

Lewiston- Nez Perce County Regional Airport Authority
MINUTES - Special Meeting 10/30/2020
Conference Room
3632 Stearman Street
Lewiston ID 83501



Board Members: Gary Peters, Manderson Miles, Chris Hayes, Katherine Seekins

- A. **CALL TO ORDER** – Chairman Peters called meeting to order at 11:00am
- B. **PLEDGE OF ALLEGIANCE** – Chairman Peters led the pledge
- C. **ROLL CALL** – all board members are present; Hayes remotely; Dave Mitchell remotely; Atty O’Sullivan present; Architect Tim Lynch; 4 community members.
- D. **OLD BUSINESS**
- **DISCUSSION ITEM:** Review of CIP for FY21-FY26 – Dave Mitchell shared that he spoke to Gary Gates. No problem pushing back maintenance to a later date. He suggested we set that project in 1 year when we have discretionary money available. It is now moved to 2024, in conjunction with the taxiway D project. The south taxi lane is still in 2022. Pavement Program should not be difficult since the full effort was completed not long ago. Discussion about the south taxilane being done by AIP vs. local funding. 2021 might be covered at 100% for AIP project. Seekins asked what the cons would be in using AIP funds for this project. Mitchell shared that it tends to be more expensive, because having to meet FAA regulations. The biggest difference is paying basically equal to union wages in a non-union state (about 20% higher). The design cost is more expensive because of the specifications are higher. If the project is completed in local funds, the maintenance will have to be done with local funds as well. Hayes said that all taxilanes have been completed with local funds. Hayes said that he feels that the terminal study is more important to use AIP funding. Mitchell communicated he is not advocating for anything specific, but wanted to share his input on what he recognizes as priorities for the next 5 years. The west apron is in need of major repair (extra plane parking). Peters asked when the board needs to vote on the projects. Mitchell said the FAA would like the ACIP back by November 16. Peters said we will need one more work session before the next board meeting to work through this. Hayes asked what in past 139 audits are still needing to be completed. Isaacs shared that more equipment is needed (snowblower and moving Delta). Hayes requested that a new list is created showing items and cost for the next meeting.
 - **DISCUSSION ITEM:** Review of Director’s Evaluation Process and Form – Seekins created the new evaluation including information from one that Peters offered. The goal is to get this distributed to all board members and

have Isaacs do a self-evaluation before November's meeting, so that it can be discussed in an executive session. Hayes said he likes all that the document covers. Peters said it was well done.

- DISCUSSION ITEM: Purchasing Policy & Procedures – Atty O’Sullivan shared the input that was offered. Hayes said he would feel comfortable with director being responsible for all of M&O that has been approved. If it’s been budgeted in operations, then it’s okay to accomplish without board approval on each specific items. Capital purchases need approval at above \$5,000. If it’s \$50,000 it will still need approval from the board. Atty O’Sullivan suggested the board go through the comments.
 - i. Conflict of Interest – 4.b.3 – should be directed to legal counsel and not director
 - ii. 9. Small, minority, or disadvantaged business preference –
 - iii. Credit cards DO NOT fall within this document; a separate policy would declare who, and at what \$ amount, would have (credit card summary created by Atty for next meeting)
 - iv. Time & Material – Atty shared that it would be included in revised language for this policy. Concern is different levels might not cover the actual projects. How to get a good estimate on what the full project is at the time of bidding. Then maybe do the competitive bidding formal process, no one would be able to come back if the project goes over different dollar amounts. Follow formal bid process and leave time and material out. Follow process and procurement laws.
 - v. Address how bids are stored and kept – addressed by statute. Records retention policy? It was suggested we ask Bret for his ideas on how to save everything electronically. He may have a records retention policy.
 - vi. Language to review bids prior to making decisions – 24 hours of time
 - vii. Interview language – nothing added
 - viii. Remove reference for PO as they are not used
 - ix. Public Works – add “An independent cost estimate must be performed before receiving bids or proposals.”

- DISCUSSION ITEM: Rates & Fee Policy –
 - i. Collection of airport fees by FBO – Isaacs hasn’t experienced this at other airports, it’s new territory for him at LWS. The way LWS does this shows no “checks and balances” on the FBO. Hayes asked if it is in the lease agreement. Seekins asked if we could do a daily audit. Require tail number and date. May need another policy. Hayes asked about transient. 15% stays with the FBO. Do we have a mechanism to demand FBOs to manage this process?
 - ii. Overnight is \$25 currently; should this be more?
 - iii. Charging the hotels and taxi services does not have an enforcement mechanism.
 - iv. A. Aircraft Parking – Transient Parking – include a map in this document. Atty O’Sullivan asked what is meant by locally based.

