

**CARSON CITY AIRPORT AUTHORITY
MEETING MINUTES**

WEDNESDAY, AUGUST 15, 2007 – 6:00 P.M.

Public Meeting at:
CARSON CITY COMMUNITY CENTER
SIERRA ROOM
851 E. WILLIAM STREET
CARSON CITY, NEVADA

-
- A. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM. The regular meeting of the Carson City Airport Authority was called to order at 6:01 p.m. Roll call was taken, and quorum was determined:

Present: Collie Hutter, Steve Lewis, Walt Sullivan, and Richard Staub. Don Peterson arrived at 6:23 p.m.

Absent: Gary Handelin and Neil Weaver, *excused*

Staff: Jim Clague and Steve Tackes and Yvon Weaver

- B. PLEDGE OF ALLEGIANCE

- C. APPROVAL OF THE MINUTES OF PAST MEETINGS OF THE AIRPORT AUTHORITY. Mr. Staub moved to approve the minutes of the 18 July 2007 regular meeting as submitted. Mr. Sullivan seconded the motion. There was no discussion, and the motion carried.

- D. MODIFICATION OF THE AGENDA. *The Chairman reserves the right to modify the agenda in order to most effectively process the agenda items.* There were no modifications to the agenda at this time.

- E. PUBLIC COMMENT. *Members of the public who wish to address the Airport Authority may speak on non-agendized matters related to the Airport. Comments are limited to three (3) minutes per person or topic. If your item requires extended discussion, please request the Chairman to calendar the matter for a future Airport Authority meeting.*

Mr. Jerry Vaccaro addressed the Board. He stated that at the last regular meeting he had requested that several items be placed on the agenda, but none of his requested items

were on this agenda. He asked if there was a special protocol for getting items placed on the Airport Authority agenda as requested by a citizen.

Mr. Lewis stated that the Board was still considering the items that Mr. Vaccaro had requested. Mr. Vaccaro asked how long that would take. Mr. Lewis stated that it could take up to another 60 days, and there was no guarantee that any of the items Mr. Vaccaro had requested would be placed on the agenda, but that the Board was considering his request. Mr. Vaccaro asked for the reason for the delay. Mr. Lewis stated that the Board had not discussed Mr. Vaccaro's issues and their placement on the agenda. Mr. Vaccaro confirmed with Mr. Lewis that the items would be put off for another 60 days. Mr. Lewis so confirmed. Mr. Vaccaro stated that this was unreasonable, as everyone was present in this room 30 days ago, and so far he has seen no results of the items he had requested.

Mr. Vaccaro stated that he had also expressed an interest in knowing Mr. Lewis' involvement with Mr. Gonzalez, and that Mr. Lewis has not yet disclosed that information. Mr. Vaccaro stated that he knows that Mr. Lewis recuses himself from the Board whenever items concerning Mr. Gonzalez are being discussed, but that Mr. Lewis does so without explanation. Mr. Vaccaro stated that he needed to know Mr. Lewis' involvement with Mr. Gonzalez regarding the Jet Ranch project.

Mr. Lewis stated that he has provided that information on two occasions in a public forum, and that was enough. Mr. Vaccaro stated that he knew where to get the answers, and that if Mr. Lewis was not going to provide them, he would get those answers from the Board of Supervisors.

Mr. Ralph Smith, Executive Vice President and CEO for Valley Construction, addressed the Board. His company is building the Jet Ranch project, and as promised Mr. Smith provided the Board with an update on the project regarding the project and permit status. For the record, Mr. Smith provided a letter to the Board explaining the permitting process and where his company is at in that process, since the project will have multiple permits.

On 27 July 2007, Mr. Smith explained that they received the grading and utility permit from Carson City, and construction is underway. The building permit for building #1 was submitted to the building department last Friday. The permit is anticipated by 23 August 2007. The building permit for building #2 will be submitted on 4 September 2007 to the building department, and it is anticipated by 17 September 2007. The application for building #3, which is the big hangar, will be applied for on 10 October 2007, and it is expected by 26 October 2007.

