

**CARSON CITY AIRPORT AUTHORITY**  
**Minutes of the May 21, 2009 Meeting**  
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A regular meeting of the Carson City Airport Authority was scheduled for 6:00 p.m. on Thursday, May 21, 2009 in the Carson City Airport Terminal Building, 2600 East College Parkway, #6, Carson City, Nevada.

**PRESENT:** Chairman Steve Lewis  
Vice Chairman Walter Sullivan  
Member Alex Carter  
Member John Kelly  
Member David McClelland  
Member Don Peterson  
Member Ray Saylo

**STAFF:** Casey Pullman, Airport Manager  
Jim Clague, Airport Engineer  
Steve Tackes, Airport Counsel  
Jano Barnhurst, Transcription Recording Secretary

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

**A. CALL TO ORDER, ROLL CALL AND DETERMINATION OF QUORUM.** (1-0010) - Chairman Lewis called the meeting to order at 6:00 p.m. Roll was called; a quorum was present. He introduced and welcomed Ray Saylo, Chief Deputy of the Carson City Sheriff's Department as the newest member and who is serving in the capacity of the City position.

**B. PLEDGE OF ALLEGIANCE.** (1-0028) - Chairman Lewis led the pledge of allegiance.

**C. APPROVAL OF THE MINUTES OF PAST MEETINGS OF THE AIRPORT AUTHORITY.** (1-0035) - Chairman Lewis made a correction to the minutes of the April 15, 2009 meeting. Agenda Item M, "Weigel" should be "Weikel". **Member McClelland moved to accept the minutes of the April 15, 2009 meeting as corrected. The motion was seconded. Motion carried 5-0-2. Members Carter and Saylo abstained.**

**D. MODIFICATION OF THE AGENDA.** (1-0059) - Chairman Lewis modified the agenda as follows: Item G Public Hearings - Item 1 will be heard as Item 3; Item 2 will be heard as Item 4; Item 3 will be heard as Item 5; Item 4 will be heard as Item 6; Item 5 will be heard as Item 2; Item 6 will be heard as Item 7; Item 7 will be heard as Item 1. Items 8, 9 and 10 will remain as is.

**E. PUBLIC COMMENT.** (1-0080) - Chairman Lewis introduced the item and invited the public to approach. Robert Dickinson discussed that a lot of people are looking for affordable hangars because the ones that are available are out of everyone's price range. He asked the Carson City Airport Authority (CCAA) whether plain hangars could be put in that would rent reasonably for \$300-\$350 per month. He gets at least three inquiries a week for hangars but doesn't know where to send them. The feedback he's getting is either \$400 or more per month to rent or \$300,000-\$400,000 to sell. He further commented that just because you own an airplane doesn't mean you're rich. Chairman Lewis thanked Mr. Dickinson for his comments and called for any further public comments.

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(1-0126) Robert Lumbar, Nevada Museum of Military History, advised that he passed out the design plan for their anticipated building at the last CCAA meeting. He inquired about getting a letter of consent from the Board in order to obtain a Special Use Permit (SUP). He'd like to be on the agenda for the next meeting if he can not obtain it before then. Chairman Lewis suggested he talk with Airport Manager, Casey Pullman, to see if that could be accomplished. Chairman Lewis thanked him for his comments, called for further public comment, and when there was none, he closed public comment.

**F. CONSENT AGENDA. All matters listed under the consent agenda are considered routine, and may be acted upon by the Airport Authority with one action and without an extensive hearing. Any member of the authority or any citizen may request that an item be taken from the consent agenda, discussed and acted upon separately during this meeting. The Chairman or the Vice-Chairman retains discretion in deciding whether or not an item will be pulled off the consent agenda.**  
(1-0155) - None.

#### **G. PUBLIC HEARINGS.**

**G-1. DISCUSSION AND POSSIBLE ACTION ON ITEMS RELATED TO THE CARSON CITY HILL REMOVAL PROJECT, INCLUDING MONTHLY STATUS REPORTS, POTENTIAL CHANGES TO THE WORK OR WORK SCHEDULE, CONSTRUCTION CHANGE ORDERS, AND OTHER RELATED ITEMS.** (1-1650) - (Heard as Item 3) Chairman Lewis introduced the item. Mr. Clague advised that the work by Peavine Construction on the hill for Taxiway D is complete and came in under budget. Some of the remaining materials will be used in the runway project. The final engineering cost is unknown because bills are still coming in from the materials tester and there is still work in order to close out the project for the FAA. They ran one day over the contract period but he intends to waive the \$1,000 a day liquidated damages unless the Board recommends otherwise. Chairman Lewis opined that Peavine Construction did a great job and commended them for the work they did. They left the area neat and were very responsible. He entertained a motion as to whether the Board should charge them the \$1,000 for the extra day. In response to a question, Mr. Tackes replied that the contract permits the Board to charge them damages, but it's not required. In response to a question, Mr. Clague replied that he didn't recall receiving any complaints and didn't think anyone noticed when the blasting occurred. Chairman Lewis stated that if the Board is comfortable without a motion, they will accept Mr. Clague's report. He called for public comment on the item and seeing none, it was closed.

**G-2. DISCUSSION AND POSSIBLE ACTION TO AWARD THE CONSTRUCTION CONTRACT CONTINGENT ON FAA APPROVAL TO THE LOW BIDDER FOR THE CARSON CITY AIRPORT REHABILITATE AND REALIGN RUNWAY 9/27 AND TAXIWAY A AND CONSTRUCT TAXIWAY D. ACTION ON THIS ITEM COULD ALSO BE CONTINGENT ON APPROVAL BY THE CARSON CITY PLANNING COMMISSION TO PLACE A CRUSHING OPERATION AND/OR A HOT PLANT ONSITE DURING THE CONSTRUCTION OF THE PROJECT.** (1-1743) - (Heard as Item 4) Chairman Lewis introduced the item and Mr. Clague advised that the bid opening was Tuesday and now that the cost of the project is known, the FAA has indicated that the connector would be eliminated and Taxiway D would not be paved at this time. Under the stimulus plan, the project is to realign and reconstruct runway 9/27 and Taxiway A. The lowest bids included producing material on site. El Camino Construction came in as the lowest bidder, Granite Construction as second low bidder, and Road and Highway Builders as third low bidder. El Camino failed to submit a schedule with their bid proposal which meant that some criteria could not be evaluated. He read the

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“Contractor’s Schedule” of the bid proposal into the record and indicated that because El Camino failed to submit a schedule, their proposal should be considered unresponsive. Mr. Clague recommended rejecting El Camino’s bid and awarding the contract to Granite Construction contingent on approval of the SUP to produce materials on site and concurrence from the FAA to award it to Granite Construction in the amount of \$8,910,322. Mr. Tackes concurred with Mr. Clague’s recommendation stating that he reviewed the documents and confirmed that a schedule is required making El Camino’s bid non-compliant. He further recommended that action be taken to reject El Camino’s bid and award the bid to Granite Construction subject to the SUP and FAA approval.

