

Boundary County Airport Board Meeting March 1, 2022 (there was no meeting in February).

Present: Don Jordan, Pat Gardiner, Rick Durden, Jay Wages, Trey Dail, Caleb Davis, Johannes Snyder, Dalin Hubbard, Don Jordan, Travis Wisberg, Jay Wages, Mark Weber, Bob Blanford and Jesse Stafford

Manager: Dave Parker

The meeting was called to order at 5:32 PM by Jay Wages.

A correction to the minutes of the previous meeting was presented, Bob Blanford moved that they be accepted as corrected. Mark Weber seconded the motion and it passed unanimously.

Hangar Use Rules/Guidelines/Policy. Per guidance from the Board at the January meeting, Rick Durden and David Parker prepared draft hangar use rules that were circulated within the airport community for discussion at this meeting. Over the course of 90 minutes Board members and others at the meeting provided suggestions for changes and additions to the draft. It was the consensus the Board that the draft be revised with the changes and additions outlined at the meeting, the revised draft circulated, and a vote held at the April meeting. The revised draft is attached at the end of these minutes.

Hilt Corp Hangar Update. Dave Parker reported that there are no changes other than in his conversations with the principal, there are comments he may downsize the hangar and others that he will leave things as they were approved.

Grant Status Update. Dave Parker and Trey Dail reported that things are moving slowly on the Environmental Assessment. We had submitted sections one and two of the EA to the FAA last year and received comments on them. We resubmitted them on December 8. The FAA has not acted on the submission, and we cannot do anything more until the FAA approves the EA. The delay may adversely affect the timeline we have for further grants as the FAA will not approve any further grants until the EA is approved. The FAA does have \$1 million in its budget for the Boundary County Airport for next year—that money cannot be carried over. Assuming the EA is approved that money is to be used for major items such as the landslide on the east side of the airport and moving the powerline on the south side.

We do have \$159,000 that can be used this year on items that do not require an EA, such as snow removal or airport equipment. Dave Parker is looking at the cost of a tractor that could be equipped with a snowblower as he is looking ahead to when Hangar row D is complete and it will no longer be possible to push the snow off of the taxiway.

Don Jordan moved that Mr. Parker move forward with the investigation of purchase of a tractor and snowblower with the \$159,000 in available funds. Mark Weber seconded the motion and it was approved unanimously.

Grass Damage. Dave Parker reported on the increasingly serious problem of damage caused by people driving on the turf in the hangar area leaving ruts and tearing up the sod. The County has recommended demanding that the offenders pay for repairs. Mr. Parker said that he is planning to place large rocks in locations that will prevent people from driving on the grass.

Building Proposal West of Runway. Dave Parker reported that there is a plan to build a large truckstop immediately west of the airport about midfield. Board members expressed concerns about adverse affects of lighting on the truckstop. Mr. Parker said that will be addressed and that he is dealing with the people proposing the truckstop with regard to FAA approval and filing the 7460 forms.

Term Renewals. The terms of Board Members Don Jordan, Jay Wages and Caleb Davis are about to expire. Rick Durden moved that they be elected to new terms. The motion was seconded by Mark Weber and passed unanimously.

The meeting was adjourned at 7:17 pm.

3-1-22

BOUNDARY COUNTY AIRPORT HANGAR USE RULES

Introduction

Boundary County leases land on the Boundary County Airport (65S) to persons who desire to construct a hangar to house aircraft. Because Boundary County receives federal Airport Improvement Program (AIP) funds, it signed an agreement to run the airport in compliance with AIP grant assurances regarding the airport and use of property on the airport. One of the basic premises of grant assurances is that airport property should be used primarily for aeronautical purposes. The FAA has defined using a hangar primarily for an aeronautical purpose as using it to store airworthy aircraft. People who lease airport land to build hangars agree, in writing, to

comply with airport rules and federal regulations—which includes using the hangar primarily for aeronautical purposes.

To assure that Boundary County complies with the grant assurances it signed, it has established the following airport hangar use rules/guidelines/policy. The rules were drafted by the Boundary County Airport Advisory Board in conjunction with users of the airport who made written and oral comments, suggestions, and recommendations. In addition to ensuring that the County complies with grant assurances, it was the intent of those drafting these rules that the Boundary County Airport remain a welcoming airport for its users with a minimum number of rules so that users can enjoyably make use of the airport for aviation transportation, education, recreation and that the airport continues to be available for the types of emergency services that can be provided by aircraft. At the same time, those drafting the rules recognize that there will be some users who will attempt to take advantage of the exact language of these rules to try and use their hangar(s) for primary purposes that are non-aeronautical. Accordingly, it is the intent of the drafters that these rules be followed in good faith by the County and airport users.

The above introduction will be removed from this document when the Rules are approved by the Airport Advisory Board.

