

NAMPA AIRPORT COMMISSION
September 13, 2021

The meeting was called to order at 5:30 pm by Commissioner Mark Miller

- Members Present: Mark Miller, Aaron Bear, Wayne Thiel
- Members Present via Phone: Dr. David Beverly, Aubree Miller
- Ex-Officio Members Present: Jeff Barnes, Deputy Public Works Director; Joe Borton, City Attorney Borton-Lakey Law & Policy
- Ex-Officio Members Absent: Montgomery Hasl, Airport Superintendent

Chairwoman A. Miller addressed the Commission. She would like Commissioner M. Miller to run the meeting as she and the Vice Chairman are both participating by phone.

1-Administrative

Item 1-1 Action Item: Approval of the minutes from the 8-9-21 Regular Meeting.

MOVED by Thiel to **approve the minutes** for the August 9, 2021 Airport Commission Meeting and seconded by Bear.

Commissioner M. Miller asked all in favor to say aye with all Commissioners present voting **AYE**.

MOTION CARRIED

Item 1-2: Commissioner Reports: None

2-Staff Report/Discussion Update

Item 2-1: Staff Report: Jon Ziessler, Airport Operations & Maintenance Tech, presented the following staff report:

- Open Units; Waitlist; Fuel Sales.
- The Warbird Roundup went great, lots of compliments. A few citizens alarmed by the F-35 in the area.
- The B-17, Commemorative Air Force Sentimental Journey, went well, lots of visitors.
- **Airfield Conditions**: RWY/TWY & Apron in good shape.; RWY/TWY lighting systems operating normally; PAPI operating normally, alignment checked/cleaned; AWOS operating normally.
- **Routine Administrative/Maintenance**: Mowing is still ongoing. Getting ready to transition to winter operations.
- City hangar audits. We have moved forward through the city attorney's office to process one eviction. We have another we will be following through with soon.
- There was a non-injury wheel's up landing. The runway was closed for a short time to safely remove the aircraft from the runway.
- Southwest pavement crack repair project started today. It is going well. The contractor will continue tomorrow with the crack at Wings & Rotors.

Commissioner M. Miller feels city hangar tenants have been notified of violations. If the hangar use is still in violation we should go ahead and start eviction process. He asked Joe Borton, City Attorney, if immediate eviction is possible. Mr. Borton indicated a 30-day eviction notice will need to be sent to the tenant.

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Item 2-2: Staff Report: Jeff Barnes, Deputy Public Works Director (DPWD): Addressed the Commission. The DPWD has put together an Economic Planning Group (EPG) as a sub committee to the Commission. The EPG is made up of: Randy Haverfield, City Councilman, Airport Liaison; Aubrey Miller, Airport Commissioner; Aaron Bear, Airport Commissioner; Mark Miller, Airport Commissioner (alternate); Monte Hasl, Airport Superintendent; Lynsey Johnson, Airport Administrative Coordinator; Rick Hogaboam, Chief of Staff; Debbie Kling, Mayor; Tom Points, Public Works Director; Doug Racine, Finance Director; Jake Allen, Public Works Finance Manager; Jeff Barnes, Deputy Public Works Director. The group can and may be expanded. Only two Commissioners may participate at a time to avoid a quorum.

The DPWD presented a short PowerPoint reviewing the first EPG meeting. The PowerPoint covered the following: Airport Mission and Vision Statement, the DPWD noted he modernized the language for the Mission and Vision statement. He would like to review the updated statement with the Commission at the next meeting; EPG group structure; Group Goals.

The meeting agenda included three development areas:

East -Farm area: 20 Acres are available; Expensive utility improvements needed; The city does not have capital fund to build or purchase hangars; The City is over \$500,000 in utilities on Phase 1, we will have to develop utility improvement options before the next expansion; Interest from private developers to take on the entire parcel, including utilities, taxiways/taxilanes and hangars; Request for Proposal (RFP) consideration would seek out the highest and best use of the property.

