



Tuolumne County Airports

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TUOLUMNE COUNTY AIRPORTS ADVISORY COMMITTEE MEETING

March 14, 2016

6:00 PM

Columbia Elementary School Cafeteria
22540 Parrotts Ferry Road, Columbia

The cafeteria at Columbia Elementary is located in the main building at the north end of the parking lot.

- I. WELCOME AND CALL TO ORDER
- II. ROLL CALL
- III. PUBLIC FORUM (Forum for members of the public to be heard on issues not on the agenda. No action can be taken on items raised during the Public Forum. Each public comment shall be 5 minutes or less.)
- IV. Consideration of approving the minutes from the November 9, 2015 meeting
- V. Consideration of amendments to the Hangar and Waiting List Policy and recommendation to send amendments to Board of Supervisors for approval
- VI. Discussion of additional procedural language proposed to be added to the Hangar and Waiting List Policy pertaining to repeat violations.
- VII. Staff Reports
- VIII. SET NEXT MEETING DATE AND ADJOURNMENT

In accordance with the Americans with Disabilities Act, if you need special assistance (i.e. auxiliary aids or services) in order to participate in this public meeting, please contact the Airport Office, (209-533-5685). Notification 48 hours prior to the start of the meeting will enable the Airport Office to make reasonable accommodations to ensure accessibility to this public meeting.

TUOLUMNE COUNTY
AIRPORTS COMMITTEE MEETING
Groveland Community Hall

MINUTES
November 9, 2015

I. WELCOME AND CALL TO ORDER

Meeting was called to order by Chairman Stenger at 6:05 pm.

II. ROLL CALL

John Gray – present
Ed Gregory – present
Steve Martin – present
Karl Rodefer – absent
Jim Stenger – present
Greg Thompson – present

County Staff present includes, Benedict Stuth, Airport Manager, Chris Schmidt, Deputy County Counsel and Kalah Beckman, Office Technician.

III. PUBLIC FORUM

Mike Gustafson wants to thank Mr. Gray and Mr. Stuth for the crack sealing that was done at Pine Mountain Lake Airport. Janet Gregory wants to thank Mr. Stuth for supporting the Young Eagle event at Pine Mountain Lake Airport. She would also like to request more road base to improve the parking lot at Pine Mountain Lake Airport. Silvano Gai asks Mr. Stuth for an update on the through-the-fence issue at Pine Mountain Lake Airport. Mr. Stenger suggests that the Staff Report be moved up on the agenda so Mr. Stuth can respond to the issues just presented.

IV. STAFF REPORT

Mr. Stuth reports that the County has discussed the ACIP with the FAA and that a draft ACIP was submitted. The only change that was made was an adjustment to increase the cost of the project for rehabilitating Taxiway B and C because the engineer's estimate increased. The estimate has been increased from 1.1 million dollars to 1.4 million dollars. The FAA has accepted this increase and has said they will see what they can do to get the extra funding for the project. Once the final draft of the ACIP is submitted to the FAA it will be brought before the Board of Supervisors for approval. The ACIP has not changed in form since originally presented to the Airport Advisory Committee in 2014 but the dates of the projects have been moved up.

Mr. Stuth reports that the Airports Department has been coordinating with the CRA Roads Department and has taken on approximately 2000 tons of grindings from the Parrotts Ferry Road rehabilitation project in Columbia. Mr. Stuth says that some of these grindings will be used to improve the parking lot at Pine Mountain Lake Airport.

Mr. Stuth reports that planning for the Father's Day Fly-In has begun. There are new people on the planning committee this year and there is a lot of excitement for the 50th anniversary of the event.

Mr. Stuth reports that the crack sealing has been going on at Pine Mountain Lake Airport. The bids for the project came in lower than expected and the money leftover will be used to purchase crack sealing equipment for the Airports Department to reduce the cost of asphalt maintenance in the future. Columbia Airport is going to look into purchasing equipment to perform seal coating on the asphalts at both airports.

