

Meeting Minutes of the July 19, 2021
Nevada Aviation Association Board of Directors

Call to Order and Determination of Quorum – President Moen called the meeting of the Nevada Aviation Association (Association) Board of Directors (Board) to order at 9:01 a.m. The meeting was held electronically via Zoom. Upon roll call, it was determined a quorum of members were present.

Members Present

Kenneth Moen - President
Linda Mae Hivert – 1st Vice President
Allison Thomas – 2nd Vice President
Joni Eastley – Secretary
Shane Dyer – Treasurer
Steve Tackes – Legal Counsel
Chris Nocks – Corporate Director
Reza Karamooz – Associate Director
Larry Rackley – Associate Director

Jeff Fontaine – Executive Director
Alex Tanchek – Executive Assistant

Appointment of 2021 NvAA Officer Nominating Committee – Mr. Fontaine noted, in anticipation of the annual membership meeting, the bylaws require the Association President to appoint an Officer Nominating Committee. While Mr. Fontaine noted the appointment is meant to be made 90 days prior to the election of officers, the appointment can be made retroactively. Mr. Fontaine explained, while there are no specific qualifications of Officer Nominating Committee members, bylaws suggest it will consist of at least 3 members and may represent a range of geography, size and type of airport. Mr. Fontaine stated the only quality that may be inappropriate of Officer Nominating Committee members may be members up for reelection or those intending to be nominated, but aside from that the potential members is fairly open.

President Moen reiterated the annual membership meeting will be at the Association Conference scheduled to begin September 27, 2021. President Moen asked for clarification which positions are open for election. Mr. Fontaine clarified the positions would be the Vice President position, assuming the 1st and 2nd Vice President positions are consolidated in the bylaw amendment currently out for a vote, and the President-Elect. Mr. Fontaine also clarified the Secretary, Treasurer and Associate Directors were made during the October 2, 2020 meeting and that the President's term expires in 2022.

President Moen asked if any members were willing to volunteer to serve on the Officer Nominating Committee to seek nominations to the Vice President and President-Elect positions. Mr. Karamooz, Mr. Nocks and Mr. Tackes volunteered. President Moen appointed Mr. Karamooz, Mr. Nocks and Mr. Tackes to the Officer Nominating Committee to consider nominations to the pending Vice President and President-Elect positions.

Ms. Thomas informed the Board she had put in her 30 days' notice with Armstrong Consultants, will be leaving the company at the end of July and will no longer be involved with airports. While Ms. Thomas stated she can continue serving, her position is set to expire in September and proposed to be consolidated with the pending bylaw change. President Moen expressed his appreciation to Ms. Thomas for her assistance in the recent transition and asked she continue to serve until the expiration of her term. President Moen asked the announcement be coordinated as a general meeting item at the annual membership meeting.

Briefing on 2021 Nevada Legislative Session – Mr. Tackes provided an analysis of relevant legislation and topics regarding aviation before the 2021 Session of the Nevada Legislature. AB 253 allows public meetings to be held through virtual means, such as Zoom, without physical location and still satisfy the open meeting law (OML), Mr. Tackes stated. Mr. Tackes suggested county commissions or airport authorities may wish to hold virtual meetings rather than in-person meetings. Mr. Tackes also discussed SB 77, which exempts from the OML certain environmental processes which are designed to be confidential. Mr. Tackes also discussed AB 40, relating to underground storage tanks. One concerning element of the bill, Mr. Tackes explained, was the placement of responsibility for the underground tanks on past owners in addition to the current owners. Mr. Tackes suggested it may be an attempt to retroactively protect areas contaminated by underground tanks and catch more individuals who may be responsible for any adverse impacts of leaks. Mr. Tackes noted AB 492 was a budget bill that awarded \$3.6 million for the Office of the Military to construct aircraft storage hangers in Southern Nevada. Mr. Tackes stated many were unaware of money in the budget for airports, though acknowledged there may have been military discussions outside the normal aviation community due to the preciseness of the language. SB 61, Mr. Tackes stated, would impact airport terminals or common use buildings that allow the placement of vending machines to give a preference machines operated by blind individuals. Mr. Tackes stated this bill was geared more towards Las Vegas and Reno and was unsure if this would be applicable to the smaller general aviation airports. Mr. Tackes also highlighted AB 66, which relates to tax abatements for manufacturing jobs. Mr. Tackes noted the origins of this particular statute was to attract aviation manufacturing from California to Nevada. Mr. Tackes stated, while quite a bit would need to be spent in order to utilize this abatement, if members are aware of any company willing to make a \$5 million investment they may be eligible for this abatement. The final bill Mr. Tackes highlighted was AB 31, which adds requirements for diesel exhaust fluid (DEF). While Mr. Tackes is not aware of any diesel-powered aircraft in the area, he stated there is an exemption for military aircraft. AB 31, Mr. Tackes stated, places criminal penalties on the purposeful manufacture a DEF that does not meet specification.

