

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
Airport Advisory Board (AAB) Meeting

November 14, 2024

5:00 p.m. – Special Meeting

DRAFT MINUTES

-Time and Order of Items are approximate and may be changed as Time Permits-

- I. Call To Order/Roll Call (Chairman Talley)
Chairperson Talley called the meeting to order at 5:03 pm. He welcomed everyone and recognized Jeff Mabbutt as a new member of the AAB, replacing Board Member Tomanelli, who moved.

Airport Advisory Board Present:

Chairperson Jason Talley
Vice Chairperson Bill Tew
Bart Mounteer
Jay Henry
Jeff Peterson
Nadium AbuHaidar
Jeff Mabbutt
Alternate / City Council Member D. Scott Phillips (remotely)
Alternate / City Council Member Sid Ostergaard

Staff Present:

City Manager, Matt Brower
Airport Manager, Travis Biggs
City Recorder, Trina Cooke
Airport Administrative Assistant, Wendy Anderson
Finance Manager, Sara Nagel
City Attorney, Jeremy Cook

Also Present: Airport Consultant Ryan Leick, Oliver Talley, Bill Wehrs, and others who did not sign in or whose handwriting was illegible.

Attending Remotely: City Council Member Scott Phillips, Airport Attorney Steven Osit, IT Director Anthon Beales, and Cody Orvis.

- II. Pledge of Allegiance (Bart Mounteer)
Airport Advisory Board Member Bart Mounteer led the recitation of the Pledge of Allegiance.
- III. Approval of Minutes

1. Approve the August 7, 2024, Meeting Minutes. (Robin Raines-Bond)
MOTION: Board Member Peterson motioned to approve the minutes as written. Vice Chairperson Tew seconded the motion. **Yes:** Chairperson Talley, Vice Chairperson Tew, Board Member Mounter and Henry. **No:** None. **Abstained:** Board Members Jeff Mabbutt, Nadium AbuHaidar, and Jeff Peterson. **Motion passed**

IV. Public Comments: (Please limit comments to three (3) minutes per person.)
No one from the public came forward to comment.

V. General Business

1. Rates and Charges Policy (Ryan Leicke, Aeroplex Group Partners, Travis Biggs, Airport Director)

Overview: The Heber Valley Airport Advisory Board (AAB) meeting primarily focused on reviewing and recommending fee schedules for airport operations, including landing fees, fuel flowage fees, and commercial aeronautical permit fees. Discussions addressed discrepancies between Staff recommendations, consultant studies, and AAB suggestions.

Key Points:

1. **Fee Recommendations and Discussions:**

Legal Counsel: Mr. Osit, Airport Legal Counsel clarified that an ACIP stood for Airport Capital Improvement Plan, and explained that the FAA (Federal Aviation Administration) mostly funded it. The Heber City Airport would generate the remaining expenses. The ACIP was a fifteen to twenty-year plan.

Mr. Osit clarified that the FBO's (Fixed Base Operator) legal counsel was working on defining the phrase "regional trends" and the City had decided to wait to increase fuel flowage fees until that term was defined. City Attorney, Jeremy Cook concurred.

Consultant Presentation: Ryan Leicke provided an overview of fee recommendations based on financial studies for airport sustainability. He said to include the rates and fees for firefighters and other emergency entities that use the airport.

Board Concerns: Clarifications were requested on registration fees, revenue projections, fuel flowage fees, and the rationale behind proposed rates. Questions about the possibility of a special district for the airport boundaries were addressed.

Staff's Stance: City Manager Matt Brower clarified there were three differences between the recommendations approved by the Airport Advisory Board versus the recommendations forwarded to the City Council from Staff. The landing fees, fuel flowage fees, and the commercial aeronautic fees. The Staff recommendation was based upon the studies performed by the consultant in order for the airport to maintain financial soundness. City Manager Matt Brower emphasized the importance of aligning fees with consultant studies.

2. Initial Motion and Debate:

Motion by Board Member Bill Tew: Recommended the proposed fee schedule with an exemption for the Fixed Base Operator (FBO) from commercial aeronautical permit fees.

Clarifications: Airport Counsel Steve Osit explained that FBOs operate under independent agreements, making such exemptions common but potentially inconsistent with broader fee policies.

Amended Motion: Tew removed the FBO exemption, and the motion passed narrowly (3-2).

Motion: Board Member Bill Tew moved to recommend the proposed fee schedule as depicted in the Fee Schedule Comparison slide shown in the presentation. **Second:** Board Member Henry's second stood. **Vote: Voting Yes:** Board Members Bill Tew, Jay Henry, Jeff Peterson, and Bart Munteer. **Voting No:** Board Members Jeff Mabbutt and Nadim Abuhaidar. The **Motion Passed 3-2**

3. Landing Fees for Small Aircraft:

Legal Concerns: Staff and legal counsel advised against exempting aircraft under 3,500 pounds from landing fees, citing FAA case law and concerns about unjust discrimination.

Revised Motion: Tew moved to reconsider and remove the exemption for small aircraft. This motion passed unanimously (5-0).

Motion: Board Member Tew moved to reconsider the previously passed recommendation and remove the exemption of landing fees for aircraft under 3,500 pounds. **Second:** Board Member Henry made the second. **Yes:** Board Members Bill Tew, Jay Henry, Jeff Peterson, Bart Munteer, Jeff Mabbutt, and Nadim Aduhaidar. **No:** None **Motion Passed.**

4. Council Recommendations:

The AAB's final recommendations included the revised fee structure without exemptions for small aircraft or FBO-specific fees.

The proposed fee schedule will be presented to the City Council on December 3, 2024.

Decisions:

- Adopted a fee structure based on consultant studies, ensuring compliance with legal and FAA standards.
- Clarified roles and fee responsibilities between FBOs and SASOs (Specialized Aviation Services Operator).
- Ensured equitable cost distribution for airport maintenance through revised landing

fee policies.

VI. Adjournment

Motion: Board Member Peterson made the motion to adjourn. **Second:** Board Member Henry made the second. The meeting adjourned at 7:00 p.m.

I, Robin Raines-Bond, Deputy Recorder of Heber City, hereby certify that the foregoing minutes represent an accurate record of the meeting held on November 14, 2024. This document constitutes the official minutes of the Airport Advisory Board Meeting.

SEAL

January 8, 2025

Robin Raines-Bond,
Deputy Recorder

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