Terminal area: Existing terminal building issues include age of the building and lack of ADA accessibility; Adding on to the existing building will trigger ADA upgrades which are not cost effective; The Terminal Area Plan was completed last year providing a plan to develop a new building and lease lots along Municipal Drive.

West city owned hangars: Provide \$260,000 in annual income; The rental income takes care of basic maintenance; Budget not available for major repairs; Looking at use and alternatives.

The EPG identified the next steps as: Hiring a consultant to facilitate a development plan; Continue group discussion for development in all three areas. The group will make recommendations to the Commission on development.

Commissioner M. Miller inquired if this is a good time to address the current East area construction.

DPWD Barnes reported a change order was taken to Council for approx. \$160,000 for the redesigned utility improvement. The redesign extends the utilities under the foundations to the other side. He will work with the contractor, Big Bite Construction, to complete the utility improvement.

Commissioner M. Miller questioned if this means the taxiways will not go in this fall, which also means a delay for hangar construction. DPWD Barnes confirmed that is correct.

Commissioner M. Miller inquired about the general design technical memo for the hangar development. The DPWD reported he has met with Rick Bugatsch, RBA Architects, to start the design standard process.

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The utility improvement delay has delayed the design standard process. It will be spring before construction movement. The design standard technical memo will be 2-3 pages that provides guidelines for development in coordination with the building such as shared foundations, firewalls, roof line pitches and exteriors. This technical memo can be provided to developers to assist with development questions.

Commissioner M. Miller wants to ensure the process continues moving forward and does not further stall development. DPWD Barnes will update the Commission at the next meeting.

Commissioner Bear inquired if the additional utility cost will be passed on to the developers. The DPWD advised that Council had originally directed that the expended utility funds would be reimbursed to the City through an agreement attached to each lease. He is looking at ways to mitigate the cost to developers.

Cindy Fritz addressed the Commission. She inquired what the approximate utility cost per unit would be. DPWD Barnes estimates the cost would be from \$25,000-\$28,000, in addition to the standard hook-up and impact fees.

Stan Siewert addressed the commission. He has heard about a developer taking on a hangar development at Caldwell, including taxiways. As he understands, Caldwell could have applied for funding with the FAA for the taxiway improvement but did not. He advised the Commission you must ask for funding to get funding.

DPWD advised phases 2 and 3 we can pursue FAA funding or work with a private developer to construct the improvements.

The Commission advised that we were in good standing with the FAA and stay ahead of grant funds and applications.

Chairwoman A. Miller asked if Lynsey could clarify FAA grant funding. Lynsey Johnson, Airport Administrative Coordinator, advised you can fund the taxiway construction with FAA grants per the CIP schedule. If a developer decides to pay and construct the pavement for the development, this could free up FAA funding for other CIP projects. Such as other taxiway or runway projects.

3-Airport Improvement Program (AIP) – Grant Update

Item 3-1: AIP-32 (Taxiway Design Project for New Airport Taxilanes) Lynsey Johnson, Airport Administrative Coordinator, updated the Commission on the Taxiway Design Project for New Airport Taxilanes. J-U-B has submitted closeout documents to the FAA. Waiting for the FAA to approve the close out.

Item 3-2: AIP-34 (Taxiway Final Design & Construction Project) – Lynsey Johnson, Airport Administrative Coordinator, updated the Commission on the Taxiway Final Design and Construction project. Waiting for the utility project to be completed to issue the Notice to Proceed to IMC. J-U-B expects to complete the site-work this fall and complete the paving in the spring of 2022.

The Commission inquired if this delay would affect the AIP funding for the project. The Airport Administrative Coordinator advised the delay fits within the grant life cycle. Toby with J-U-B has been communicating this delay with the FAA.

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Item 3-3 Action: F228MAN – Rehabilitate West Apron and Taxilanes: Review updated State Grant Offer - Lynsey Johnson, Airport Administrative Coordinator, presented the request to the Commission. In July the commission pre-approved the grant offer. When the offer came in it required a city match of 15%. The State would fund \$251,401.00 and the city match would be \$44,365.00. The city match would come from FY22 CIP budget for land acquisition. The FY22 CIP, next agenda item, is proposed to change which frees up the FY22 budgeted City match funding, providing the match for this project.