Mr. Smith stated that he would give to Mrs. Weaver a set of approved drawings received from Carson City for each individual permit when those drawings are received. Mrs. Weaver can then disburse that set of drawings as necessary. Mr. Smith stated that there would be five or six different sets of drawings.

Mr. Smith provided a bar chart to the Board, with copies available for the public if they wished to see it. Mr. Smith explained that the bar chart would show the status of

individual portions of the project, and the overall project status with estimated completion dates and site work. Of course the bar chart does not include hindrances caused by the weather or any other types of hiccups, and Mr. Smith indicated that the bar chart would be updated every month.

Mr. Smith explained that the project is coming along nicely, and that of the 7,000 yards of material that had to be moved, around 4,000 to 5,000 yards remain to be moved, and what they do with the remaining material will depend on the drainage swale.

The Board had no questions for Mr. Smith. There were no additional public comments at this time.

F. PUBLIC HEARINGS

- (1) DISCUSSION AND ACTION REGARDING A PROPOSAL PRESENTED BY LINDA RITTER, CITY MANAGER, FOR DEVELOPMENT OF A FINANCIAL STRATEGY TO BENEFIT THE CARSON CITY AIRPORT AND ITS SCHEDULED MASTER PLAN PROJECTS (*R. Staub*). Ms. Linda Ritter, City Manager for Carson City, addressed the Board. Ms. Ritter stated that she was coming to the Board with an offer of assistance. She stated that she was proposing assisting in the development of a five-year financial plan or strategy, and wanted to use her staff to help the Airport Authority identify funds that could be used to help meet matching fund requirements for implementation of the Master Plan. Ms. Ritter stated that the Board of Supervisors has gone through several meetings where the Airport Master Plan was the topic of discussion, and the Board of Supervisors is highly interested in seeing implementation of the Airport Master Plan.

Ms. Ritter stated that the initial plan is to analyze current revenue, identify options for rates and other charges, look at potential leave revenues, look at cost structure and assumption, and then determine if there is a revenue stream that can be used for bonding and debt. Ms. Ritter stated that Sue Johnson is the revenue director who would also work on this project, although she was unable to attend tonight's meeting.

Ms. Ritter explained that the deliverable would be a written five-year strategy that would include an analysis of the current financial condition, multiple scenarios and projections, and alternatives for debt structuring. Ms. Ritter anticipated that this would take about six months to complete.

Ms. Ritter stated that her background was a manager in Elko for six years, and was in charge of managing all the finances for the Elko Airport, and has some knowledge of how financing works at an airport. Ms. Ritter stated that her work would come at no charge to the Airport unless there are some direct costs involved with the study. Ms. Ritter stated that this was her proposal and her offer of help, and she asked if the Board had any questions.

Mrs. Hutter stated that this was an incredible proposal. Mrs. Hutter stated that she has been working on the analysis and crunching numbers for the Airport Authority, but to

have the support of the City's financial personnel is seriously appreciated. Ms. Ritter stated she was looking forward to working with Mrs. Hutter on this project.

Mr. Staub stated that one of the reasons he wanted this item placed on the agenda and then dispatched Ms. Ritter and Sue Johnson was two-fold: One is to assist the Authority in the never-ending endeavor to determine what our property is worth on a short- and long-term basis, as it is imperative that we understand its actual value now and in 50 years from now. The other is that Mr. Staub believes it is absolutely imperative to move the Master Plan schedule forward on a much-quicker basis than we have been moving. As a Board we agonize over expenditures at the Airport and have argued over expenditures that would be considered *de minimus* in some cases if we were trying to save money for matching funds. Mr. Staub stated that hopefully this project will give the Board the opportunity to move forward with the Master Plan schedule much faster, and the Board would reap the benefits of the analysis.

Mr. Sullivan asked if Ms. Ritter has seen copies of the Airport Master Plan. Ms. Ritter stated that she has, and has received maps from Mrs. Weaver. Once all the information is assembled, Ms. Ritter stated they would be analyzing it and would work very closely with the Airport Authority staff on this project.