1. A person who has leased land on 65S and erected a hangar on the land is be called a hangar tenant in these rules. The purpose of a hangar on 65S is to store airworthy aircraft. A hangar tenant has six months from the time the hangar is erected (or purchases an existing hangar) to store an airworthy aircraft in it. Should the hangar tenant dispose of

the aircraft, the hangar tenant has ten months to store another airworthy aircraft in the hangar. If the aircraft in the hangar has not completed an annual inspection within the last 12 months, the hangar tenant has six months to return the aircraft to airworthy condition or replace it in the hangar with an airworthy aircraft. A hangar tenant may apply to the airport manager for an extension of an applicable deadline. The standard for granting an extension is a showing of a good faith attempt to comply with the deadline. If the application is denied, the tenant may appeal the denial to the Airport Advisory Board.

2. A hangar tenant who does not keep an airworthy aircraft in the hangar on a regular basis—for example, a person who also has a hangar at another airport several hundred miles away and uses both of them—must store an airworthy aircraft in the 65S hangar at least one week during any consecutive ten-month period. At the hangar tenant's option, this requirement may be complied with by working with the airport manager to temporarily park transient aircraft in the hangar. A hangar tenant may apply to the airport manager for an extension of the deadline. The standard for granting an extension is a showing of a good faith attempt to comply with the deadline. If the application is denied, the tenant may appeal the denial to the Airport Advisory Board.
3. The primary aeronautical purpose of a hangar on 65S is met by a hangar tenant that is building a homebuilt aircraft or restoring an aircraft in the hangar. The hangar tenant has a period of five(?) years to make the aircraft under construction or restoration airworthy. Some of the persons involved in drafting these rules have been involved in building homebuilt aircraft and/or restoring aircraft and recognize that there may be unforeseen

delays in the process, so the airport manager is authorized to extend the time limit yearly if the hangar tenant so requests and provides documentation showing regular progress with the construction/restoration project. If the airport manager denies such a request, the hangar tenant may appeal the denial to the Airport Advisory Board.

4. The airworthy aircraft in the hangar must be capable of being moved in and out of the hangar freely. There may be nothing in the hangar that must be moved out of the way before rolling the aircraft out of the hangar. There may be more than one airworthy aircraft in a hangar. Accordingly, it may be necessary to move another airworthy aircraft in order to roll the desired aircraft out of the hangar—however, it is not acceptable to have to move anything else out of the way. The intent of the drafters of these rules is that hangars are primarily used to store airworthy aircraft.
5. So long as the above rules are complied with, a hangar tenant (and/or the owner(s) of aircraft stored in the hangar) may store other items that are owned by the hangar tenant (and/or the owner(s) of aircraft stored in the hangar) in the hangar as long as the hangar is used primarily to store airworthy aircraft.
6. No gasoline/diesel fuel may be stored in a hangar unless it is fuel for the aircraft stored in the hangar and/or fuel for a motorized tug used for moving the aircraft. All such fuel shall be stored in the fuel tanks of the aircraft and/or portable containers designed and labeled for storing fuel and/or the fuel tanks of vehicles parked in the hangar. No more than 20 gallons of fuel may be kept in fuel containers. This rule does not apply to fuel tanks

commonly installed in the beds of pickup trucks when those trucks are parked temporarily in the hangar—temporarily being defined as while the truck operated by the hangar tenant is in the hangar while the tenant is flying the aircraft that is otherwise parked in the hangar.

7. A hangar tenant (and/or the owner(s) of aircraft stored in the hangar) may not store items not owned by the hangar tenant (and/or the owner(s) of aircraft stored in the hangar) in the hangar.
8. There is not a minimum proportion of the floor space of a hangar that must be occupied by airworthy aircraft. However, if more than two-thirds of the hangar is either empty or not occupied by airworthy aircraft, a presumption exists that the primary purpose of the hangar is not aeronautical, and the hangar tenant is encouraged to explore moving to a smaller hangar or store additional airworthy aircraft in the hangar. Persons seeking to build a hangar capable of storing three or more airworthy airplanes but intending to store only one should recognize that their application for a land lease may be denied.
9. A hangar may not be occupied by persons for overnight use or used as a residence. It is recognized that a rare circumstance may arise in which a hangar tenant and her/his guests need to remain in a hangar overnight such as after landing late at night and the drive home without rest may be hazardous—doing so on such a rare occasion will not be considered a violation of these rules.
10. No non-aviation business may be operated in a hangar.

11. Storage of hazardous materials not necessary for aircraft in a hangar is prohibited.
12. Hangar tenants may not drive vehicles on taxiways or off of designated roadways and parking areas, and are responsible to ensure that any person they invite on to the Airport comply with the rule. Anyone causing damage to grass, turf or soil through use of a vehicle will be responsible for the cost of repairs.
13. Boundary County has the authority to begin eviction proceedings against hangar tenants who do not comply with these rules. While there is no requirement for a warning before beginning such action, the intent of the drafters of the rules is for hangar tenants to voluntarily comply, particularly if the airport manager advises of a violation.