

Lewiston- Nez Perce County Regional Airport Authority
Regular Meeting Minutes

Airport Authority Conference Room—406 Burrell Ave
Lewiston, ID 83501

Tuesday, January 16, 2018 – 5:00 pm

I. CALL TO ORDER

Chairman McCormick called the meeting to order at 5:00 p.m. Board members present included Commissioners Pat Nuxoll, Bill McCann, Jr., Jim Finley, Verl Long and Emmett McCormick.

Commissioner Verl Long moved to amend the agenda to include a discussion of the Authority Legal Counsel. The motion was seconded by Commissioner Finley, reminding Board members that Ted Creason of Creason Moore, & Dokken had originally been selected by the Board to represent the Authority. Commissioner Long suggested executing a contract with Creason, More, & Dokken so that all Commissioners were represented equally. The motion failed, with Commissioners Long and Finley voting aye; Commissioners McCormick, Nuxoll, and McCann voted nay.

Commissioner Verl Long moved to amend the agenda to suspend all board actions associated with legal opinions until questions related to legal counsel have been resolved. The motion was seconded by Commissioner Finley, adding that the previous meetings were in his opinion, a violation of the Idaho Open Meeting law. Commissioner McCann provided background information on the Board's original consensus to ask Mr. Tom Callery to represent the Authority after the death of Mr. Ted Creason. The motion failed, with Commissioners Long and Finley voting aye; Commissioners McCormick, Nuxoll, and McCann voted nay.

Commissioner Finley moved to amend the agenda to allow him to ask questions of Attorney Tom Callery. The motion was seconded by Commissioner Long, and it passed with Commissioners Long, Finley and Nuxoll voting aye, Commissioners McCann and McCormick voting nay. Chairman McCormick asked that the agenda reflect the amendment by adding item F under New Business.

Commissioner Finley moved to amend the amended agenda to place item F at the top of the agenda after Citizen Comments. Commissioner Long seconded the motion, and it passed with Commissioners Long, Finley, Nuxoll, and McCormick voting aye, Commissioner McCann voting nay.

Commissioner Finley moved to amend the agenda, allowing him to address the Board after his questioning of Attorney Callery. Commissioner Long seconded the

motion, and it failed with Commissioners Long and Finley voting aye, Commissioners Nuxoll, McCann and McCormick voting nay.

Airport Manager Stephanie Morgan asked the Board to amend the agenda, adding item X A, a resolution approving an addendum to the Lohman Helicopter, LLC lease. Commissioner McCann moved to add item XA. Commissioner Nuxoll seconded the motion, and it passed unanimously.

II. CITIZEN COMMENTS

Chairman McCormick asked if there were anyone present who would like to address the board about items on or off the agenda.

City Councilor Ged Randall introduced the new City Manager.

DeAnn Scrabeck read a statement complimenting Commissioner Finley and suggesting that all associated with the Airport need to work more cooperatively.

Rich Rogers addressed the Board, suggesting that the "arguing" needs to stop in favor of working in a positive direction.

Gary Peters addressed the Board, stating he agreed with DeAnn Scrabeck, adding that the airport needs to be run like a business.

Gale Wilson suggested the Board members consider resigning.

Brad Schumacher expressed concern about the Board's motives.

Jim Pope claimed he'd been trying to move his business to the airport for years.

A representative of Seekins Precision Machinery explained that the Board's actions affect his business. He emphasized the importance of improving airline service.

Gary Peters addressed the Board again, stating he agrees with the representative from Seekins.

III. COMMISSIONER FINLEY QUESTIONS TO ATTORNEY

Commissioner Finley asked Attorney Callery if he works for the Authority Board or the Airport Manager. Mr. Callery explained that he works for the Airport Authority, not the individuals or officers. Commissioner Nuxoll stated that the Authority had been working steadily with Attorney Callery for several years and he considers Callery to be the Authority's attorney of record. Commissioner McCann explained that attorneys for organizations such as the Authority represent the organization,

not the individuals and in that regard, the present arrangement is no different than that associated with the County Prosecutor's office and the County Board.