President Moen noted there was an issue where DEF was accidentally being pumped into airfields, which resulted in concern about properly marking DEF containers. President Moen suggested it may have more to do with preventing those types of mishaps. Mr. Nocks noted DEF was used in lieu of other sources and had impacts nationwide. While it did not result in loss of life, Mr. Nocks noted there were emergencies caused by it.

President Moen noted he and Mr. Fontaine had discussed AB 492 regarding military hangers. While President Moen recalled being told there was no additional funding for airports or the Aviation Trust Fund, discussion was held centering around leveraging the talks around infrastructure being directed towards local matches. President Moen stated this matter would be something that would warrant further investigation. President Moen also noted the challenges is developing traction for creating an Aviation Caucus. President Moen stated he and Mr. Fontaine had discussed working with Assemblywoman Robin Titus to gather support for utilizing infrastructure money that may be forthcoming.

Mr. Fontaine noted SB 77 was primarily aimed towards the state's OML requirements for public officials acting as a cooperating agency in a National Environmental Policy Act Review (NEPA) process. Under the NEPA process, discussions between local elected officials and the federal agency are confidential with cooperating agencies required to sign confidentiality agreements. For certain rural jurisdictions who may only have three elected county commissioners, having two members participating in the conversation could violate the state's OML. Mr. Fontaine noted the bill was intended to encourage more local participation in the NEPA process.

Update on NvAA Website Development – Mr. Fontaine provided an update on the Association's website, noting the Board had authorized the engagement of KCA to revamp the website. Mr. Fontaine stated KCA started to work quickly with President Moen, Ms. Thomas and himself providing input on various aspects of the update. While much has been updated, Mr. Fontaine noted further updates will be needed to complete the About Us and History pages. Mr. Fontaine stated they are also looking to add more information regarding the upcoming conference and how members can log into Digicast.

Ms. Thomas shared her screen via Zoom with members of the Board to showcase the updated website. Ms. Thomas noted some of the images had not been updated and were similar as past iterations of the website. Ms. Thomas noted the conference links are on the main page. Ms. Thomas also noted updated links for the main page, Members, Officers, Bylaws, Strategic Plan, Digicast and Member Directory pages, the latter of which Ms. Thomas suggested will need to be updated on an annual basis. Ms. Thomas also noted the inclusion of various aviation links, some of which may still need to be updated. Ms. Thomas also noted some internal circular links.

Mr. Karamooz noted the bottom of the screen included links to Facebook and Twitter pages, both of which the Association does not have. So long as the Association does not have those pages, Mr. Karamooz stated the website should not include those links. Ms. Thomas agreed with the removal or, alternatively, the Association create an online presence on those platforms.

President Moen thanked Ms. Thomas for her work on website, noting Ms. Thomas had broken down a large task into pieces and made it easier for KCA to do the backend work. President Moen stated this will be helpful from the standpoint of managing membership, noting Mr. Dyer was able to reach out to Association members who may have been behind on their membership dues. President Moen stated he will follow up with Mr. Fontaine on the social media platforms, but expressed concern the Association had the bandwidth to manage a Facebook, Twitter or Instagram account. President Moen agreed if links are provided they should go somewhere.

Ms. Eastley asked how the response was for request for updated photos. Ms. Thomas replied it was relatively lackluster; out of 20 emails sent, Ms. Thomas stated she'd only heard from three or four individuals. Ms. Thomas stated she has pictures of Hawthorne, Minden and Tonopah, but had hoped other consultants who take pictures of their airports would be more responsive.

President Moen stated having a good mix of photographs can show the diversity of aviation across the state and across the different airports. President Moen noted many of the photographs on the website came from Gary Schenauer. President Moen encouraged all members of the Board to reach out to their contacts to seek a variety of photographs and to forward those to Ms. Thomas or himself. Ms. Thomas suggested fly-over pictures would be pretty easy to gather since they are often taken by pilots. President Moen stated he also believes construction project pictures would show investments are being made in airports. President Moen stated gathering additional photographs can also help the marketing program and expand the membership base.

Infrastructure Funding and the Nevada Aviation Trust Fund – President Moen stated one of the primary functions of the Association is to advocate and support airports and the aviation system. With the upcoming federal infrastructure bill and anticipated allocations to the State of Nevada, President Moen stated there may be opportunities to receive funding for needed infrastructure projects relating to aviation. Regarding federal Coronavirus Aid, Relief, and Economic Security Act grants, President Moen stated airports have received some of those grants, through are unsure how exactly to use that money, be it for operation expenses or construction projects; due to assurances tied with the grants, spending the funds can get complicated, President Moen stated. Regarding infrastructure, President Moen stated he and Mr. Fontaine will arrange a conversation with Assemblywoman Robin Titus as to the best process going forward in acquiring and utilizing certain funding for airports.