Mr. Stuth reports that the County has been working with the FAA on the through-the-fence issue. The County has come up with an agreement based on agreements from other airports that have been accepted by the FAA. The next step is review and approval from County Counsel. Once County Counsel approves the agreement it can be brought back to the residents of Pine Mountain Lake for review and then sent on to the FAA for approval. Silvano Gai asks Mr. Stuth to summarize the implications of the access agreement for the Pine Mountain Lake residents. Mr. Stuth says that he thinks the area of greatest concern is the access fees that would be tied to the access agreement. He says that we need to figure out an appropriate access fee. One option could be to establish an access fee that would be equivalent to that of a tie-down but that fee would be subject to an annual CPI increase. Another option would be a fee based on flights and actual usage of the airport. This fee would be higher but would not be subject to an annual CPI increase. Mr. Stuth says that another area of concern is how to get the access agreement implemented. He says one option is to get it passed by vote which would mean setting up a Pine Mountain Lake Airport District where all the residents within that district would become voting members. If the agreement was passed by vote then either all the members within the district could sign the agreement or the Board of Supervisors could pass an ordinance assigning the access agreement and access fee to the special district. Michael Thoben asks what the timing for all of this is. Mr. Stuth replies that it will probably take a month to get a reviewed and approved agreement back from County Counsel. He says that once the Pine Mountain Lake users have reviewed and approved the agreement it will take anywhere from sixty (60) to ninety (90) days to hear back from the FAA. If the FAA approves the agreement the next step would be to establish the special district and once the special district is established the vote could be held the very next day. There is no requirement to wait for an election year for a special district. Silvano Gai asks if the access agreement will change the deeds of property owners. Mr. Stuth replies that it will not change the deeds but it will be in addition to the deed. It will be

attached to the individual parcels within the special district. Michael Thoben asks if the County is requiring a deed change. Mr. Stuth replies that the County is not requiring one right now. He says that the FAA is not requiring a deed change. The FAA is only requiring that the access agreements be signed by the property owners or for the governing agencies to somehow pass the access agreement. Silvano Gai asks if the vote would be a simple majority vote. Mr. Stuth replies that it would be. Mr. Gray mentions that Mr. Stuth will be working through the LAFCO process to set up the special district which is another exercise the County will have to work through. Mr. Gray says that he also sits on LAFCO. Mr. Stuth states that Debi Bautista, the County Auditor-Controller has been getting the Airports ready for LAFCO. Mr. Stenger asks when the access agreement can be brought to Pine Mountain Lake users. Mr. Stuth replies that the access agreement should be ready to take to Pine Mountain Lake by the first of the year. Mr. Thoben asks Mr. Stuth how he plans to approach the Pine Mountain Lake users with the access agreement. Mr. Stuth replies that he would like to meet with the small group of users that has been involved in the issue and get their feedback on the best way to bring it to the rest of the users whether that is a door-to-door approach or a town hall type meeting. Mr. Gai asks where the access fees will go once collected. Mr. Stuth replies that the access fees will be used towards the operation costs or capital projects at Pine Mountain Lake Airport. All fees collected at an airport are federally required to be used at that airport. Mr. Thoben would like to applaud Mr. Stuth for moving this issue along.

Mr. Thoben also comments that the crack sealing guys did a great job at Pine Mountain Lake Airport. He is concerned that purchasing crack filling equipment is not a wise investment of money. He thinks that the airport staff may be too small to be able to do the work. Mr. Stuth replies that the airport staff is qualified and adequate in size to do the job and that the purchase of the equipment will save money for the airports.

Mr. Stenger asks how much money was leftover from the crack sealing job at Pine Mountain Lake Airport. Mr. Stuth reports that the County budgeted \$20,000 and the estimates came in at about \$13,000. Some of the \$7000 leftover will be used towards the purchase of crack sealing equipment.

Mr. Grey asks Mr. Stuth to inform the committee of the grants that Columbia Airport has received from the FAA. Mr. Stuth reports that Columbia Airport has accepted two grants totaling just over \$500,000 for this fiscal year. He also reports that Columbia Airport will be seeking approximately \$1.2 million dollars in grants from the FAA next fiscal year.