IV. MINUTES

Commissioner McCann moved to approve the Regular Meeting Minutes of December 14, 2017. The motion was seconded by Commissioner Long, and it passed unanimously.

Commissioner McCann moved to approve the Special Session Meeting Minutes of January 3, 2018. Commissioner Long seconded the motion. Commissioner Finley objected, reminding the Board that he'd asked Commissioner Long to serve as recording secretary, not Mr. Turner. After a short discussion establishing the minutes presented for approval as those recorded by Commissioner Long, Chairman McCormick called for a vote. The meeting minutes of January 3, 2018 were approved with Commissioners McCormick, Nuxoll, Long, and McCann voting aye, Commissioner Finley voting nay.

V. FINANCE

A. Approving Vendor Payments

Board Treasurer Pat Nuxoll summarized the month's vendor payments, noting those that were unusual or larger than normal. He moved to approve vendor payments. Commissioner McCann seconded the motion, and it passed unanimously.

B. Financial Report Review

Board Treasurer Nuxoll distributed copies of the financial report, then gave a verbal summary. Accounts receivable are in good shape. He summarized recent operating expenses, then noted car rental and real property lease revenue up. Commissioner Long moved to approve the financial report; Commissioner McCann seconded the motion and it passed unanimously.

VI. OLD BUSINESS

A. AIRPORT FEE POLICY

Chairman McCormick asked for the staff report. Airport Manager Morgan reminded Commissioners of their desire to annually each Board policy document to make sure it reflects the current views of the Board. She also reminded Commissioners of her interest in hearing their thoughts. Noting that the fee policy will have a direct impact on the budget which drives the level of service then provided, she encouraged the Board to give her feedback. Chairman

McCormick suggested she present a new draft for Board review at the next meeting.

VII. NEW BUSINESS

A. RESOLUTION 2018-2, Leone & Keeble, Inc., Lease Termination

Chairman McCormick asked for the staff report. Airport Manager Morgan reminded the Board of the short term lease they'd recently approved with Leone & Keeble, the contractor working for Lewiston Orthopedics Associates, LLC (LOA). Since that time, LOA has requested a long-term lease on the entire parcel. For the same reason, Leone & Keeble have requested friendly termination of their lease with the Authority. Commissioner McCann moved to approve resolution 2018-2, terminating the lease with Leone & Keeble. Commissioner Long seconded the motion, and it passed unanimously.

B. RESOLUTION 2018-1, Lewiston Orthopedics Association, LLC Lease

Airport Manager Morgan summarized the lease with Lewiston Orthopedics Association, the terms and conditions, and its positive economic impact. Cindy Keane of LOA addressed the board, explaining the need for the land and the LOA project associated with the lease. Commissioner Long moved to approve Resolution 2018-1, approving a lease with LOA. Commissioner Nuxoll seconded the motion, and it passed unanimously.

C. RESOLUTION 2018-3, Mike and Janet Martin Lease Extension

Chairman McCormick asked for the staff report. Airport Manager Morgan explained that Mike and Janet Martin have a lease with the Authority. The lease will be expiring. It authorizes a ten year extension upon written notice. The Martins have provided that notice expressing their desire to exercise their option. Commissioner McCann moved to approve Resolution 2018-3, extending the Martin lease. Commissioner Nuxoll seconded the motion, and it passed unanimously.

D. RESOLUTION 2018-4, CARMINE PETRACCA

Chairman McCormick asked Airport Manager Morgan to provide some background information on the resolution. She explained that the circumstances were identical to the Mike and Janet Martin lease action. The Resolution under consideration approves the lessee's request to exercise his option. Commissioner Nuxoll moved to approve Resolution 2018-4, extending the Petracca lease. Commissioner McCann seconded the motion, and it passed unanimously.