In response to a question, Mr. Clague replied that he contacted El Camino to advise them that he considered their proposal unresponsive because the schedule was not attached. They submitted a schedule later but as it was required to be attached to the bid, it could not be considered. In response to a question, Mr. Tackes replied that the deadline for submitting the bids was at 2:00 but the schedule was not included. Whether it was legitimately forgotten is unknown but exceptions are not permitted. In response to another question, Mr. Tackes replied that El Camino could file a claim due to a technicality, but not including a critical component in the bid is a solid reason to reject it. In response to another question, Mr. Tackes replied that El Camino was given a courtesy call so they could be at the meeting to respond. Chairman Lewis inquired if anyone from El Camino was present but no one responded. In response to a question, Mr. Clague replied that Taxiway D will not be done at this time or with this grant. In response to a question, Mr. Tackes replied that the grant is for \$9 million but the lowest bid came in at \$9.5 million. The FAA was adamant that unless bids were received for substantially below \$9 million, they would not allow the construction of Taxiway D and it became a question of what should be cut. In response to a question, Mr. Smith replied that in terms of affecting people who live and operate on the field, the entire Airport will be shut down this summer. Regarding Taxiway D, pilots will continue to cross the center of the runway to get to the departure end of 27. It doesn’t mean that the absence of Taxiway D is a status quo or that it’s going to cause the closure of the Airport. In response to a question, Mr. Clague replied that he did a cursory review of Granite’s schedule, and the time period is feasible. The orange section of the new runway would be constructed before the existing runway is taken out of commission so there is an opportunity to use the new runway on a temporary basis. The contract period allows 35 days for the green section to be accomplished which will be done in double shifts. In response to another question, Mr. Clague replied that the orange section of Runway 27 will be usable while the green section is under construction as long as the work is being accomplished 300 feet away. In response to another question, Mr. Clague replied that there would be about 300 feet of unusable area on Runway 9. In response to another question, Mr. Clague replied that the contract says that the orange section has to be paved. In response to another question, Mr. Clague replied that he cannot officially say that the shorter section of the runway will be usable during construction of the green section and it does not say that in the bid documents, however the bid documents indicate that that section of the runway is paved out before the green section is started. In response to another question, Mr. Clague replied that he has previously worked with Granite Construction and they are very accommodating. If it’s not a big impact to their operations, they would not request additional money as they’ve bid it a certain way.

Member Peterson expressed his confusion and concern regarding continuing operations being a priority and would be shocked if the orange section of 27 wasn’t available for operations until the old 27 is closed and the new green section begun. Finishing the orange section before the green section is started should have been a requirement before the old 27 and the Airport were closed and the orange section is operational. Mr. Tackes responded that that was why the shortened time period for construction of the

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green section was in place - to minimize the amount of runway closure. If there is a way to keep it open while it's under construction, it will be, but building that into the contract would almost be an impossibility. Member Peterson commented that it would be very easy to stipulate that before closing the whole 27, a new runway would be available to use. Mr. Tackes responded that to change the agreement, he would recommend rejecting all bids and walking away from the grant because there isn't time to redo it and new additions cannot be added now. Member Peterson expressed his astonishment that the requirement of continuous availability of the Airport wasn't in the RFQ. In response to a question, Mr. Clague replied that it's very specific that they don't start the green section before the orange section is done and it's up to the Airport to make it operational. The contractor is going to complete the orange section before the green section is started. In response to another question, Mr. Clague replied that there is an inspection process to ensure that the orange section meets specifications in the contract and will be inspected as soon as it is finished. In response to another question, Mr. Clague replied that it will be painted. In response to another question, Mr. Clague replied that the FAA will be inspecting it at the conclusion of the entire project. In response to a comment, Mr. Clague replied that it's not the responsibility of the contractor to determine whether the runway is operational. In response to another question, Mr. Clague replied that a temporary access to Runway 27 was in the bid and would be an add-on only if Phase 2 of Taxiway A didn't get constructed. Chairman Lewis commented that in a meeting with the pilots, it was discussed that there would be a potential Airport closure upwards of 35-39 days which is why the contractor has been assessed a \$15,000 a day penalty if it's not met. The plan is to work around their schedule, but also meet with them in order to mutually work together to minimize Airport closures. There is still an opportunity to work something out as far as an agreeable schedule between the users and the contractor. Mr. Tackes commented that the contract provides for limitations on the construction to try and keep the runway open, but it was not bid that the contractor would come in with a proposal to construct a temporary runway in order for the Airport to stay open all the time. If that had been done, it wouldn't be close to the \$9 million award. "We've gone as far as we could in the contract but we have to exercise some flexibility with them to minimize it as much as possible." Taxiway A will be usable until construction is at the very end of the new Taxiway A. Mr. Clague commented that it would be a temporary connection from the existing taxiway to the end of the new runway. Another option would be a sub-grade for Taxiway D and some temporary asphalt ramps could be put in if anyone chose to taxi down the dirt taxiway. Member Kelly expressed his understanding that the orange section will be completed and most of it will be able to be used and during the period that the green section is being built, there may be a displaced threshold on the orange section. There will be a period of time when the two are attached that there will be a runway closure. Chairman Lewis asked for other comments from Board members and seeing none, opened the Item to public comment.

In response to a question by Robert Dickinson, Mr. Clague replied that in order to build the green section, the existing runway has to be torn out. Runway 9/27 and Taxiway A will be reconstructed. Chairman Lewis advised that the east side of the Airport will be lifted up about ten feet so the current Taxiway A will be ten feet under the ground. Mr. Dickinson opined that they should build the orange and green sections together and continue to use the portion of the existing runway, and use the existing taxiway, build ramps on the east to the orange section and finish the orange to green sections which is a full runway. Member Peterson commented that an RFQ is in place with specifications and dates and if it's not done now, the \$9 million grant is lost. Mr. Dickinson commented that it was bad planning, because it's been the same discussions at all the meetings, the bid has gone out and is waiting for approval, but still can't get a definitive answer as to whether or not the Airport will be closed. A quite lengthy and somewhat heated discussion ensued among Mr. Dickinson, the Board and staff regarding construction of the various sections

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of the runway and taxiway. Mr. Tackes then commented that an enormous amount of time has been spent trying to minimize the cost of the project, do the planning and meeting with the community. "A redesign is not going to happen." Chairman Lewis called for further public comments.