Mr. Lewis stated that he appreciated the offer and the offer from the City. Anything to help expedite the Master Plan is greatly appreciated. Construction costs are rising and are plaguing the Board's opportunity to move forward. Mr. Lewis stated that anything provided to help the Board think outside the box, the better off the Airport Authority would be.

Mr. Lewis asked for public comment. There was none.

Mr. Staub moved that the Board move forward with the proposal presented by Ms. Linda Ritter, City Manager, for the development of a financial strategy to benefit the Carson City Airport regarding the scheduled Master Plan projects and other related issues.

Mr. Sullivan seconded the motion.

There was no additional discussion. The vote was called and the motion carried unanimously with 4 ayes (Mr. Handelin, Mr. Peterson and Mr. Weaver were absent for this vote).

- (2) DISCUSSION AND POSSIBLE ACTION TO ALLOW MOUNTAIN WEST AVIATION, LLC, (SELF-SERVE FUEL ISLAND) TO ERECT AN "AIR-BP" SIGN NEAR THE FUEL ISLAND ON LOT 44 (*Michael Golden*). Mr. Michael Golden of Mountain West Aviation, LLC, addressed the Board. He distributed copies of prints he had prepared regarding his presentation. Mr. Golden stated that he would like to commend the Board and Staff, stating that it has been a pleasurable experience to work with Staff and that he has found them to be of the utmost professional caliber in doing business. He stated that he has enjoyed working with the Airport Board, and it has been a good experience for him thus far.

Mr. Golden reported that his partner and supplier, Air BP, has asked that a sign be placed on their parcel. Page 3 of the handout indicates the sign placement on the parcel. It is proposed to be set at a 45-degree angle for visibility from the taxiway and runway. The location was chosen to place the sign as far away as possible from all aircraft movement, and to tap into the existing utilities at the property line so that the sign can be powered up at night. Mr. Golden asked if there were any questions.

Mrs. Hutter asked for the location of the prior sign, and if this proposed location was in the same location. Mr. Golden stated that it was not the prior sign location. Mr. Golden stated that, as he understood it, the Airport Authority had approved a prior sign that was erected at the same height, although not necessarily of the same dimensions, that was in the vicinity of the property line between lots 44 and 45, as shown on the detail. It was removed at the request of one of the hangar occupants who wanted to construct a taxiway, and that taxiway covers the location where the sign was originally placed. The current sign location is further east than it was before, but is probably within 20 feet of where it was on a north-south basis, and is further away from the runway.

Mr. Sullivan and Mr. Staub had no questions.

Mr. Lewis asked if there were any public comments. There were none.

Mr. Lewis called for a motion.

Mr. Staub moved to allow Mountain West Aviation, LLC (self-serve fuel island) to erect an "Air BP" sign near the fuel island on Lot 44 as represented on the plan documents provided to the Board at this meeting.

Mrs. Hutter seconded the motion.

There was no additional discussion. Mr. Lewis called for the vote. The motion carried unanimously with 4 ayes, and Mr. Peterson, Mr. Weaver and Mr. Handelin absent for this vote.

- (3) DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM THE EXPERIMENTAL AIRCRAFT ASSOCIATION (EAA) TO APPLY FOR A LONG-TERM LEASE ON PROPERTY PREVIOUSLY IDENTIFIED AS THE PERMANENT LOCATION FOR THE AWOS, LOCATED EAST OF THE STATE'S HANGAR (*R. Staub*).

For the record, Mr. Peterson arrived to the meeting at 6:23 p.m.

Mr. Staub explained that this was his item in that he had requested that a notice be sent to the EAA regarding their continued interest in Parcel 204, located east of the State's hangar. The Airport Authority had offered the parcel to them some time ago, but no apparent progress has been made since the offer. In response to the inquiry made to the EAA, Mr. Staub reported that the Airport Authority had just been provided with a letter from the EAA, dated 15 August 2007, giving up their claim to the parcel in question.