MOVED by Bear and seconded by Thiel to recommend to City Council they authorize the Mayor to sign the State Grant Offer and Resolution for F228MAN.

Commissioner M. Miller asked all in favor to say aye with all Commissioners present voting **AYE**.

MOTION CARRIED

Item 3-4 Action: Review 2021 Capital Improvement Plan (CIP)- Lynsey Johnson, Airport Administrative Coordinator, presented the request to the Commission. Jeff Barnes, DPWD, Toby Epler, J-U-B Engineers, and Monte Hasl, Airport Superintendent, met to review current CIP. They identified needed repairs and improvements for the Airport. They drafted the proposed updated CIP. The new CIP shifted the pavement repair needs up in the schedule and moves the land acquisitions to FY 25/26/27.

DPWD Barnes advised the Commission the RPZ land acquisition is going to be complex. The next step is to solicit proposals for legal council with FAA land acquisition experience. It is anticipated the ground will go condemnation or reverse condemnation. The process is going to take time.

MOVED by Bear and seconded by Thiel to accept the updated FY 22- FY 27 Capital Improvement Plan.

Commissioner M. Miller asked all in favor to say aye with all Commissioners present voting **AYE**.

MOTION CARRIED

4-Airport Business – Discussion Items

Item 4-1: None

5– Airport Business – Action Items

Action Item 5-1: Review Ultralight Aircraft Airfield Rules & Regulations Update - Commissioner M. Miller presented the request to the Commission. He showed a picture of one of the ultralights tied down on the west side. The vehicle has at least 10 straps holding it down. They are designed to fly at 35 miles per hour. A decent wind gust will cause them to go flying. He feels the example shows that the owners know they are not built to be housed outdoors. He indicated he has no issue with ultralights operating at Nampa. His issue is with ultralights being housed outdoors and the damage to them and potentially other aircraft or structures. He would also like ultralight vehicles to have a working radio to assist them in being aware or other aircraft and yielding to them.

Commissioner Beverly would also like rule #8 – “Mid field take offs should be avoid” to be updated to “Mid field take off are not allowed”

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The Commission discussed the penalty for not following rules. DPWD Barnes advised in the current Rules it states a violation will result in denial of further use of the airport.

The Commission would like to update the ultralight Rules and Regulations provision with the following: Item 8 as proposed; The addition of a rule requiring radio. The Commission also directed staff to run the updates by the FAA and ITD Aeronautics to confirm they do not violate grant assurances.

Commissioner M. Miller asked Stan Siewert, as a member of EAA, would EAA have comments on the change. Mr. Siewert indicated EAA members would be happy to look over the proposed update. Staff will coordinate with Mr. Siewert.

Action Item 5-2: Review Request from Phoenix Aviation to operate a flight school and aircraft rental service at Nampa – Commissioner M. Miller reviewed the request and addressed Devan Robnett, Phoenix Aviation. Commissioner M. Miller does not see how this proposal can be approved at this time. Based on the provided quote for insurance it is apparent that Phoenix Aviation has been operating without liability insurance. The quote shows exclusions but there is not documentation showing the Commission what those exclusions are.

Devan Robnett advised the commission that he was told a general liability policy did not need to be in place, and that it would not be a valid approval from anyone until the policy was in place.

Commissioner M. Miller advised that the policy has not been in place and Phoenix Aviation has conducting business here for 2 years which is in violation of the City of Nampa Airport Rules & Regulations. The quote does not have the exclusions, there is a quote here indicating coverage B section 1 does not apply, there is no indication of what coverage B is. He finds it difficult to give any approval without seeing the policy and exclusions.

MOVED by Beverly and seconded by Thiel to deny the request from Phoenix Aviation to operate a flight school and aircraft rental at Nampa.

