

## MINUTES OF THE JACKSON HOLE AIRPORT BOARD

**DATE:** April 19, 2017

**BOARD PRESENT:** Jim Waldrop, Jerry Blann, Mary Gibson Scott and John Eastman were present in the Airport Board Conference Room. Rick Braun was present via conference call which was audible in the Airport Board Conference Room.

**OTHERS PRESENT:** Jim Elwood, Jackson Hole Airport; Mike Morgan, Lohf Shaiman Jacobs Hyman & Feiger PC; Joseph Sebastian, TSA; Gene Murphy, Kevin Ensor, SEH; Mike Mahoney, KLJ; Jim Stanford, Town of Jackson; Greg Epstein, Teton County; Michael Moore, Snow Country Limousine; Fred Hibbard, Timberline Corp; Pete Lindell, Fly Jackson Hole; Jeremy Mayo, Hertz; Thomas Kirsten, Jorgensen; Socorro Chapeton, Reynaldo Chapeton, Aspen Carpet Cleaning; Matt Wright, Jackson Hole Aviation; Suzanne Herrick, Greg Herrick, Michael Lawrence, Denny Moffett, Wyoming Jet Center; Petti Riley, Dollar/Thrifty; Tom Ninnemann, Nancy Ninnemann, Public; Jeanne Kirkpatrick, Dustin Havel, Ron Campbell, Michelle Anderson, Aimee Crook, Randy Knepper, Tony Cross, Megan Jenkins, Jake Sperl, Alton George, Kaitlin Perkins, Jackson Hole Airport.

**CALL TO ORDER:** Waldrop called the meeting of the Jackson Hole Airport Board to order at 9:00 a.m. on Wednesday, April 19, 2017.

**I. VOLUNTEER OF THE MONTH:** Elwood recognized Nancy Ninnemann as volunteer of the month. He said Ninnemann volunteered at the Airport almost every Saturday as a host. Ninnemann said she loves to welcome the visitors and help out. Waldrop acknowledged Ninnemann's work with a certificate of recognition.

**II. COMMUNITY OUTREACH:** Elwood stated the Airport posted an ad in the Jackson Hole News & Guide thanking volunteers for contributing and making the winter season go as seamlessly as possible. Additionally, he advised the Board regarding the Airport's full scale disaster drill exercise on April 15<sup>th</sup>.

Elwood recognized the snow plow crew for all their hard work this winter. He said the crew worked 6,500 hours on snow removal equipment.

**III. APPROVAL OF MINUTES:** Braun stated the March 15<sup>th</sup> minutes should reflect that he was present. Gibson Scott made a motion to approve the March 15<sup>th</sup> minutes with the revision and the March 24<sup>th</sup> Special Meeting minutes. Blann seconded the motion. Having no further discussion, the motion passed unanimously.

**IV. COMMENTS FROM – NATIONAL PARK SERVICE, TOWN OF JACKSON, TETON COUNTY AND THE PUBLIC:** Epstein said that it is budget season for Teton County. He stated that voter turnout is down for the SPET ballot. He encouraged the audience to remind friends, family and colleagues to get out and vote.

Gibson Scott stated the Concessions Committee met with Mike Gierau and Rhea Brough earlier in the month and had a discussion on revising the Contract schedule and improvements that need to occur.

Eastman stated that the Facilities Committee will report later in the meeting on the Law Enforcement Agreement and the Custodial Contract.

Eastman stated the General Aviation Committee met several times about tracking the capital improvements identified in the Conceptual Plan and the application for the second FBO. Waldrop said there have been additional inquiries about becoming a second FBO but no additional applications have been received beyond Wyoming Jet Center at this time.

Waldrop said the Grand Teton National Park Mitigation Committee will be meeting on Friday, April 21<sup>st</sup> and will report on the meeting at next month's Board meeting.

Gibson Scott stated the Human Resources Committee recently met with Tony Cross and talked through recommendations that have been carried forward. She said some recommendations will be presented later in the meeting. She thanked Blann for his efforts serving on the Committee previously.

Waldrop spoke for the Transportation Committee and said there was a Public Hearing earlier in the morning at 8:00 a.m. regarding TNCs operating at the Airport. Epstein asked if there was an opportunity for people leading up to the hearing to have e-mailed questions and comments. Elwood stated that there was and that no verbal or written comments were received.

**VI. ACTIVITIES REPORTS REVIEW:** Elwood stated that in order to comply with the Noise Abatement Plan, the Airport measures average daily departures (ADDs). He said that the ADDs for the quarter ending March 31, 2017 were 3.41 and 3.41 annually, which is well below the allowable ADDs. He stated that passenger enplanements increased 1% in March 2017.

Eastman made a motion to approve the activities reports. Blann seconded the motion. Having no further discussion, the motion passed unanimously.

## **VII. ACTION ITEMS:**

**A. Rates Review:** Elwood said there was no change in rates at Jackson Hole Aviation.

### **B. Financial Reports:**

**1. Passenger Facility Charge (PFC):** Kirkpatrick stated passenger facility charges collect approximately the same amount of money every year. She stated the funds collected are used to pay current loans.

**2. Customer Facility Charge (CFC):** Kirkpatrick said that the customer facility charges will be used to fund the design of the quick turnaround facility and a portion of the south access road construction. She said the remainder of the cash and a loan will fund the construction of the car rental quick turnaround facility. She said the balance in the CFC account is currently \$3,017,643.