In response to a question by Gary Phillips of NDOT, Mr. Clague replied that 140 calendar days has been allotted in the contract for construction of the orange section. The entire existing runway will be available for use. After the orange section is constructed, then they will move to the green and/or yellow sections at the same time. The green section has a stipulation of 35 calendar days which will be done in double shifts. The approximate start time is dictated by when the grant offer is made. The offer on any of these types of stimulus grants has to be done by June 17<sup>th</sup>. In response to another question, Mr. Clague replied that the grant has to be offered and accepted by the CCAA. In response to another question, Mr. Clague replied that the earliest start date would be late June to early July. In response to a question, Chairman Lewis replied that June 17<sup>th</sup> is the last day the grant can be offered. In response to a question by Ralph Smith of Valley Construction, Chairman Lewis replied that the difference between El Camino's and Granite's bids was \$485,851. Mr. Tackes added that the difference in their base bids was only \$700. In response to a question, Mr. Clague replied that the time element will have to be played by ear as this is a long project. "If you want your runway reconstructed, your taxiway reconstructed, we're just going to have to work with the elements and figure this out before they proceed."

Ann Cox commented that 450 people live in Comstock Mobile Home Park which is very close to the runway and the construction. She noted that the hauling hours, crushing hours, and operation of the hot plant are very unreasonable and will severely impact those people. Mr. Clague responded that the intent is to have the least impact on the public by keeping everything on the Airport and put the crusher and hot plant as far away from any residences as possible. He explained that an earth berm will be constructed to prevent noise from emanating beyond the Airport. The hauling will be from the stockpiled areas to the crushing operation. Crushing at the Airport minimizes impact as it prevents trucks from traveling on College Parkway carrying material every day. Chairman Lewis noted that the Airport's neighbors were taken into consideration but Ms. Cox responded that she received notice only two weeks ago. "None of us were notified that this was all being decided before we were even notified of the hours. I think 5:00 a.m. to 10:00 p.m. is very unreasonable. I can hear the shooting range constantly right across the street. I know that we will be hearing this and especially in summer when you leave your windows open." Chairman Lewis thanked Ms. Cox for her comments and brought the item back to the Board. He then entertained a motion to either accept or reject the El Camino bid based upon the recommendation from staff. **Vice Chairman Sullivan moved to reject El Camino Construction's bid for not meeting its specifications. Member Peterson seconded the motion. Motion carried 7-0.** Chairman Lewis then entertained a motion to award the contract to Granite Construction Company pending the outcome of the SUP request as their bid is based upon crushing on site and FAA approval. **Vice Chairman Sullivan moved to award the construction contract to Granite Construction as being the lowest and most responsible bidder contingent upon FAA approval to the lower bidder for the Carson City Airport to rehabilitate and realign Runway 9/27 and Taxiway A and construct Taxiway D contingent upon approval of the special use permit by the Carson City Planning Commission and approval of this matter by the FAA. Member Peterson seconded the motion. Motion carried 7-0.**

**G-3. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE CHAIRMAN OF THE CARSON CITY AIRPORT AUTHORITY TO ACCEPT THE ARRA GRANT OFFER (AIP NO. 3-32-0004-17) IN AN APPROXIMATE AMOUNT OF \$9,000,000 PLUS CONTINGENCIES**

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**FROM THE FAA WHEN THE GRANT OFFER BECOMES AVAILABLE.** (1-3100) - Heard as Item 5) Chairman Lewis introduced the item and Mr. Clague advised that when this was written, the results of the bid were unknown which is why it is \$9 million plus contingencies. The FAA was contacted once the discrepancy with El Camino's bid was known and negotiated with them to determine what effective alternatives were needed to include in the bid. They were also given the engineering construction management fee and approximate administrative costs. They have been advised that the project total is over \$9,600,000 and are moving forward with trying to obtain additional funds. They promised the \$9 million and think they can get the \$600,000. He will notify the FAA tomorrow of the amount and they will most likely make a grant offer of \$9,600,322. This item is to authorize the Chairman to accept that offer because there will be only a moment's notice when the FAA makes the offer. Mr. Tackes added that he will be giving a similar presentation to the Board of Supervisors (BOS) so the Mayor will be authorized as well. The Board has already voted to accept up to \$18 million in stimulus funds, so the purpose is to fine tune it so approval better matches the grant. In response to a question, Chairman Lewis advised to amend it to allow either the Chairman or Vice Chairman to sign. In response to another question, Mr. Tackes responded that it will also be amended for the Mayor or Mayor Pro Tem. Chairman Lewis called for further questions from the Board and seeing none, opened the item for public comment. Seeing none, he closed public comment and entertained a motion. **Vice Chairman Sullivan moved to authorize either the Chairman or Vice Chairman of the Carson City Airport Authority to accept the grant offer of approximately \$9,600,322, (AIP 3-32-0004-17) from the FAA when the grant becomes available. Since it also has to be signed by the Mayor, if the Mayor isn't available, the Mayor Pro Tem may sign it. Motion seconded by Member Peterson. Motion carried 7-0.**

**G-4. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PBS&J CONTRACT TO PROVIDE THE CONSTRUCTION MANAGEMENT, INSPECTION, AND MATERIALS TESTING FOR THE CARSON CITY AIRPORT REHABILITATE AND REALIGN RUNWAY 9/27 AND TAXIWAY A AND CONSTRUCT TAXIWAY D PROJECT. APPROVAL OF THIS ITEM IS CONTINGENT ON RECEIPT OF THE FAA GRANT OFFER.** (1-3250) - (Heard as Item 6) Chairman Lewis introduced the item and Mr. Clague advised that he would like to move forward so PBS&J can be compensated. A lot of the work done immediately after the bidding phase is construction management services. He revised his initial engineer's report and stated that Task 1 is actually Task 4. The hours for the staff engineer were also reviewed and the time frame was adjusted based on the deductible alternatives that the FAA required. The amount of the fee is not to exceed \$640,000. Chairman Lewis commented that Task 6 was still included on the handouts provided but should be Task 4. In response to a question, Mr. Tackes replied that the fees are for construction management and testing. Mr. Clague narrated a breakdown of the fees which are incorporated into the record. At the conclusion of the project, an engineer's report will be prepared for the FAA and the inspection reports and record drawings will be provided to them as well. The AIP is updated to reflect that the project was completed. In response to a question, Mr. Clague responded that the fees are not necessarily based on a percentage of the total amount of the contract. It is not calculated that way but a good rule of thumb is that the construction management fee be within 7-10 percent of the construction cost. When compared to construction costs, it's in the 7 percent range. In response to another question, Mr. Clague replied that the \$640,000 is sufficient to cover the project and reiterated that it needs to be contingent on receipt of the FAA grant. In response to another question, Mr. Clague replied that Taxiway D and the connector are not included in this fee. In response to a comment, Mr. Tackes replied that it's not appropriate for the contractor to supervise their own work and the FAA requires an independent review. It's a big project and other construction management companies advised that the number is feasible. In response to another question, Mr. Tackes