Commissioner M. Miller asked all in favor to say aye with all Commissioners present voting **AYE**
MOTION CARRIED

Mr. Robnett acknowledged the denial and stated he will now be going to City Council.

The Airport Administrative Coordinator advised the commission that last Thursday in her conversation with Mr. Robnett she did advise if the policy was not in place to be prepared with the quote showing the coverages he would be putting in place to operate.

Commissioner M. Miller indicated the lack of facility and airfield access is still an issue. The proposal shows a verbal agreement with Skyline. Skyline will need to request approval from the Commission.

Mr. Robnett asked for the Airport to provide the needed sublease to Skyline to move forward. The Airport Administrative Coordinator advised Mr. Robnett of the basic sublease process. A sublease agreement would be prepared and negotiated between Skyline and Phoenix Aviation. Skyline would then request an approval from the Commission to sublease to Phoenix Aviation.

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Action Item 5-3: Owyhee Air Concept Plan: Request Lot Reservation - Tom Swoyer, CEO of Owyhee Air, introduced himself to the Commission and presented the lot reservation request to the Commission. Owyhee Air is a Part 135 Air Carrier, they focus on wildlife survey and wildfire mapping. Owyhee Air (OA) would like to reserve lot to begin developing a new hangar for their existing operation to relocate to. Currently they lease from John Romero, the former owner of OA, and have been located at Nampa for the last 12 years. Owyhee Air is growing and expanding, they need a bigger facility. The proposed site is lot 2130. The new facility would have 4,500 square feet of office space and 27,500 square feet of hangar space to house three P68's, two Cessna 206's and 2 King Air 200's.

MOVED by Bear and seconded by Thiel to grant Owyhee Air 90-day reservation for lot 2130.

Commissioner M. Miller asked all in favor to say aye with all Commissioners present voting **AYE**

MOTION CARRIED

DPWD Barnes advised Mr. Swoyer a plan is being worked on for parking and symmetry for business on Municipal Drive. Rick Bugatsch, RBA Architects, noted he is working on the project with Owyhee Air and aware of the upcoming design requirements.

Action Item 5-4: Request from Supermall, LLC: Has received an offer to purchase the hangar improvements on Lot #2398 from RIVCO Properties, LLC: Agreement to Waive First Right of Refusal and Terminate Lease with Supermall, LLC; New Standard Land Lease and Memorandum of Lease with RIVCO Properties, LLC – The Airport Administrative Coordinator presented the hangar sale to the Commission.

MOVED by Bear and seconded by Thiel to recommend to City Council they authorize the Mayor to sign the agreement to Waive First Right of Refusal and Terminate Lease with Supermall, LLC, and sign the Standard Land Lease and Memorandum of Lease with RIVCO Properties, LLC for Lot 2398.

Commissioner M. Miller asked all in favor to say aye with all Commissioners present voting **AYE**

MOTION CARRIED

Action Item 5-5: Andrew George: Fuel Island Concept Plan - Andrew George addressed the Commission. The proposed east fuel island concept design ties into the Airport business and economic development plan. Mr. George presented a short PowerPoint to the Commission. Mr. George has partners in this concept they will be operating under Fuel United Nampa, LLC (FUN)

The 2020 Master Plan identifies a fuel island at the south end of C6 where it intersects with the parallel taxiway. Current fuel services are located at the terminal building providing 100LL and MoGas and another facility on the west side providing 100LL and Jet A. The Master Plan shows potentially relocating the facility currently located at the terminal building. The relocation could be anticipated to occur when a new Terminal facility is constructed. He and his partners are looking at the development of the east side and see a fuel island improvement as proactive to the growth on the Airport.

Mr. George reviewed the concept design for the location which would not require the relocation of the pump station, will work with the natural topography and will not challenge the taxiway connections. The

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design of the fuel location would flow clockwise allowing for movement of multiple aircraft. The concept also includes a wash rack. The island would initially offer 100LL. Jet A and Mogas could be provided in the future based on demand.