Mr. Stenger asks if some of that money was intended for new hangars at Columbia Airport. Mr. Stuth informs him that none of the money was intended for hangar construction. Mr. Stenger asks if there will be a RFP going out for new hangar construction at Columbia Airport. Mr. Stuth says that a developer is going to visit Columbia Airport next month and there is a possibility that new hangar construction may be funded by the County through a loan from the State Aviation Loan Program. The County has not decided which option it will pursue to have new hangars built.

A member of the public says that they are anticipating more snow at Pine Mountain Lake Airport this winter and asks what the snow removal procedure is. Mr. Stuth reports that the Airports currently have a truck and a tractor that can be set up for snow removal and that soon there will be an additional truck that will be capable of snow removal. The Airport staff will be able to remove snow from both airports at once if necessary.

V. CONSIDERATION OF APPROVING THE MINUTES FROM THE SEPTEMBER 14, 2015 MEETING

Mr. Gray moves to approve the minutes. Mr. Gregory seconds the motion. Motion carries 5-0.

VI. CONSIDERATION OF RECOMMENDING ESTABLISHMENT OF A NEW WAITING LIST FOR THE PORT-A-PORT HANGAR AT COLUMBIA AIRPORT

Mr. Stuth explains that it is difficult to find tenants for the port-a-port hangar using the "Old" hangar waiting list as some people on that list do not want the port-a-port or have aircraft that cannot fit in the port-a-port and that it takes a lot of time to get through the people because the County has to allow time for people to respond. Mr. Stenger asks how the new list would be populated. Mr. Stuth replies that a lottery drawing would establish the new list. A member of the public suggests that County Staff contact the people on the "Old" waiting list and ask them if they would like to be put on the new waiting list for the port-a-port and that people from the "Old" list should be added to the port-a-port list in the same order that they appear on the "Old" list. Mr. Stuth asks if someone would remain on the "Old" waiting list if they wanted to be put on the waiting list for the port-a-port hangar. Mr. Stenger suggests that the Airport staff send out a letter to everyone currently on the "Old" waiting list telling them that the port-a-port hangar will be assigned in sixty (60) days and that they need to respond in thirty (30) days as to whether or not they would like to rent the port-a-port hangar and be on the waiting list for the port-a-port hangar. At the end of the thirty (30) days the port-a-port will be offered to the highest ranked person that responded and the list will be established from the remaining respondents in the order of priority that they held from the "Old" list. The notification needs to include the dimensions of the port-a-port hangar so that people know what they are applying for.

Mr. Gray moves to approve the establishment of a new waiting list for the port-a-port hangar using the method described by Mr. Stenger. Mr. Gregory seconds the motion. Motion carries 5-0.

VII. CONSIDERATION OF RECOMMENDING THE TUOLUMNE COUNTY AIRPORTS HANGAR POLICY BE BROUGHT BEFORE THE BOARD OF SUPERVISORS FOR APPROVAL

Mr. Gray asks if all the changes that were recommended at the last meeting were included in the current version of the policy. Mr. Stuth replies that the current draft includes all the changes that the committee recommended at the last meeting. Mr. Gray asks if there is anything in the current version that Airport staff will have difficulty working with or enforcing. Mr. Stuth replies that Airport staff is comfortable with the policy as it is. Mr. Gregory says that he noted a typo and suggested revising the second paragraph in Section I, Part C so that it is shorter. A member of the public asks if the document has to be put out for another thirty (30) public review since there were changes made to it. Mr. Stuth replies that since the changes did not fundamentally change the document he thinks the Committee can still recommend that the policy be sent to the Board of Supervisors for approval. Mr. Schmidt says that the committee is not taking any action, only making a recommendation. He says that major revisions could be made to the document and it could be brought before the Board and they could be told that there were major revisions and it would be up to them whether or not the document needed to be sent back to the committee for review. Mr. Gray recommends that the document be sent as is to the Board with notes in the staff report as to where any revisions have been suggested and the Board can decide on the revisions. Mr. Thompson asks how difficult it will be to revise the policy in the future. Mr. Stuth replies that it will not be difficult but that it will take action from the committee and the Board of Supervisors.

Mr. Stenger asks what Title 18 is, as it is referred to in the new policy. Mr. Schmidt replies that it is the chapter of the County Ordinance Code that refers to Airports. Mr. Gray asks Mr. Stuth to include Title 18 and Title 3 in the agenda packet that he prepares when bringing this item to the Board.