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replied that there is no bidding process but the information was submitted early in order to allow for review. For professional services including engineering services, Nevada law requires a request for qualifications to determine who the most qualified candidate is and then negotiate contract fees. Several firms were evaluated last summer. This is not a bid but is according to the same fees that were approved last August. A lengthy discussion then ensued between Mr. Tackes and Member McClelland regarding the amount of the contract. Mr. Clague commented that he wanted to be sure there was enough money to do the job and assure the FAA that they got what they paid for. Chairman Lewis commented that he had spoken with a professional contract management company and it appears that it is in sync with a competitor. Vice Chairman Sullivan commented that he also checked with a local engineering firm and a City certified engineer who agreed with the 7-10 percent and felt the scope of work was very complete. Chairman Lewis opened the item for public comment. In response to a question by Robert Dickinson, Chairman Lewis replied that there are specific hours which are outlined in the proposal. Two pages of details are specific to the scope of work, number of man hours projected, and cost per man hour. The \$640,000 comes out to roughly 7.2 percent that falls well within the standard range. Mr. Clague's estimate is acceptable as it appears. With no further public comment, Chairman Lewis entertained a motion. **Vice Chairman Sullivan moved to approve the PBS&J contract to provide the construction management inspection and materials testing for the Carson City Airport rehabilitation and realignment of runway 9/27 Taxiway A and construct Taxiway D project. Approval of this item is contingent upon receipt of the FAA grant. The amount of this contract is not to exceed \$640,000 on a time and material basis.** Mr. Tackes advised that Taxiway D is not included in this contract and Chairman Lewis requested that Task #4 be specifically mentioned. **Vice Chairman Sullivan amended his motion to withdraw the construction of Taxiway D and include Task #4. Member Peterson seconded the motion. Motion carried 7-0.**

**G-5. DISCUSSION AND POSSIBLE ACTION REGARDING A PRESENTATION FROM KCXP INVESTMENTS LLC ON THE STATUS OF CONSTRUCTION OF THE JET RANCH PROJECT (1-1548) - (Heard as Item 2)** Chairman Lewis introduced the item and recused himself as he is closely tied to the project. Vice Chairman Sullivan assumed duties of the Chair. Ralph Smith with Valley Construction Company represents KCXP on this project. The project has been restarted with preliminary redesign and construction of the interior. It will meet local code but the tenant improvements may be scaled down. It wasn't noticed on the agenda that they would be asking for an extension although it was discussed at the last meeting. Mr. Tackes apologized and said that he didn't review the minutes until after the agenda went out but that Member Peterson had expressly stated to bring it back with the request for an extension. He asked to bring the request back at the next meeting. No one has asked to penalize them or take any action against them and they have kept the Board informed. Mr. Smith advised that he has a letter requesting the extension along with a project schedule. KCXP has agreed to 15 working days for the redesign and 30 working days for the redesign to be submitted and approved by the Building Department. There will be 90 working days for completion and issuance of the certification of occupancy which is a total of 27 weeks for the completion instead of eight months as previously calculated. This will not affect the exterior of the building. He passed copies of the letter and project schedule to members of the Board. Vice Chairman Sullivan asked for comments or questions by members of the Board, counsel, engineer, then members of the public. Seeing no comments, Vice Chairman Sullivan closed public comment, apologized to Mr. Smith and advised that he would be on next month's agenda.

**G-6. DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF RESOLUTION TO ACCEPT BIDS PER NRS 244.281 FOR ANTENNA COLLOCATION AND**

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**LAND LEASE, AS FOLLOWS: (1) EXAMINATION OF APPRAISAL; (2) DETERMINATION OF WHETHER TO ISSUE AN INVITATION TO BID; (3) DETERMINATION OF APPROPRIATE MINIMUM LEASE RATE AND TERMS OF THE LEASE AND PERMITTED USES; AND (4) SET DEADLINE FOR BIDS AND THE DATE FOR THE BID OPENING AND CONSIDERATION.** (2-0077) - (Heard as Item 7) Chairman Lewis introduced the item and Mr. Tackes advised that they have already negotiated a lease with Verizon to place their transmitters and antennas at the 39 foot level of the beacon tower. It was then sent over to the City and the DA's office who rejected it because it includes an underlying ground lease, and needs to go through the same process as hangar leases - it needs an appraisal and be put out to bid. An appraisal rate came in at \$1,300 a month. He negotiated a rate with Verizon at \$1,500 a month and recommended it be put out to bid for \$1,500 a month under the terms of the lease negotiated with Verizon. He expects Verizon to be the only entity who bids because it's such a specialized use. If the Board adopts the resolution, he will immediately put it out for publication in order to open bids and award it next month. "Verizon needs to get out on the tower as soon as possible because they are already sending rent payments due to their belief that the earlier approval was a done deal." In response to a question, Mr. Tackes replied that the antennas will be centered at the 39 foot level which is relatively low. AT&T has the prime spot because they built the tower and there are two other companies on it as well. "It has been a tremendous money maker." Chairman Lewis called for further questions from the Board and when there were none, he opened it for public comment. Seeing none, he entertained a motion. **Member Kelly moved to issue the resolution and invitation to bid as recommended by counsel and authorize counsel set dates in compliance with the statute and keep a \$1,500 a month minimum bid price. Member Sullivan seconded the motion. Motion carried 7-0.**

**G-7. DISCUSSION AND POSSIBLE ACTION REGARDING CONSENT TO GRANTING OF A SPECIAL USE PERMIT FOR SILVER STATE HIGH SCHOOL APN 05-011-03.** (1-0160) - (Heard as Item 1) Chairman Lewis introduced the item and Steve Knight, Executive Director of Silver State High School introduced himself. He is a past member of the first Airport Authority and pilot. He advised that they are a charter school and have their own School Board. He then introduced several members of the Board that were present for the meeting. He also introduced Mark Palmer of Palmer Engineering who prepared the planning concept. He oriented the CCAA to the site by narrating a map which showed an overview of the Airport and flood plain. The school is in the process of purchasing a portion of a 5.7 acre parcel at the end of the Airport runway with an option on the rest for future expansion. He explained that the school is on the furthest edge of the flood plain. There is a developed floodway designated by Carson City and they plan to have athletic fields there and take Airport water and spread it out over the area minimizing the impact as it goes off the property and accepting the water that comes on the property. In response to a question, Mr. Palmer replied that a portion of the site will be filled to make the school more visible. He stated that the finished floor is going to be a couple feet above what is there now. He explained the general layout of the site and the location of the school, gymnasium and parking lot. The gymnasium was the biggest concern because of the height, but will be limited to 34-35 feet. The football field will be an abbreviated field and the gymnasium will also be a hangar because they will have an aviation program. They aren't in the process now but there may be an issue with the Airport or FAA about a through-the-fence operation. As part of the school is related to aviation they want a section of it dedicated for that purpose with an observation deck and an area for an airplane to use for training purposes. Chairman Lewis confirmed that the location of the property is east of Goni Road and north of Old Hot Springs Road. The north is bordered by CCAA property and the east is bordered by the Weikel property. Mr. Knight advised that Silver State High School is a charter school and is fully accredited by the Northwest School of Accreditation. They are a free and public school and are one of the top 20 high