Ms. Mary Romine, secretary of the EAA Chapter 403, addressed the Board. For the record, Ms. Romine read the letter regarding the EAA's position on disposition of Parcel 204:

August 15, 2007

Steven W. Lewis
Chairman
Carson City Airport Authority
Carson City, Nevada

Dear Mr. Chairman:

EAA Sierra Chapter 403 has reviewed the proposed lease agreement for the premises described as Lot 204 and concluded that occupying and improving the parcel as currently presented will not meet the requirements of the EAA's mission to the aviation and local communities. We understand the issues regarding the future AWOS placement and its priority and do not disagree with the Authority's position on this matter. EAA 403 has delayed our response in the hope that the situation might change over time. However, we now understand that a possible alternative usage of the lot in question is under consideration and the EAA chapter does not wish to stand in the way of that consideration by the Authority.

EAA 403 greatly appreciates the Airport Authority's generosity and support of our organization's mission and objectives and regrets any inconvenience caused by our lengthy review of this matter. We are currently pursuing alternatives to the development of Lot 204 and hope to receive the Authority's approval of one of those alternatives in the near future so that the organization can continue to serve regional aviation and community interests to the best of our abilities.

Thank you for your patience and understanding.

Sincerely yours,

/s/
EAA Sierra Chapter 403
Chris Romine
President and Chairman

Mr. Lewis thanked Ms. Romine for her comments and the letter. There were no Board comments, and no public comments.

Mr. Lewis asked if a motion needed to be made. Mr. Tackes stated that he believed the Board did not need to take action, since the letter made the EAA's position very clear.

Mrs. Weaver thanked Mr. Chris Romine and Mary Romine for their help with the open house while she was there. Mrs. Weaver reported that they had spent an unbelievable amount of time helping with the open house, and she wanted to publicly thank them for all their effort.

Mr. Lewis also thanked the Romine's for the EAA's assistance with the monitoring and observer program.

- (4) DISCUSSION AND ACTION REGARDING A REQUEST FROM THE NEVADA MUSEUM OF MILITARY HISTORY TO ACQUIRE PROPERTY ON THE CARSON CITY AIRPORT FOR THE PURPOSE OF CONSTRUCTING A MUSEUM (*B. Lumbard*). Mr. Robert Lumbard, president of the Nevada Museum of Military History, addressed the Board. He reviewed his organization's request for the parcel west of the NDOT hangar, stating that in light of the EAA presentation in the prior agenda item, it would appear that the NMMH might be able to have it, and stated that they are ready to take it on. Mr. Lumbard stated that he had his checkbook with him, and could write the check for the required \$1 per year if the Board was in agreement.

Mr. Lewis asked if Mr. Lumbard had checked with NDOT regarding parcel access from College Parkway. Mr. Lumbard stated that at the last meeting they were not sure they'd be able to get the parcel, so they did not both NDOT with any questions. Mr. Lumbard stated that this would be his project this week, to secure the answer to the access question.

Mr. Lewis asked the Board if they had any comments.

Mr. Tackes stated that he was not in attendance at last month's meeting and only briefly reviewed the minutes. He asked Mr. Lumbard if the NMMH was a non-profit organization listed in Nevada. Mr. Lumbard stated that they were, and had a federal 501C3 rating and several other 501's from the federal government, and a state of Nevada non-profit status as well. Mr. Tackes told Mr. Lumbard that he would need a copy of those documents as a prerequisite of this particular lease. If Mr. Lumbard has those documents, then several steps in the lease process can be skipped, including the appraisal.

Mr. Tackes pointed out that the area proposed for use for the museum was less than an acre, and asked if this space would fit the needs of the NMMH. Mr. Lumbard stated that the space would fit their needs.

Mr. Tackes stated that the Airport Authority was sensitive to the space needed for the AWOS, stating that it was not yet known if the Airport Authority would need it all or a lesser amount of space, but that the AWOS was the priority in this situation. Mr. Lumbard stated that he was well aware of the issues around the AWOS and understood its priority.