- v. B. Terminal Building Rent 3. Rental Fees – board needs to approve rent reductions.
 - vi. Insurance – Modify to say upon approval of lease provided within 10 days and thereafter annually.
 - vii. Fueling – inconsistencies with fuel reporting. Instead use the bill of lading report to declare 7 cents per gallon charge fees. This takes the guessing out. Peters to reach out to other similar airports to see how it's being handled and charged. If the fuel was delivered to your tank, you're paying 7 cents per gallon.
 - viii. Rates and Fees Policy be used for terminal rent? Atty said it has to be established by market value, per lease.
 - ix. CPI – page 4. Take average annual rate to create the CPI as they renew.
- DISCUSSION ITEM: Minimum Standards Policy – Martin Insurance offered input and we will include in the current policy.
 - ACTION ITEM: Grading Project Change Order – Hayes made motion for change order for Albright and Sons and Hayes seconded motion. Seekins requested a budget be kept showing expenses for Southside moving forward. Motion passed unanimously.
 - ACTION ITEM: Resolution 2020-39 Adopting Monthly Meeting Time Change to 3:30pm – Motion made by Miles and seconded by Seekins. Peters said that both city and county liaisons can make this time work. Peters called for vote for 3:30 time; motion fails. New motion, adopting monthly meeting time change of 3pm, made by Seekins and seconded by Miles. Motion passed unanimously.
 - ACTION ITEM: Review Approval of Settlement Agreement with Stout Aviation Services – Atty O'Sullivan offered background to how this settlement was created. It is necessary for full board review and vote to agree to settlement. LWS's mediation team included O'Sullivan, Miles, Isaacs and Stout team included Atty Chapman and Ralph and Paula Stout. Retired Judge Richard White served as mediator. The tentative agreement was agreed upon last night after 6pm. The Authority will extend termination date for 120 days from effective date of the fully executed agreement in order to allow Stout's to sell their business. They have found an interested party and they are working diligently to get the business sold within the next 120 days. O'Sullivan made it clear there will be no extension offered. Stout's have agreed to cease operation and vacate prior to this grace period. Prior to the completion of the sale, the purchaser will submit a list of what they are purchasing as well as proof of insurance required (under lease and airport's rules and regulations, including Minimum Standards). The airport will honor the (2) 5 year renewal extending the lease until June 30, 2030 for the new owner, if all is completed prior to the 4 months. Stout's will no longer be involved in the business. This does not stop Stout from being an employee or being a pilot for a business on the airport. If they violate this, Stout's will pay \$500 per violation. There will

be a 90 day assist during transitions. Stout's must still comply with all of the airport's rules while they are still in business. Stout's have agreed to pay past fuel charges of \$2,365.37, paid from proceeds of sale. The benefit of this is that it is much less expensive for all parties to not go to court. The mediator, Judge White, will be the arbitrator for any future disputes which is a streamlined process to avoid any additional costs. No one has declared they are at fault. Hayes made motion to accept this agreement; Miles seconded the motion. No discussion. Motion passed unanimously.

NEW BUSINESS

E. ACTION ITEM: Award Terminal Remodel Project – 4 bidders submitted by 2pm yesterday.

- i. CRC Design Systems (out of Star, Idaho) – Mike's Mechanical, RD for electrical, and Boss for plumbing - \$232,000 – formed in 2017.**
- ii. Mangum Construction - \$271,000**
- iii. Kenaston Corp - \$288,700**
- iv. Quality Construction - \$263,410**

Pre-bid inspection with 5 interested parties.

Motion – Seekins made motion to award CRC Design Build Systems the terminal second floor remodel, seconded by Miles.

Hayes asked if there is a specified timeline. Isaacs said they will start upstairs and will not move downstairs until after holidays. The CRC Design Systems will begin within 5 days of receiving their confirmation. Motion passed unanimously.

F. CITIZEN COMMENTS

- Councilman Bradbury – 6 individuals were interviewed for the Airport board. Four councilmen showed up for interviews and therefore there was a quorum. Because of the quorum, there is an open meeting violation. They will re-interview the candidates as soon as possible, and hope to have the new board member ready to vote in at the next city meeting.
- Mayor Collins – Last day is December 11, 2020 to get receipts in for this calendar year to city.
- Doug Black – Would like more runway added to discussions for the future. Larger aircrafts would benefit. It will help the taxiway issues.

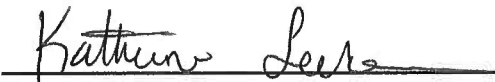
G. COMMISSIONER COMMENTS

- Hayes – Thank you to the board and public for the support. It is necessary to have this many meetings.
- Seekins – Collins is correct; it is the 11th of December when all receipts are due to the city.
- Miles – No Comment
- Peters – Offered update on Southside project. Water line chlorination tests underway, culverts are installed and it is paved. Redline can get their occupancy today from the city. Power and utilities are next to go into the Southside. Then, the board can sit back and design next steps.

Thanks to Atty O'Sullivan, Atty Chapman and Stouts for helping come to agreement. No one wants to go into litigation, so this is good.

- H. **EXECUTIVE SESSION** - Chairman Peters asked for each board members' vote to enter executive session; all board members voted nay against having an executive session.

- I. **ADJOURNMENT** – Chairman Peters adjourned the meeting at 1:38pm



Attest:

**Katherine Seekins
Board Secretary**