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schools in the entire State. Fifty eight schools out of 500 in the State are high achieving or above. The school has an enrollment of 500 students who make them high achieving and do well in the State mandated testing. They are a hybrid distance ed school meaning the students attend on an assigned day and have an option of attending on other days. Most of them attend multiple days and 30-40 percent attend all five days. The school is high tech and every room has smart boards and video monitors. The students film and edit the Nevada Day parade and put together the website presentation. They have pneumatics and started the aviation segment this year. They are in partnership with the Civil Air Patrol and U.S. Air Force and have the exclusive permission and distribution of the aerospace book for aerospace education. They are a flight instruction school, not aviation instruction. They are trying to teach aerospace so need the ability to pull an airplane in an on site hangar for instruction. There would be no flight operations or repairing aircraft, although some aspects of mechanics may be taught. They have a good representation of pilots and a very strong interest in aerospace and aviation. The school is a tailored high school with the regular subjects. They are currently located by Big 5 and are quickly running out of room. They will be adding 7<sup>th</sup> and 8<sup>th</sup> grades which would be one third of the school and currently anticipate about 750 high school students and 250 7<sup>th</sup> and 8<sup>th</sup> graders. All of the teachers work full time at the school, some are part time at WNC and all teach subjects they are certified to teach. They are doing very well in their fifth year, and had 70 students graduate this year. They don't have fights or gang problems and run it very close to a community college type atmosphere. They are partnering with WNC for some electronic courses for next year's credits. They also want to be by the Airport because of the industry. They want to be able to place their students and involve the different businesses with on the job training or job shadowing. The construction of the school was designed with pods to teach thematic subjects and a lot of labs. The Department of Education is their sponsor for the first state sponsored school. Mr. Knight said he is on the School Board for the Montessori Charter School and they have an option to purchase and may lease some of the land.

Chairman Lewis thanked him for his presentation and stated that this is an airport first and foremost and as such generates a lot of noise and dust. The Airport has been here a long time and invested a lot of taxpayers' money to be here well into the future. He voiced his concerns about safety issues and building a school next door to what some day may be a more active Airport. Last November, the Airport had its first instrument approach approved which is a circling the land approach and requires BFR minimums. They are working on a straight in approach or a modified straight in approach which will be only to Runway 27. Some of the obstructions that are within the center of the Airport are going to require obstruction lighting if they are approved for a modified straight in to Runway 27. The access to the school's hangar is simply an access road for vehicles, is not designed for aircraft and has obstructions with which to be concerned. Certain things can be worked out, but in order to have access to the Airport, the CCAA would require through-the-fence access for which an annual fee is charged. He reminded the Board members that they are just considering consent to granting a SUP. Chairman Lewis entertained questions of the applicant.

Member Carter commented that he liked the idea of another high school in Carson City and really didn't have any concerns. Member Peterson commented that when he lived in Virginia he operated out of Williamsburg Airport which was privately owned public use. The owners of the Airport did not build it but had been there many years. North of the Airport was a high school which also had been there for many years, yet neither knew which had been there first. For ten years, the high school pursued a lawsuit to close the Airport for being disruptive which nearly bankrupted its owners. Towards the end of the trial, someone saw an aerial photograph of the Airport in the lobby of the terminal but there was no high school in the photo. That was after ten years of lawsuits. The proposed location of this school is off the preferred or departure end of the runway within the "noise shadow" of departing aircraft and he sees it as a big conflict

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with good relations. Federal funding with the Airport will ensure its continuous survival for many decades but Board members will be taking phone calls from the school and its successors for many years. "Parents of children who are being interrupted in the middle of class have a right to pick up the phone and call us. I see it as an incompatible use."

Member Kelly stated that noise is going to be a large issue and inquired as to how the school is going to mitigate distractions to the students during a busy event at the Airport and whether windows will be sound proofed or built to code. Mr. Knight responded that there is a high school at the Riverside Flabob Airport. The Walton Foundation put in a charter school as part of a partnership with the Airport. Noise is within the architecture of the building, and would be minimized in the interior of the pods. It is a hybrid school with the curriculum and books online. Students work on computers and every room is high tech. The students do one on one studies with teachers in small groups. The luxury of high tech is sound in the rooms. Teachers use lapel mikes which feed into overhead speakers. "It's not a technological challenge in our school." In response to a question, Mr. Knight replied that they would build to whatever was needed for sound. In response to a comment, Mr. Knight replied that he is a commercial and instrument rated pilot and is fully aware of the noise factor and by no means would they create problems for the Airport for noise abatement, jeopardize the operations, or reduce intended operations of the Airport. Mr. Palmer commented that when they looked at this site, the first thing they looked at was being next to the Airport which is why the gymnasium is on that side. It will be reinforced block construction with no windows on that side. The gymnasium would be slightly higher than the rest of the two story building and act as a buffer. Particular attention was paid to the height limitations to be as far from it as possible. In response to another question, Mr. Knight replied that at no time would they ever be taxiing under power on the access road. They would tow from the pad and it would be only occasionally. An aircraft would be there just for aerodynamics. Member Kelly expressed his concern that even though they may not use the access road now, the Board is considering granting them a right but in several years the school may change. Several years ago, an elementary school was being considered on Arrowhead Drive which was even farther away but the Board voted against it because of the noise and safety factor of having a large group of people near the Airport. The Airport would want to mitigate that by eliminating danger to as many people as possible because it puts a lot of people at risk just because of the location. Mr. Knight replied that an aviation themed school has to be near an airport. Member Kelly commented that most of the aviation schools he is aware of are probably using some sort of an existing building or something that's been grandfathered in but not building a brand new facility right next to it. "I think it's a bad fit."

