed out that Mr. Thomas was now happy with the decrease. Mr. Rowe also advised that he had learned from the FAA Northwest Division that the Carson City airport did not qualify for a Category C and D minimum criteria, and that “the best they can offer is a straight-in GPS approach for category A and B aircraft”. He suggested several alternatives instead. Mr. Rowe informed the Authority that a vehicle had crashed into the fence and that a repair estimate had been submitted to the vehicle owner’s insurance company.

**J. LEGAL COUNSEL’S REPORT (8:45:54)** – Chairperson Norvell introduced the item. Mr. Tackes clarified that Mr. Thomas, who had paid in advance for his lease, had the option of paying monthly instead of annually. He also explained the miscalculation of the CPI increase, noting that the accounting firm had used October to October figures instead of using December to December calculations. Mr. Tackes also announced that the FAA Reauthorization Bill had changed the match for all airports from five percent to 10 percent, except for rural, depressed area airports.

**K. TREASURER’S REPORT (8:47:39)** – Chairperson Norvell introduced the item, and in Member Carter’s absence, he noted that the current bank balance was \$412,842.63 as of February 14, 2012.

**L. REPORT FROM AUTHORITY MEMBERS (8:48:05)** – Chairperson Norvell introduced the item. Member Williams announced that he would attend a meeting scheduled with the “school’s science curriculum people”, and would discuss a formal program. He explained that they were planning on four sessions beginning in April, adding that Clickbond had offered the use of their large hangar and conference rooms.

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**M. PUBLIC COMMENT (8:51:11)** – Chairperson Norvell entertained public comments; however, none were forthcoming.

**N. AGENDA ITEMS FOR NEXT REGULAR MEETING (8:51:29)** – Chairperson Norvell introduced the item. Member Saylo suggested receiving input, via a committee, regarding the issues of the east and west ends of the runway. Mr. Tackes advised receiving a progress report from KCXP investments. Chairperson Norvell stated he would agendize a job description for airport manager position.

**O. ACTION ON ADJOURNMENT (8:54:16)** – Chairperson Norvell suggested a motion. **Member Saylo moved to adjourn. The motion was seconded by Member Thomason. The meeting was adjourned at 8:55 p.m.**

The Minutes of the February 15, 2012 Carson City Airport Authority meeting are so approved this 18th day of April, 2012.

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HARLOW NORVELL, Chair