Mr. Sullivan asked the Authority members if they wanted to see the site plan or a facility layout before approving the lease.

Mr. Peterson stated that it was his reaction to give Mr. Lumbard some authority to pursue the concept and have first right of the land. Mr. Peterson also stated that it makes him a little nervous about signing a lease and having the group come back in a few months stating that the parcel won't fit their museum.

Mr. Lewis echoed Mr. Peterson's sentiments. He stated that the Board would need to see some sort of plat plan and a plan for parking and public access. He stated that he did not have an issue with giving Mr. Lumbard the parcel and "x" months to do the research,

adding that Mr. Lumbard should plan to come back to the Board in 30 to 60 days with a proposal of their building, public parking and access for the public.

Mr. Lumbard stated that this would be fine, that he would work on the Board's requests this week and see how far along he could get prior to the next meeting. Mr. Lumbard believed he could have everything organized by the time of the next regular meeting.

Mr. Lewis asked the Board if they wanted to grant the museum the first right of refusal for the parcel, and give them 30 to 60 days to come back to the Board with a full proposal. Mr. Tackes stated that the Board could take action to give them the lease with the provision that they come back to the Board in 30 days to substantiate their proposal.

Mr. Peterson stated that in this case he would agree with the offer and would not need other provisions; he was looking forward to seeing the museum's proposal.

Mr. Lumbard stated that he had an architect friend who would do the drawings, but is going out with his measuring device and would then visit NDOT regarding access.

Mr. Lewis stated that this item would be agendaized for the next regular meeting, and was looking forward to next month's presentation.

There was no additional Board comment and no public comment on this item.

- (5) SUP-07-012; DISCUSSION, REVIEW, COMMENT AND POSSIBLE ACTION REGARDING A SPECIAL USE PERMIT APPLICATION FROM WILLIAM SULLIVAN (PROPERTY OWNER, ROY STREET) TO ALLOW AN 85-FOOT HIGH TOWER, WHICH EXCEEDS THE ALLOWABLE HEIGHT OF 45 FEET, AND TO ENSURE CONFORMANCE TO THE CARSON CITY COMMUNICATION FACILITIES AND EQUIPMENT ORDINANCE ON PROPERTY ZONED GENERAL INDUSTRIAL (GI), LOCATED AT 5835 SHEEP DRIVE (CAPITAL CAB COMPANY), APN 008-523-14 (*W. Sullivan*).

Board Member Sullivan disclosed that first, he is Walter Sullivan and the property owner is William Sullivan. They are not related and Mr. (Walt) Sullivan has no financial interest in this item. His office prepared the documents for this presentation and also for Agenda Item (6), to follow, and Mr. (Walt) Sullivan will not be participating in either item and would be abstaining from the vote, but would be happy to answer questions if need be.

Mr. Sean Foley from the Carson City Planning Division addressed the Board. Mr. Foley explained that he is the staff member who is preparing the report that will go before the Commission regarding the requested 85-foot tower. Mr. Foley explained that the tower location was just outside of the Airport's review area; however, it did exceed the recommended height in that area and was therefore being brought before the Board for review regarding safety considerations.

The Planning Commission has recommended three possible conditions of approval: an aviation easement; that aircraft obstruction lighting be provided per FAA rules; and that FAA form 746 be completed and submitted to the Airport Authority. Mr. Foley stated

that these recommendations could be submitted to the Planning Commission if the Board so chose.

Mrs. Hutter asked if the Airport Engineer, Mr. Clague, could explain why this would probably not be a problem.

Mr. Clague referred the Board to Page 3 of the submittal, specifically to the paragraph just prior to the three conditions, where it talks about Runway 27 and the end elevation of 4682. Mr. Clague stated that his office during their review of the proposal wrote this information, and that his office found no obstruction with the requested tower placement and proposed height.

According to his calculations, Mr. Staub stated that the top of the antenna would be 58 feet above the base of the runway, and the maximum height allowed in that area is 45 feet. Mr. Clague explained that this information was based on zoning, and not because of the placement of the Airport.