Mr. Stenger asks about Item 1, Part K, Exchanges of Hangars Between Permittees. He asks why people cannot exchange "Old" hangars for "New" hangars. Mr. Gray asks what the reasoning behind this was. A member of the public comments that at other airports they do not allow swapping of one type of a hangar for another because it causes people on waiting lists to be passed up. Mr. Stuth says that he has talked to other airports that do not allow swapping at all because it results in tenants selling their hangars. Mr. Stenger asks why the Airport has a relocation list. Mr. Stuth replies that the relocation list was in place when he came on as the Airport Manager and that there was really no policy in place to get rid of it. He says that discussion of getting rid of the relocation list took place last week and that Airport Staff is not opposed to getting rid of it. Mr. Thompson says that he thinks it causes problems. Mr. Stenger says that he thinks that it was cause for concern during the last meeting. Mr. Stenger says that if a person wants to get into a hangar right now and they want to be on all waiting lists it will cost them \$900. Mr. Stuth says that the language in the policy can be changed so that a person's \$300

deposit will get them on as many waiting lists as they would like to be on. Mr. Stenger would like to see the last portion of Section II, Paragraph 2, Subparagraph C, requiring a separate deposit for each waiting list removed. Mr. Thompson says he wouldn't mind seeing Section II, Paragraph A, subparagraph d, Relocation List removed. The committee would like to see the current relocation list deleted and they would like the last sentence of Section II, Paragraph A, Subparagraph d moved to Section I. The committee discusses combining the "New" list and the "Old" list. Mr. Stuth suggests that if people on the waiting lists are going to have preferences then the Airport may as well just maintain two separate lists. Mr. Gray moves to make the revisions that have just been discussed. Mr. Martin seconds the motion. Motion carries 5-0.

Mr. Stenger moves on to Section IV. Mr. Stenger says that removing this section was discussed at the last meeting and wants to know why this section is needed. Mr. Stuth explains that this is included to discourage the use of hangars for a non-aeronautical purpose and discourage the use of hangars for aircraft that cannot fly. He explained that there was a revision made to allow for the final assembly of an aircraft in a hangar. Mr. Thompson says he thinks that the word airworthy should be changed to airworthiness in Paragraph A of Section IV to make the terminology correct. Mr. Thompson asks how the Airport would determine if an aircraft is not airworthy. Mr. Stuth says that visual inspection would be one way. Mr. Thompson asks if the Airport will be using a current annual to determine airworthiness. Mr. Stuth says that the Airport is currently not requiring a current annual. Mr. Stenger says that an inspection is done by a qualified inspector to determine airworthiness. He does not think that the Airport Manager is qualified to make this determination. Discuss ensues. The committee decides that the language of the policy should leave the determination of airworthiness to the discretion of the Airport Manager since there is a process in place to allow tenants in violation to appeal and the burden of proof lies with the County.

Mr. Gray moves that the committee recommend the draft policy be sent to the Board of Supervisors with the revisions that were suggested. Mr. Gregory seconds the motion. Motion carries 5-0.

VIII. SET NEXT MEETING DATE AND ADJOURNMENT

The next regular meeting is tentatively set for Monday, December 14, 2015 at 6:00 PM at the Columbia Elementary School Cafeteria.



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TO: Airports Advisory Committee

FROM: Benedict Stuth, Airports Manager

SUBJECT: Amendments to the Tuolumne County Airports Hangar and Waiting List Policy

Summary:

In conjunction with the Board of Supervisors Airports Committee and airport users, the airports division completed a major revision to the hangar policy which the Board of Supervisors approved in December 2015. The comprehensive policy gives airport staff and user's clear and detailed guidelines to follow regarding use of hangars and maintenance of the hangar waiting lists.