Mr. George related the proposed enhancement would offer the Nampa Airport and aviation community the following: Amenities to help insure longevity in diverse economic times; Attract local pilots and public to utilize the airport systems; Every visit to the airport can be an economic boost to the community via – fuel, restaurants, museums, local access for travelers bringing revenue to the off-site community; Pride of governance in the township for enhancing the quality of life for the local community.

Fuel United Nampa, LLC (FUN) is requesting an agreement for 180 days to study the specific potential impacts, requirements, and scalable equipment for growth. They would like the agreement to include a first right of refusal for site for the 180 days. FUN also requests the Commission agree that the fuel and plane wash infrastructure cost is burdened to the developer. To mitigate this burden, they request consideration of a deferred lease for ground and the wash-rack water would be supplied by the city.

The Commission asked if the facility will also include a restroom. Mr. George indicated it currently does not but warrants investigation.

Joe Borton, City Attorney, inquired if FUN would be sharing their written findings with the Commission within the six-month reservation. Mr. George indicated they will do their due diligence to ensure a complete report is presented to the Commission within time allotted. He also indicated in 180 days either they will be prepared to move forward with development or stop pursuing the proposal.

DPWD Barnes confirmed this request would not automatically lock in a lease. Mr. George indicated the request is just to reserve the land and the right to develop an east fuel island for the next 180 days.

MOVED by Thiel to grant a 180-day reservation.
MOTION DIED FOR LACK OF A SECOND.

Mr. George envisions a public/private partnership to create a system for use by the public. He does not see the current lease rate as sustainable for a project like this and would like some consideration there. The LLC will be looking at funding options for development of a project like this.

The Commission asked Mr. George who his partners are. He indicated he cannot disclose that information at this time until their agreements are finalized.

Chairwoman A. Miller indicated she feels this concept proposal would benefit by reviewing it with the EPG group. She also wants to confirm for a project like this the Airport does not need an RFP to solicit proposals from more than a single entity.

DPWD Barnes advised the EPG is tasked with finding the best use of land for development and this proposal could go before the EPG for a recommendation to the Commission.

The Commission discussed having the EPG review this proposal and make recommendation to the Commission. The Commission would like the EPG review to be complete before the next Commission

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meeting on October 11. The Commission will then review the recommendation and decide at the October meeting. Mr. George indicated he would be okay with the one-month delay.

The Commission TABLED the Fuel Island Concept Plan with the assurance to take action at the next meeting.

Action Item 5-6: FY 22 Land Lease and Rental Rate CPI Adjustment – The Airport Administrative Coordinator presented the FY 22 1.7% CPI increase to the Commission.

Commissioner M. Miller feels with the current hangar wait list the city rentals should be increased to fair market value. He is okay with the proposed rate increase to land leases.

The Commission discussed increasing city hangar rental rates significantly. They identified an increase over 5% will require a public hearing. They discussed an increase up to 5%. The Commission indicated they would like to investigate increasing city hangars to fair market value. They inquired if they increase the rate on city hangars as proposed now, can they increase the rate again in the next 12 months. Joe Borton, City Attorney, indicated the city rentals are month to month. The agreement does not limit increases to once per year.

The Commission indicated they would like to pursue additional increases to the city rentals.

MOVED by A. Miller to recommend to City Council they approve the FY 22 1.7% Rate Increase to Airport land leases and rentals.

AMENDED by Bear and seconded by Thiel to recommend City Council approve the rate increase as shown in the resolution.

Commissioner M. Miller asked all in favor to say aye with all Commissioners present voting **AYE**
MOTION CARRIED

MOVED by Beverly and seconded by Bear to **adjourn** the meeting.

Commissioner M. Miller asked all in favor to say aye with all Commissioners present voting **AYE**.
MOTION CARRIED

Commissioner M. Miller adjourned the meeting at 7:02 PM

Passed this 11th day of October 2021

AIRPORT SUPERINTENDENT, SECRETARY

AIRPORT COMMISSION CHAIRWOMAN