Mr. Staub stated that he understood this, but clarified that we were discussing a variation of 13 feet in additional height than what would normally be allowed in that area.

Mr. Peterson stated that he was looking at a picture of the current runway versus the future runway layout with the new skewed runway, and asked if the proposed tower would be underneath the glide slope, and whether the calculations were based on the current runway or the future runway position.

Mr. Clague explained that the calculation on the future runway position was included in the submittal.

Mr. Peterson stated that the reference is to Runway 27, but the new runway will not be identified as Runway 27, and he therefore is not confident in the review documents.

Mr. Clague stated that he understood Mr. Peterson's concern, but that the proposed tower is well below the glide slope of both the existing runway and the future runway.

Mr. Peterson stated that he would like this information to be absolutely confirmed so that we do not find ourselves boxed in sometime in the future.

Mr. Peterson moved to confirm that the proposed clearances are relative to the future and all expanded future runways.

Mr. Lewis called for public comment. There were none at this time.

Mrs. Hutter seconded the motion.

Mr. Lewis asked Mr. Clague how long it would take to complete the calculations. Mr. Clague stated he had just completed the calculations, and the proposed tower would be below the glide slope for the future runway. Mr. Lewis asked by how much. Mr. Clague explained that it's 18 feet, using a 34:1 glide slope, which is more stringent. The clearance requested is 113 feet, and with the new runway placement that would put the

requested tower 18 feet lower than maximum, and 90 feet below the 34:1 glide slope – the FUTURE 34:1 glide slope.

Mr. Lewis asked if this calculation included any future proposed runways. Mr. Clague stated that, yes, it did.

Mr. Peterson withdrew his motion based on Mr. Clague's mathematical explanation.

Mr. Lewis stated that the Board still needed a motion. Mr. Staub pointed out that there was a recommended motion in the packet and he would be willing to make that motion, but before so doing he wanted a representation from the Airport Engineer that this tower absolutely does not represent or violate any FAA rules or regulations regarding its height, vis-à-vis the glide slope necessary to operate our runway.

Mr. Clague asked if Mr. Staub wanted this in writing. Mr. Staub stated that no, he just wanted the information for the record.

Mr. Clague stated that it is acceptable to proceed with this requested tower placement and height, plus the FAA form 7460, as that will cause the FAA to review the request using the same calculations that Mr. Clague had just used.

Mr. Staub move to recommend to the Planning Commission that the three comments contained in the staff report to the Airport Authority be included in our approval regarding an application for William Sullivan (property owner, Roy Street) to allow an 85-foot high tower, which exceeds the allowable height of 45 feet, and to ensure conformance to the Carson City Communication Facilities and equipment ordinance on property zoned General Industrial (GI), located at 5835 Sheep Drive (Capital Cab Company), APN 008-523-14.

For the record, those three comments are (1) an avigation easement must be signed and recorded if the special use permit is approved; (2) aircraft obstruction lighting, per FAA regulations, must be provided at or near the top of the tower and the lights must be indicated in the building permit plans; and (3) Federal Aviation Administration (FAA) form 7460 must be filed with that agency and an approved copy must be submitted to the Airport Authority.

Mrs. Hutter seconded the motion.

There was no discussion. The vote was called and the motion carried as follows: 4 ayes, 2 members excused from this meeting, and Mr. Sullivan abstaining from the vote.

- (6) TPUD-07-107 AND ZMA-07-108; DISCUSSION, REVIEW, COMMENT AND POSSIBLE ACTION REGARDING A PLANNED UNIT DEVELOPMENT APPLICATION (NYE CIRCLE PLANNED UNIT DEVELOPMENT) FROM QUAD KNOFF FOR WES BALL (PROPERTY OWNER, JEANNETTE JENSEN), REQUESTING A TENTATIVE MAP APPROVAL FOR 34 MANUFACTURED HOME LOTS AND A ZONING MAP AMENDMENT FROM MOBILE HOME 12,000 (MH12) TO MOBILE HOME 6,000-PLANNED UNIT DEVELOPMENT (MH6-P). A COMMUNITY DIRECTORY WILL BE INCLUDED IN THIS APPLICATION.