E. RESOLUTION 2018-5, T-O ENGINEERS WORK ORDER 17-02

Airport Manager Morgan explained that the work order under consideration establishes a Scope of Work and tentative fee schedule for T-O engineers for the engineering and construction management associated with the FAA funded Runway 12-30 reconstruction project. The resolution approves the work subject to approval from the FAA. Commissioner Long moved to approve Resolution 2018-5. Commissioner McCann seconded the motion, and it passed unanimously.

VIII. ELECTION

Chairman McCormick opened the floor to nominations for the office of Chairman in accordance with the Authority's By-Laws, Article III, Paragraph C. Commissioner McCann nominated Commissioner McCormick. There were no other nominations, so Commissioner McCann moved to select Commissioner McCormick by unanimous ballot. Commissioner Finley announced his protest of the January 3rd meeting under the Idaho Open Meeting Law. Commissioner Long stated he does not believe the actions taken in the January 3rd meeting complied with Roberts Rules of Order and the Board By-laws. Chairman McCormick called for a vote on the nomination, and he was elected Chairman with Commissioners McCann, Nuxoll, and McCormick voting aye, Commissioners Finley and Long voting nay.

Chairman McCormick opened the floor to nominations for the office of Vice Chair in accordance with the Authority's By-Laws, Article III, Paragraph C. Commissioner McCormick nominated Commissioner McCann. Commissioner Nuxoll seconded the nomination, and it passed with Commissioners McCann, Nuxoll, and McCormick voting aye, Commissioners Finley and Long voting nay.

IX. RECURRING BUSINESS

A. AIRPORT MANAGER'S REPORT

Airport Manager Morgan briefed the board on the status of projects and programs. She pointed out a trial run of a new report she intends to be a regular, recurring report on the status of projects and programs. The contents will change from time-to-time as projects are completed. Some will drop off the report, while others will be added. Commissioners are welcome to suggest items to be added. The report will not only provide Commissioners the current status of programs, but provide a historical file of accomplishments as well.

The airport manager then provided a power point briefing on the air service development program. Statistics and current status were covered. Additional updates will be provided in the future.

Ms. Morgan then reviewed the monthly activities report and briefed the board on the latest FAA inspection. Eight months prior, the airport's status was unclear, with a history of repeat violations, incidents, and problems. With the exception of the fire department's training program, the inspector provided a clean report. Giving huge credit to staff, Airport Manager Morgan told the Board they should be proud of the progress the airport has made.

B. COMMISSIONER COMMENTS

Commissioner Nuxoll asked about the status of the airline, City, and Gustin Leases. Airport Manager Morgan responded that she would be getting in touch with the new City Manager within a couple weeks to close out action on the City leases. She's gathering market information from other airports to begin negotiations on the airline contracts, and she's been in touch with the Gustins to find a solution to the contradiction between Board policy and Board requests. Commissioner McCann stated his belief that the Board will deal appropriately with the conflict if presented a lease with an appropriate "hold-harmless clause."

X. EXECUTIVE SESSION

Chairman McCann moved to retire to executive session in accordance with Idaho Code Section 74-206(1)(f), "To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated." Commissioner Nuxoll seconded the motion, and it passed unanimously.

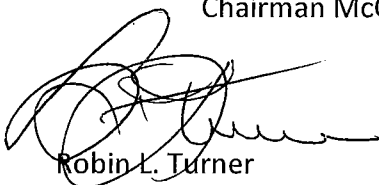
XI. RETURN TO PUBLIC SESSION

The Board returned to regular session at 8:05 pm. Commissioner McCann moved to approve the negotiated Lohman Helicopter Lease amendment points for incorporation into their lease. The motion was seconded by Commissioner Nuxoll, and it passed unanimously.

Commissioner Nuxoll submitted a letter of resignation to Chairman McCormick.

XII. ADJOURNMENT

Chairman McCormick adjourned the meeting at 8:20 pm.



Robin L. Turner
Recording Secretary