In response to a question by Vice Chairman Sullivan, Mr. Knight replied that all the students' coursework is done over the Internet and not all have to attend every day. They have students in various communities around the State and have a percentage of students that never come in or come in occasionally. Vice Chairman Sullivan commented that there was a development that was close to the east end of the Airport and the Planning Division put on a condition that addressed noise, turbulence, dust, and a number of other issues, but it was a condition of approval by the Planning Commission in the approval of a SUP. It was also recorded against the property that they were aware of the Airport, along with all the noise, dust, etc. If the Board moves for approval, he would like to see a recommendation to the Planning Commission for the same type of condition to be placed on the SUP. In response to a question, Mr. Palmer replied that project plans will be sent to the FAA for review and approval. Vice Chairman Sullivan commented that he would like to see those as conditions of approval that are recommended to the Planning Commission. Mr. Palmer replied that the school would want those conditions and wants to go through all the comments from the Board in order to address them. In response to a question, Vice Chairman Sullivan replied that

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use now is for a school but the use could change in the future and that would be something to address in the conditions when working with the Planning Division.

In response to a question by Member McClelland, Mr. Knight replied that it was not Airport property nor were they looking at approval on through-the-fence access. Chairman Lewis responded that the issue was whether the CCAA has problems with a school being adjacent to the fence line of the Airport and that it is only a yes or no recommendation to the Planning Commission. Mr. Palmer advised that the property is zoned light industrial and they are going before the Planning Commission to request a change in the Master Plan from light industrial to public so it would be compatible with the Airport zoning. "It would actually be a Master Plan amendment, change of land use, and SUP." In response to a question, Mr. Knight replied that they don't want to get anywhere on the other side of the Airport because the school has to have a visible physical presence. They can't hide it back in the industrial area where people don't know about it and being somewhere else would limit their thematics for the aviation aspect. An intent of the school is to be near the industries in order to work with them. Member McClelland commented that he was familiar with the school and feels they have helped a lot of challenged people. In response to a question, Mr. Knight replied that they have 500 students spread out through seven sessions throughout the week and only a portion of them come in. There are usually 80-100 at any one time, including staff. In response to another question, Mr. Knight replied that aerospace is one of the thematics. They also do web design, game design, video production, audio production and all the things in a regular high school. They try to do things that lead towards jobs. "Aerospace is a major interest of mine and at least half of the Board."

Member Saylo advised that he may have a conflict with this issue as he is a member of the Carson City School District's Strategic Planning Committee. In response to a question, Chairman Lewis replied that the Board would be able to place any stipulations they can on the issue. Mr. Tackes advised that the Board is being asked for feedback as there is a Planning Commission meeting next week in which the proponents will be presenting this item and this is the CCAA's opportunity to decide what message they want to communicate to the Planning Commission. If there are conditions, that would be the time to express them. He advised that Title 19 does not permit through-the-fence access on this part of the Airport but that doesn't mean that there could not be through-the-fence access. Title 19 was written with through-the-fence access on the north and east side of the Airport. When the City first developed the industrial area, the concept was that they would encourage joint usage between the industrial development and the Airport. When Goni Road was realigned, one of the landowners claimed that some of his rights were taken away including his right of access to the Airport. "We went on record saying there is no through-the-fence access there. People don't have a right to through-the-fence access there as they do in other places. It's not just a matter of applying Title 19."

Chairman Lewis commented that though-the-fence is not a right. The Board cannot guarantee a right if the school is approved and built. Mr. Palmer commented that they would expect that that would be one of the conditions if the item is approved but it is not being considered at this time. In response to a question, Mr. Tackes replied that additional assurances could be requested and the Airport could be named as an additional insured. In response to a comment, Mr. Tackes replied that the Spanish Springs Airport has a development and school right off the end of the runway, and there's a photo of a Cessna that crashed on take-off into a new uninhabited house. That is a concern that needs to be considered. There was a plane that did a departure stall and crashed into the hangars. Everyone knows that you don't take-off at the end of the runway. Taking off earlier is more in the zone of where things happen. Member Peterson commented, "it raises our exposure and if we're insured and they hold us harmless so that any claims that

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come to us from dead students would go back to them. I wouldn't want to increase the exposure of the Airport on that scale." Mr. Tackes advised that in a 2006 case, *Sisolak vs. Clark County*, the Nevada Supreme Court said that extracting certain requirements out of approval of a special use permit typically are not binding on the applicant unless there's compensation for it. It has created havoc since 2006 with Airport planning. The Airport's concerns should be outlined and ask for what is needed but sometimes just asking and getting something may not actually offer the protection. The *Sisolak* case is a hot button issue with the State's aviation department. Chairman Lewis commented that there was an aircraft accident on the Weikel property in the mid-eighties. The pilot came up and stalled and ended up on the Weikel side of the fence line and the plane burned. He wanted to put on the record that there has been an accident in that area and let the Board know that Mr. Peterson's concern is warranted. "One of the most dangerous points of any aircraft flight is the take-off. Just because you're a couple of hundred feet off the center line doesn't guarantee that your school is going to be safe." He then opened the item to public comment.

(1-1141) In response to a question by Joel Flamenbaum, Mr. Palmer replied that the maximum height is 35 to 36 feet but the building is two feet under that. Mr. Flamenbaum expressed his concern about wind turbulence due to a predominant area that winds come from and the problems with various other areas of turbulence on departure and take-off.

Ann Cox who lives across the street in Comstock Mobile Home Park, expressed her concern about the 2,800 gallons of water per day estimate for the school. The park has a twelve inch water line and an eight inch sewer line. The water pressure in the park is very low. The park is 37 years old and an eight inch sewer line is probably not adequate for the park because plumbers are in there a lot and things are getting backed up. The infrastructure will probably be a big concern to the 450 residents in the park. She also expressed her concern about the ingress, egress, noise, safety, and traffic factors. Member McClelland suggested she make her comments known to the Planning Commission.

Gene Shelton commented that he owns property adjacent to the subject property across the street on Goni and is probably the closest occupied building to the proposed high school. The property is zoned general industrial and one of his concerns is the same as what the Board has expressed about what happens in several years. General industrial is the heaviest industrial use zoning in Carson City and allows just about any type of industrial use. The City has conflict charts they use between various zoning and he feels that between general industrial and a high school, it would probably fit within those conflict zones. Regarding noise, his building and windows rattle when planes take off. "I can't believe that noise is not going to be an issue with the building." He expressed concern that they were going to channel the water going to the Irwin Bank property and spread it out over athletic fields, but Irwin Bank has made provisions for the water to be re-channeled and if the water is spread out, he wondered how they will get it back to exit their property to fit with Irwin Bank's provisions. He further commented that the property cut off from the Airport at the time the extension on Goni Road was put through was his property and the property of a previous owner which was involved in a lawsuit with the City. The claims made for the value of the property were that it was cut off from the Airport and through-the-fence. The City defended those claims by indicating that there was no right to come through-the-fence to the property by reasoning that Title 19 did not provide for access to the property through any property that wasn't originally owned by Carson City. Regarding the gym concrete floor, he wondered if it would be removable as playing basketball on a concrete floor is problematic for kids. He stated he doesn't have an objection to the high school other than he doesn't want future conflicts based on what is done with his property because 75 percent of it is still vacant. At the request of Chairman Lewis, Mr. Shelton recited his address as 3868 Goni Road.