VARIANCES TO THE PROJECT INCLUDE LOT SIZE, LOT WIDTH, LOT SETBACKS, STREET WIDTH, STREET DRIVEWAY SPACING, AND THE 20-FOOT PERIPHERY SETBACK LOCATED AT 3860 EAST NYE LANE, APN 008-192-69 (*W. Sullivan*).

Mr. Sullivan reiterated his disclosure, made above for Agenda Item (5), in that his office prepared the documents for this presentation, and that he Mr. (Walt) Sullivan will not be participating in this item and would be abstaining from the vote, but would be happy to answer questions if need be.

Mr. Sean Foley of the Carson City Planning Division addressed the Board. Mr. Foley is the staff member who is preparing the report on this item that will go before the Planning Commission. Mr. Foley reviewed the item presented in the Board packet, which is a subdivision located at the curve at College Parkway. There are two parts to the request. The first part asks that the Airport Authority recommend that the avigation easement be recorded prior to issuance of the final map, and the second part asks that a sales agreement reference that an airport is located within 200 feet of the development.

Mr. Staub asked if a reference could be made in the CC&R's that each unit was within that 200 feet of development, that aircraft activity would occur, and that the Airport intended to expand in the future. Mr. Staub stated that he was making this request because the Board of Supervisors is constantly faced with either submission of appeals that have adverse affects on their property – and the response always seems to be, I didn't know, and the seller didn't tell me. Mr. Staub stated that if this information is included in the CC&R's, then shame on me as the buyer if I don't review the CC&R's and realize there's an airport close by, since it's possible it might not be the same airport that it was when I moved in.

Mr. Foley stated that, yes, this recommendation could be included to the Planning Commission.

Mrs. Hutter stated that the proposed development area is right by the Airport run-up area, which is probably the noisiest spot on the Airport. Mrs. Hutter stated that whoever would live there would need to understand that not only would they have aircraft overhead, there would also be aircraft right there, running their engines up and down on a regular basis, and it's very noisy.

Mr. Foley stated that something would probably need to be included to reference a high level of noise to be expected.

Mr. Sullivan stated that he had spoken at length with the Airport Manager about this issue, and they had come up with a second sentence on the second request in the item (the community directory). Each time a lot is sold in the subdivision, the new prospective buyer will get a copy of the avigation easement. The avigation easement states in part that, "...together with the right to cause an easement area, such noise, dust, turbulence and similar activities as may be inherent in the operation of aircraft...". This is the language already in place in the typical avigation easement that the Airport has been using for many years. Mr. Sullivan stated that every time someone wishes to purchase a lot, they are being made aware that they will have to sign off on the avigation easement, and that's the intent of the second part of the item.

Mr. Staub stated that he was not worried about the first-time sale; he was worried about the third-time sale, when the developer is long gone. If this information is also included in the CC&R's when the developer has already left the scene, Mr. Staub stated he would feel much more comfortable, as well informed is well armed. Mr. Staub stated that as an elected official it was difficult to send someone out of the room with a "you should have known" ringing in their ears.

Mrs. Weaver stated that Mr. Sullivan's suggestion for the avigation easement to follow each new lease or sale of each individual unit was an excellent suggestion. Mr. Sullivan confirmed that was the intent – that the avigation easement must be recorded and then re-recorded each time the parcel is sold, but the verbiage could also be included in the CC&R's so that it is picked up twice.

Mr. Tackes stated that not all buyers read their preliminary title, but they should certainly read their CC&R's, so including the information there as well was a good idea.

As a point of clarification, Mr. Peterson asked if the request was being made to include a third comment, specifying the information to be included in the CC&R'S. Mr. Lewis stated that it was. Mr. Staub stated that it could be combined with the second comment, stating that the sales agreement and the CC&R's for each unit would reference the information.