Mr. Fontaine stated his understanding is a bill has been introduced in the United States Senate by Senator Jim Inhofe of Oklahoma that creates a hanger loan program to help fund the construction of hangers and fuel farms. In speaking with Kurt Haukohl, Mr. Fontaine stated the bill could provide \$10 million to Nevada. Mr. Fontaine also noted discussions regarding restoration of essential air service routes in Nevada, which were eliminated in past years. Mr. Fontaine noted the discussions regarding numerous opportunities for funding through the potential infrastructure bill and the \$2.7 billion flowing to the state as part of federal COVID relief bills, with state websites seeking input for the best way to spend those funds. Mr. Fontaine stated he is still contemplating how best to leverage some of those funds for the Aviation Trust Fund. Mr. Fontaine also noted seed funding provided by the recent legislative session for the State Infrastructure Bank. While the State Infrastructure Bank will likely provide infrastructure loans, Mr. Fontaine stated that is one avenue to assist leveraging additional FAA funds. As far as the Aviation Trust Fund is concerned, while he has not had direct conversations with leadership at the Nevada Department of Transportation (NDOT), Mr. Fontaine stated the aviation community will need to be the primary advocates for funding for the Trust Fund. Mr. Fontaine suggested NDOT will likely have other priorities, such as highway projects, staffing, retirements, salary issues and other state-agency issues.

Mr. Fontaine also stated, due to ongoing state budget concerns, there wasn't an opportunity last legislative session to request funding for the Aviation Trust Fund but it would be important to regroup and collect the data for any outstanding needs of the airports to help legislators understand what could be accomplished if funding for the Trust Fund is realized. Being able to express how far \$1 million could go for airports would be critical for helping accomplish goals of the aviation community, Mr. Fontaine stated. Regarding the acquisition of certain available federal airport funding, Mr. Fontaine noted some communities did not fill out paperwork to be eligible for that funding. In many cases it was a relatively small amount, though Mr. Fontaine stated he did not have answers as to why communities did not seek those funds.

President Moen stated members of the aviation community and those managing airports need to continue to tell the story of aviation. President Moen noted previous rounds of funding had yielded roughly \$23,000 for smaller airports, which might not seem like much to some but are critical when seeking local matching funds. President Moen noted legislators may question the need to fund airports as some airports are leaving money on the table. President Moen anticipates more conversations about funding at the annual conference.

Update on NDOT's Nevada Airport and Heliport System Plan – President Moen stated he had reached out to Mr. Haukohl, consultant on the Nevada Airport and Heliport System Plan before the Board meeting, to receive an update on the Plan. President Moen stated Mr. Haukohl is currently going through data and documents relating to the inventory results, data and other matters. President Moen stated he will continue to receive updates from Mr. Haukohl in writing and will forward those updates onto the Board. President Moen also noted he and Mr. Fontaine had spoken with representatives at Kimley-Horn the previous month regarding concerns as to the direction of the Plan. President Moen stated the concerns centered around the exclusion of anecdotal information from the Plan, such as the benefits aviation provide to support public safety and health care. President Moen stated an extensive review of the State Rail Plan was also performed, which was fairly specific in the actions it was seeking with many of the same goals applicable to aviation. President Moen noted the Governors' Office of Economic Development was involved with the State Rail Plan and have a lot of ownership in those action items. President Moen stated the Airport and Heliport System Plan needs similar actionable plan items moving forward with implementation. President Moen continued, reiterating airports support numerous industries such as mining. Cutting down on the travel time between airports and mines is highly beneficial in keeping mining operations on their production schedules, President Moen stated. President Moen conveyed his opinion the representatives from Kimley-Horn are seriously considering feedback from he and Mr. Fontaine, but that updates to the upcoming stages are forthcoming.

Mr. Fontaine noted he had spoken with Mr. Haukohl earlier in the morning, where Mr. Haukohl they are in the process of reviewing the third part of the System Plan relating to inventory data. Mr. Fontaine stated Kimley-Horn is near ready to begin the economic analysis which will be important to the Association and the aviation community. Mr. Fontaine noted the completion date of the System Plan is anticipated to be January or February 2022. Mr. Fontaine stated the goal is to produce a document that not only produces an inventory and a lot of data, but also provides analysis for all who continue to advocate for aviation in the state.

President Moen added the System Plan needs to not merely wind up as a binder on a shelf but be a continual consideration at the highest levels of the state. President Moen anticipated additional conversations regarding the System Plan to occur at the annual conference.