The policy has now been in place for more than two months and it has become clear that some amendments need to be made to clarify some aspects of the new policy. The proposed amendments are:

- Addition of language to Section I addressing the sale of an aircraft. The new policy is silent on the matter of procedure to follow in the event an aircraft is sold by a Permittee. The previous policy contained language giving a timeline for the permittee to purchase a new aircraft and should have been transferred to the new policy but was not as an oversight. The language is as follows:
 - In the event of sale of aircraft designated on the Reserved Space Permit, the permit shall apply to another aircraft purchased by Permittee, only if all of the following conditions are met:

Receipt, by County, of written notice from Permittee of the sale of the above-named aircraft, and a written statement that the Permittee intends to purchase another aircraft within ninety (90) days of the above-named aircraft sale. This notice must be provided to the County Airports Department within ten (10) days of the sale of the above-named aircraft. Within thirty (30) days of the arrival of the new aircraft the Permittee shall provide the County Airports Department proof of transfer of the FAA registration to the Permittee as well as all required documentation as outlined in the *Tuolumne County Airports Hangar and Waiting List Policy*. In the event Permittee is not able to obtain an aircraft within ninety (90) days the current Reserve Space Permit will be cancelled. The hangar will revert back to the airport and be offered to the next individual(s) on the Hangar Waiting List.

- Addition of language to clarify what happens to a person's position on the waiting list(s) after a hangar is accepted.

As the policy is written, when a person is offered a hangar their deposit is applied to their hangar rent and their name is taken off the list. The airport is seeking to clarify the intent of this section. Should a person fall off all lists completely once a hangar is offered and accepted, or, should they be able to remain in their current position on the remaining lists provided an additional deposit is furnished? (The applicant would fall to the last position for the hangar type accepted regardless.)

- Addition of language to Section II, Part A regarding the addition of the Port-A-Port waiting list. The Port-A-Port waiting list was established at the same time the Hangar Policy was recommended for BOS approval by the committee. As such, the Port-A-Port wait list was not added to the Hangar Policy and needs to be added.

Recommendation

Consideration of recommending the amended changes to the *Tuolumne County Hangar and Waiting List Policy* to the BOS for approval.



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TO: Airports Advisory Committee

FROM: Benedict Stuth, Airports Manager

SUBJECT: Discussion of additional procedural language proposed to be added to the *Hangar and Waiting List Policy* pertaining to repeat violations.

Summary:

In conjunction with the Board of Supervisors Airports Committee and airport users, the airports division completed a major revision to the hangar policy which the Board of Supervisors approved in December 2015. The comprehensive policy gives airport staff and users clear and detailed guidelines to follow regarding use of hangars and maintenance of the hangar waiting lists.

The *Hangar and Waiting List Policy* has been in place since December 15, 2015 and it has become clear that an important change should be made to the *Hangar and Waiting List Policy* at this time. While the comprehensive policy gives airport staff and users clear and detailed guidelines to follow, it has come to the airport's attention that the policy may lack an important function: how to deal with repeat offenders. This change has been brought to the attention of the airport by multiple users and after review the airport feels it has merit.

The current policy in place has very clear and straightforward procedures on how to deal with violations as they come up. These procedures deal with achieving compliance with the hangar policy and providing two very important things. First, they provide tenants with means to correct violations as well as provide protections from the airport through the process. Second, they provide the airport with the means to not only enforce but also deter tenants from violating the policy. However, one important tool was overlooked and did not make it into the policy, which is provision of an effective means to resolve repeat violations.

As the policy is written, as long as a tenant provides corrective action as stipulated in a *Notice of Violation* the procedure of enforcement no longer moves forward. If a repeat violation is found the process starts over. Without a mechanism to deter repeat violations, the current policy essentially allows for unlimited violations. As such, the airport proposes to insert language into the policy to address this issue.

The airport proposes addition of language to Section I, Subsection P (Enforcement and Revocation) which will state the number of repeat violations allowed within a certain timeframe before the procedure will bypass the Notice of Violation procedure and go straight to the Notice and Order procedure.

This language could easily be accomplished through the addition of the following language in Section I, Subsection P (Enforcement and Revocation): "*Permitted(s) are allowed two (2) NOV/OTC's (Notice of Violation/Opportunity to Correct) for alleged violations based on similar reasons,*

and enforcement of the third alleged similar violation under the same permit within ten (10) years will begin with a Notice and Order. Correction of repeated similar violations will be considered intentional and will not be tolerated.”

Recommendation

There is no recommendation at this time.