Mr. Jeff Foster of Quad Knopf addressed the Board. He stated that he had no problems with including the information into the CC&R's as well as making it a separate attachment to the sale agreement.

Mr. Lewis called for public comment. There was none at this time.

Mr. Lewis commented that the area in question is probably the noisiest spot on the entire Airport, plus there is a lingering smell of jet fuel for an extended period of time due to the run-up process that each aircraft must go through prior to taking off. Mr. Lewis cautioned that the developer should be aware of noise, dust and all types of pollution at that end of the runway. Mr. Lewis also cautioned that sometimes aircraft have to "hold" at that end of the runway to wait for arriving aircraft, and sometimes it could be an extended period of time. Mr. Lewis stated that it would be "buyer beware" and cautioned the developer about all of these things.

Mr. Staub moved to approve a planned unit development application, Nye Circle Planned Unit Development, from Quad Knopf for Wes Ball (Property Owner, Jeannette Jensen), requesting a tentative map approval for 34 manufactured home lots and a zoning map amendment from mobile home 12,000 (MH12) to mobile home 6,000-planned unit development (MH6-P). A community directory will be included in this application. Variances to the project include lot size, lot width, lot setbacks, street width, street driveway spacing, and the 20-foot periphery setback located at 3860 East Nye Lane, with the recommendation from the Airport Authority to the Planning Commission as follows: An avigation easement to encompass the entire development must be recorded prior to final map submittal, and the sales agreement and Covenants, Conditions and Restrictions (CC&Rs) for each unit will reference and reflect the fact that the Carson City Airport is within 200 feet of the development and that aircraft activity, including aircraft run-up,

will frequently occur and will encompass extreme noise and potential odor. A copy of said signed and recorded avigation easement shall be attached to each unit's given sales document each time a unit is sold and/or re-sold.

Mr. Peterson seconded the motion.

There was no further discussion. The vote was called and the motion carried, as follows: 4 ayes, 2 members excused from this meeting, with Mr. Sullivan abstaining from the vote.

- (7) DISCUSSION AND ACTION TO CONSIDER THE STATUS OF THE MASTER PLAN (MP) AND AIRPORT LAYOUT PLAN (ALP); REPORT BY THE MASTER PLAN SUBCOMMITTEE (*C. Hutter*). Mrs. Hutter reported that the Master Plan Subcommittee has been discussing the utilities in the center triangle of the Airport, and how much it would cost to get them there so that costs could be properly allocated to potential leases in that area. Mrs. Hutter stated that Mr. Clague would soon have a completed report containing that information, and the study should be completed within a couple of weeks.

Mrs. Hutter also reported that they were in the process of filling in the lots on the south side of the Airport. Regarding appraisals, these would have to be obtained on the property, and the Master Plan Subcommittee was trying to look ahead to get an appraisal slot, since it is now taking four to six months to get one scheduled.

Mr. Lewis asked if there were any comments from the Board or public. There were none at this time.

- G. AIRPORT ENGINEER'S REPORT (*Non-Action Item*). Mr. Jim Clague, Airport Engineer, reported that several weeks ago Mr. Sullivan asked PBS&J to complete a record of survey of the center triangle, and that task is nearly complete. Once it is finished, Mr. Clague will submit it to Mr. Sullivan's office for their review prior to recording the record of survey with the assessor's office.

Mr. Sullivan stated that the assessor's office has a map of the interior parcels in the triangle area, but it does not represent anything we want to see. The map needs to show what leases have been approved and recorded, and show the remaining vacant property. Then, as lessees come in, they can be required to do a record of survey or an update to it to represent their leased property.

- H. AIRPORT MANAGER'S REPORT (*Non-Action Item*). Mrs. Yvon Weaver, Airport Manager, reported that she has a copy of the Unified Pathways Master Plan CD if anyone wishes to see it. Otherwise, all is quiet except for the construction currently underway. Mrs. Weaver stated that the noise complaints are down since the observer program was put in place.