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Bill Abbott stated that there are better locations connected to the Airport that would be much more appropriate. As a pilot, he's going to consider the school every time he takes off and will probably use 9 instead of 27 because he would rather land in a vacant field than take a chance of hitting a school. The location is extremely objectionable and it's going to cause him make choices in his flying habits that may not be airport appropriate. "I'm going to be contradicting other traffic out there that may not be aware of the school. If somebody has a stall in their take-off and needs to land straight ahead and they see a field they can land in, that's probably what they're going to pick, although it could unfortunately be football game night. The location is extremely inappropriate and there are better locations."

Joe Raphael echoed the comments of the Board members and thinks the charter school does a fine job although he is opposed to the location. He retired from the air force and unfortunately saw airplanes drop out of the sky almost all around the airbase runway. He has been here about 20 years and recalled another crash that went down the runway almost to the fence, and another hanging in the trees to the left of 27 across College Parkway. Chairman Lewis called for further public comment and when there was none, he closed public comment. He asked Mr. Clague for his comments.

Mr. Clague commented that his concern with form 7460 is when the FAA looks at the obstruction, they may not be aware of the Airport's plans to have a modified straight in approach which would affect what is considered an obstruction. When they contacted him regarding any potential problems, he was unaware of the modified straight in approach at the time. In the design criteria for airports, the number one non-land use the FAA recommends is having a school nearby. Chairman Lewis asked the Board members for any further discussion.

In response to a question, Mr. Clague replied that it is common for a nearby development to contact him for an engineering opinion. In response to another question, Mr. Clague replied that the billable hours were minor and didn't think they were billed. Vice Chairman Sullivan commented that there are some conditions that can be made to minimize some issues that were brought up but the issue now is the location. In response to a question, Vice Chairman Sullivan recalled a residential development on the corner of College Parkway and Sherman. He worked on a condition of approval that brought up some of the issues that Member Peterson mentioned and also spoke about noise and dust. It was a fairly long condition of approval which was recorded against the property. The Airport could work with the Planning Division to have a similar condition put on this project as well as some other issues, sending plans to the FAA and dealing with through-the-fence at a later time. Chairman Lewis entertained a motion. **Member Peterson moved that the Airport Authority disapprove the request for special use as proposed. The motion was seconded. Motion carried 4-2-1.** Vice Chairman Sullivan commented that this will go to the Planning Commission and they may want to know the reason for the recommendation from the CCAA. Member Peterson said the minutes of the meeting could be offered but didn't want to add an explanation other than this discussion. Mr. Tackes advised that he and Mr. Clague will be at the Planning Commission meeting to discuss another issue and will be in a position to convey it. Vice Chairman Sullivan inquired if it was possible to get summary minutes to the Planning Commission as their meeting is next Wednesday and wants them to understand what was said at this meeting. Mr. Tackes replied that he would look into it.

**G-8. DISCUSSION AND POSSIBLE ACTION REGARDING CONSIDERATION OF THE TENTATIVE 2009/2010 FY BUDGET AND APPROVAL OF THE FINAL 2009/2010 BUDGET PER NRS 354.596 AND 354.598; AUTHORIZATION TO CERTIFY AND TRANSMIT SAME TO THE DEPARTMENT OF TAXATION AND THE NEVADA TAX COMMISSION;**

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**AUTHORIZATION FOR STAFF TO MAKE THE REQUIRED FILINGS.** (2-0138) - Chairman Lewis introduced the item and Member Carter offered to review all the items individually or answer questions regarding specific items. He recommended that the Board approve the tentative budget to make it the final budget. Chairman Lewis directed Member Carter to give the bottom line figures. Member Carter advised that tentatively for 2010, operational income charges for services are \$339,265 with \$11,000 budgeted for interest for a revenue of \$350,265. Expenses are totaled at \$311,100, leaving an operational profit of \$39,165. For the present year, \$41,200 was budgeted, and with an increase in expenses, there is expected additional income which is about the same as budgeted. The \$9 million FAA grant and a \$150,000 AWOS grant are also budgeted. Overall profit should be \$31,665 at the end of the year. Chairman Lewis called for questions from the Board. In response to a question, Mr. Tackes explained that the purported increase from \$52,500 to \$70,000 in legal fees is a misnomer. The augmented item shows that actual legal expenses were closer to \$110,000 to \$115,000. Changing airport managers was not anticipated nor were a variety of other things that happened, all of which cost additional legal expenses. An abnormally large amount of money was spent last year which is why it was cut back. "My goal is to try to keep it down. I believe in this Airport, and I do everything I can to keep my expenses at a minimum but a lot of stuff pops up. The only alternative is to engage another lawyer who I guarantee will charge more per hour than my discount rate." Vice Chairman Sullivan expressed his appreciation and acknowledged that Mr. Tackes does a lot of work. Mr. Tackes commented that he's going to pass along as much as he can to Mr. Pullman who has already taken on many things. Mr. Tackes continued that he's also done a better job tracking legal expenses that are directly related to the AIP project so those can be billed back to the FAA. There has been a submittal for \$10,000 and another one is pending. In response to a question, Mr. Tackes replied that when people apply for land leases, they need to reimburse for engineering and legal review in the preparation of those leases. Mr. Pullman commented that he will be working with Mr. Tackes to relieve him from as many duties as possible and is willing to take on all that he can. His goal is to be under budget without failure. Chairman Lewis called for further questions and seeing none, opened the item to public comment. Seeing none, he entertained a motion. **Member Peterson moved to accept the proposed budget for 2009/2010 and authorize the Treasurer and staff certify and transmit the budget to the Department of Taxation and Nevada State Tax Commission. The motion was seconded by Vice Chairman Sullivan. Motion carried 7-0.**

**G-9. DISCUSSION AND POSSIBLE ACTION REGARDING AUGMENTATION OF 2008/2009 FY BUDGET** (2-0287) Chairman Lewis introduced the item and Member Carter advised of an opportunity to avoid problems with the Department of Taxation due to some overruns in the 2008/2009 budget. "Due to unforeseen expenses, last year we went over budget \$19,000 in operational expenses. We have until the end of the fiscal year, June 30<sup>th</sup>, to submit an augmented budget and want to get approval from the Board to augment and review the numbers mid-June year-to-date and to see if we can come in without a loss." Chairman Lewis called for questions from the Board and seeing none, opened the item for public comment. Seeing none, he entertained a motion. **Vice Chairman Sullivan moved that the Board approve the augmentation of the 2008/2009 budget as recommended by the Treasurer and authorize the Treasurer and staff to certify and transmit the same as appropriate. Member Peterson seconded the motion. Motion carried 7-0.** Chairman Lewis thanked Mr. Pullman and commented that he directed him to get involved in this process as his job will be running the Airport under the new budget.