NvAA 2021 Annual Conference Planning – President Moen stated planning continues to occur for the upcoming conference. President Moen noted Ms. Eastley had made reservations for the convention center in Tonopah and that he will work with her on determining the appropriate hotel site. Ms. Eastley noted that would be the Belvada, which opened within the last couple months right across the street from the convention center. Ms. Eastley noted the Belvada building was constructed in 1906 and is the sister hotel of the Mizpah. Ms. Eastley also stated they can block rooms off at both hotels or at the Best Western if so necessary.

President Moen noted there is the benefit of having much of the legwork from last year being rolled to this year. President Moen stated dinner is planned at the Mizpah with a reception planned at Tonopah Brewing Company. President Moen stated the next step will be to get that information out to participants. President Moen also noted all the sponsors from the previous year deferred to this year and that it was just a matter of getting the program together.

Ms. Hivert agreed the scheduled program is completed from the prior year and can be revised or further refined.

President Moen stated he believe they are in a good spot as to the planning of the Conference, but that they probably need more details on the agenda. Despite the virtual nature of the previous year's conference, President Moen stated it was relatively well-received and hoped this year's would be so as well. President Moen stated members can anticipate agenda items related to the system plan, infrastructure, unmanned aircraft systems and the motion information systems collection process.

President Moen asked who would like to be involved with the schedule and program development, to which Mr. Karamooz and Mr. Nooks volunteered.

Board Member Comments. – President Moen discussed Mr. Fontaine's transition out of the executive director position. President Moen stated he'd asked Mr. Fontaine to stay through the conference, then further discussions will be held regarding filling the role. While much of this position related to the legislative side, President Moen stated Mr. Fontaine had done much more in terms of helping organize the Association.

Ms. Eastley noted the electronic general membership meeting is still open for vote, with questions posed by Mr. Tackes and Chris Johnson. Mr. Fontaine clarified a cleaned-up version of the bylaw amendments were approved by the Board in January and were up for review by the general membership at the electronic meeting. Mr. Fontaine noted the proposed amendment would conform the name change of the Association, clarify the different types of membership

and combine the 1st and 2nd Vice President positions. Mr. Fontaine noted the amendment didn't change anything in terms of voting.

Mr. Fontaine noted Mr. Tackes had questions, which Mr. Fontaine stated could be addressed offline. Mr. Tackes suggested those concerns were not significant, but he didn't recall the creation of group membership for regular members. With the change, Mr. Tackes noted the question becomes how voting will work for groups. In situations with corporate membership, Mr. Tackes noted four individuals could be added for \$200 within the corporate membership, with corporate members being able to add individuals afterwards for \$25. Mr. Fontaine stated the group memberships were intended for individual airports or counties with similar situations: airport members don't have a group and, therefore, no such membership opportunity; Mr. Fontaine stated this was an attempt to create parity between the two. Mr. Fontaine suggested if it was not clear additional changes can be made. While Mr. Tackes understood the creation of the group membership, he was unsure how the voting would work. Mr. Tackes sought clarification each airport is limited to one vote per airport with corporate membership limited to one vote per member. Mr. Fontaine replied that is the case and was not changed through the amendments.

Mr. Tackes noted section 5.0 relates to regular members, where each member airport will have one vote and will designate one member to vote on their behalf. Mr. Tackes suggested they might want to treat it so it applies to the non-airport members as well. President Moen stated it was his understanding that existed further down in the bylaw where voting privileges are extended to corporate members so long as they constitute less than one half of the voting members. President Moen also noted it states a corporate member shall designate one representative to vote on behalf of the corporate member. Mr. Tackes replied limiting to one vote per airport or organization and recognizing circumstances when organizations receiving one vote constitute less than half of the regular voting members may have a similar affect. President Moen confirmed this. Mr. Tackes stated they will probably want to tweak the \$25 at some point to avoid treating regular members more harsh than corporate members.

President Moen stated his understanding of Mr. Johnson's question was reducing Board membership down to an even number. President Moen stated he doesn't necessarily think having an even number of Board members is a bad thing, given the rarity of a tie vote and considering items without broad support tend not to pass.

Ms. Eastley asked if President Moen would like to reply to Mr. Johnson's comments. President Moen stated he would and defer replying to Mr. Tackes' question to Mr. Fontaine.

Regarding the active electronic membership meeting, Mr. Tackes noticed both Bert and Wendy Rudder had voted and asked if they had done so representing the same airport. Mr. Fontaine's recollection was they represented two airports. President Moen asked Mr. and Ms. Rudder be asked to clarify who each are voting on behalf of.

President Moen stated members should expect information from the Officer Nominating Committee, then he, Mr. Karamooz and Mr. Nooks will develop a conference agenda in conjunction with Ms. Eastley and Ms. Hivert on events and activities.

Set Time and Date of Next Executive Board Meeting – This item was not addressed.

Adjourn – President Moen adjourned the meeting at 10:07 a.m.

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