**G-10. DISCUSSION AND POSSIBLE ACTION TO APPROVE AN EMPLOYEE BENEFITS PACKAGE FOR NEW AIRPORT MANAGER** (2-0339) Chairman Lewis introduced the item and Member Peterson advised that he prepared a package based on a commercial business approach. He

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circulated it to the subcommittee and based on their input, revised the package and hopes to present it next month after review by the entire CCAA. He explained that his company uses Applied Staffing, and essentially sold all of his employees to them and they rent everyone back which allows a much bigger group insurance pool. It saves his company about \$29,000 a year and they do all the tax filings, processing payroll and have legal services available for labor issues. Everyone saves money and there is no downside. "Normally they demand a minimum of five people to avoid adverse selection but when I contacted them, they gave special permission to accept us as is. We discovered we couldn't use the City package and tried to equal or improve some of the City benefits, but the PERS question needs to be resolved. The basic benefits will be equally fine direct or through Applied Staffing. It's an administrative service. The W-2 comes from them, the individual is ours, and we have the authority to hire and fire the individual." Mr. Tackes asked Member Peterson to send him the information on Applied Staffing and he will check on the PERS eligibility. Member Peterson opined that an airport with one or two employees doesn't want to do its own payroll, administration, and labor law, and this potentially drops the insurance premium and relieves the paperwork. A two month process has already been agreed upon and he wants the Board to review the revised package prior to the next meeting. If PERS can be accepted, the Board could propose to go with the Applied Staffing approach or move forward as originally discussed. Chairman Lewis called for public comment and when there was none, he deferred the item to the June meeting.

**H. AIRPORT ENGINEER'S REPORT.** (2-0413) - Chairman Lewis introduced the item and Mr. Clague advised that an AIP grant in the amount of \$150,000 will be awarded to install an AWOS. "We are still waiting on the electrical portion of the design and will submit it to the FAA for approval to advertise the project in a timely manner and get it done during the summer. The options are a Super AWOS and an AWOS 3. When the bid is evaluated, the CCAA can decide what type of AWOS to get."

**I. AIRPORT MANAGER'S REPORT.** (2-0433) - Chairman Lewis introduced the item and Mr. Pullman advised that cold asphalt repairs are being done throughout the airfield, especially in the larger cracks that pose a threat to aircraft. The terminal is being painted utilizing Dirk and John as the labor force. He suggested posting an airport information sign outside. There is a sign available that can be put on the roof and electricity is available for lighting. It could be tied in fairly easily, look nice, and create more visibility. The outside painting is under budget and he plans to use the remaining money into tearing up the floor, baring the concrete and repainting it a couple of different colors. If the terminal looks better it can bring in more activity. He has implemented an Airport Activity Permit. People have previously been allowed to use the facilities without any type of contract. The Activity Permit requires them to abide by Airport rules and regulations. The Airport has the right to collect money in usage fees for parties, etc., if just for the use of electricity. Non-profits are fine, but there needs to be a method to bring in revenue for the terminal. He's contemplating an idea of implementing a long term parking fee for people who want to park their vehicles in the terminal lot. Some have group cars and the Airport should be collecting a fee which could bring in more revenue and possibly clean up the parking lot. If someone is coming in a lot and utilizing their vehicle, they could use the Airport's FBO's to fill up their aircraft and offset that monthly charge. Three or four people are working on the Open House, but the Airport will be ready and it should turn out well. He also has had many people interested in affordable hangars and Airport owned hangars. He is starting to regulate tailgating because it is a major security issue and has gone on too long. People are doing it and not taking responsibility. He's getting the word out that it will be enforced. Security patrols are being paid \$5,000 a year but he doesn't know what kind of security they are providing although they are not at the Airport all night. They send reports only when something happens or if something is spotted. He has received only one report since he's been here and has gone through previous reports which

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turn out to be nothing major. He thinks it's something that can be reduced or even eliminated and possibly save the Airport \$5,000 a year for something that may not be a viable service.

**J. LEGAL COUNSEL'S REPORT.** (2-0559) - Chairman Lewis introduced the item and Mr. Tackes advised that a complaint was filed with the FAA regarding an earlier grant, the acquisition of 24 acres of land that was purchased from Serpa. The complaint was that the appraisal was not reliable and too much money was spent. The appraiser responded to the allegations and the FAA asked to engage a review appraiser who confirmed that the value paid was appropriate and the appraisal was correct. Both appraisers were MAI certified. The FAA asked the review appraiser to address two additional points and it was resubmitted. There have been communications indicating the matter is resolved however, there has been no definitive response. It is another source of legal and appraisal expenses and the Airport FAA representative has advised to include it in a recovery grant. Chairman Lewis asked Mr. Tackes to submit a report next month regarding the appraisals' legal costs and ancillary costs. In response to a question, Mr. Tackes replied that it is critical to the FAA that the supplement to the review appraisal is in by May 15<sup>th</sup>. He asked them if it would impact the grant but they don't believe the grant proposal is in jeopardy.

**K. TREASURER'S REPORT.** (2-0620) - Chairman Lewis introduced the item and Mr. Carter advised that the final reimbursement for the hill removal project was received and Mr. Pullman immediately put it into the money market account which is \$478,788.94. There is roughly \$10,500 in the checking account and \$670 in the maintenance account.

**L. REPORT FROM AUTHORITY MEMBERS.** (2-0633) - None.

**M. AGENDA ITEMS FOR NEXT REGULAR MEETING.** (2-0645) - Chairman Lewis advised that the request for extension from Jet Ranch and the benefits package will be added in addition to the award of the antenna lease offer and museum item. In response to a comment, Mr. Tackes replied that Mr. Lumbarde needs an approval from the Board as to conceptual plans that have already been reviewed. The item should be put on the next agenda. Vice Chairman Sullivan suggested adding the plans to the building department, but the Chairman could sign it if a SUP is necessary. Mr. Tackes commented that they need approval on the conceptual plans in order to apply for a SUP. Vice Chairman Sullivan commented that the Chairman can sign the plans and the SUP application as they are general business items. Mr. Tackes suggested that Mr. Lumbarde find out exactly what is needed. Chairman Lewis told him to come back and talk to Mr. Pullman, but believes he can sign off on it since it has already been reviewed. If not, it will be agendaized for the next meeting.

**N. ACTION ON ADJOURNMENT.** (2-0700) - Chairman Lewis adjourned the meeting at 9:45 p.m.

The Minutes of the May 21, 2009 Carson City Airport Authority meeting are so approved this 17th day of June, 2009.

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Steve Lewis, Chairman