**3. Income & Expense Operating Statements:** Kirkpatrick stated that operating income is up commensurate with expenses. She said that it is anticipated that operating income will exceed operating expenses by at least \$400,000 at fiscal year-end.

Eastman made a motion to approval the financial reports. Blann seconded the motion. Having no further discussion, the motion passed unanimously.

**C. Budget FY 2017-2018:** Kirkpatrick stated that each year, with broad staff input and recommendations, the Airport develops a zero based budget that considers not only the operating needs and requirements of the Airport but focuses on generating sufficient revenue to cover capital investments that benefit both general and commercial aviation operations and customers. She said the main source of operating revenue is from airline income and rental car income. She said airline income will be collected from landing fees and rents, which represent 37% of the total income. She stated rental car income represents 29%. She stated that, other than airline income, most of the revenue sources are set by multi-year contracts, such as Jackson Hole Aviation and rental cars.

Kirkpatrick said there have been some increases in expenses over time as passenger traffic increases, there are more stringent regulations and maintenance requirements increase for the larger terminal and other facilities. She stated that this year there are new initiatives, such as a housing allowance and master lease program. A new operating expense is the addition of two seasonal snow plow crew. She said additional plow operators will enhance safety and help meet the new more stringent runway condition reporting requirements. She said additionally, projects such as LED lights for the terminal and a new Fly Quiet Program which will encourage the use of flight tracks that cause less impact and quieter aircraft are included in the budget. She stated that income has kept pace with expenses while airport rates remain well below comparable airports in its rates and charges.

Kirkpatrick said based on the operating expenses an analysis is prepared demonstrating the actual cost of providing services and facilities to the airlines. Based on this analysis, Airline rates are increasing by 10% this year. However, they will remain below the compensatory rates calculated in the analysis. She said that both landing fees and space rent are well below those rates charged at other intermountain airports.

Kirkpatrick stated that the capital projects for FY 2018 total \$32,751,900. She said over 40% of the costs, \$13,431,880, are related to the commercial and general aviation apron projects. She explained those projects are funded with primarily Federal and State funds. She said other projects will be phased and are dependent upon completion of the design and availability of construction materials.

there is adequate competition between TNCs, taxis when operating by advance reservations and executive service and charter providers. He said the Board will not set rates for these classes, but instead find that because of competition, rates for these providers may be presumed to be fair and reasonable.

Gibson Scott made a motion to adopt Resolution 2017-04 in the form presented to make findings regarding Transportation Network Companies, and de-regulate rates to the public for certain classes of service based on adequate competition. Blann seconded the motion. Having no further discussion, the motion passed unanimously.

**4. Approve form of TNC Operating Agreement:** Morgan said that the TNC Operating Agreement relies on the Wyoming TNC Act's provisions for insurance, background checks, fare disclosure to riders and other matters, and adds to them only when necessary. He said the Operating Agreement would not permit TNC drivers to come into the terminal with a sign board. He said drivers would only be permitted to pick-up and drop-off at the curb and wait in the designated area. He said TNCs would operate using their own Geo Fences, with the Board reserving the right to install its own Geo Fence in the future to confirm the accuracy of TNC fee payment to the Board. He said the Operating Agreement would permit the same vehicle to provide TNC or taxi service, however, once in the taxi queue a taxi could not take a TNC fare.

Gibson Scott made a motion to adopt the form of TNC Operating Agreement as presented, with the Executive Director being authorized under the Ground Transportation Rule to execute the same with TNCs, in these forms or with non-financial amendments approved by the Executive Director after consultation with the Board's legal counsel from time-to-time. Blann seconded the motion. Having no further discussion, the motion passed unanimously.

**F. Resolution: Determination Related to Use of Hangar 4 and 5:** Morgan stated that Jackson Hole Aviation (JHA) holds an FBO Master Operating Agreement with the Board which runs through April 13, 2018. He said in 2003, JHA constructed additions to Hangars 4 and 5, which will become the property of the Board on April 27, 2018. He said because JHA's investment was more than \$1 million, the Board granted JHA a First Right to Lease both Hangars 4 and 5 and to enter into a new FBO Operating Agreement. He stated the First Right is contingent on the Board determining whether Hangar 4 and/or Hangar 5 will continue to be used for general aviation purposes after April 27, 2018. He stated that in connection with the determination, the Board must present JHA with proposed forms of lease and a successor FBO Operating Agreements, both for terms ending April 26, 2023. He said these must provide JHA's sole or joint use of a fuel facility for the same period. He said both must be on fair and reasonable market terms, which are no less favorable than those the Board may be offering to others.

Eastman made a motion to adopt Resolution 2017-05 in the form presented, making the determination that Hangars 4 and 5 will continue to be used for general aviation

purposes after April 27, 2018. Gibson Scott seconded the motion. Having no further discussion, the motion passed unanimously.

**G. Resolution: Pending Application and Request Relating to General Aviation Facilities:** Morgan stated Resolution 2017-06 directs staff to study and report back to the Board on the feasibility of a second FBO at the Airport by next month's Board meeting. He said the feasibility study will see if there is: sufficient land and facilities available for establishment of a second FBO; if a second FBO could be operated safely; and if the establishment of a second FBO at the Airport would be in the best aeronautical interests of the public and the Airport. He said upon receiving the report the Board will decide whether to consider Wyoming Jet Center's application, publish an RFP for a second FBO or determine that a second FBO is not feasible. He said pending the staff report and decision, the Board will hold in abeyance the application of Wyoming Jet Center for a second FBO or any other applications which may be received, and Jackson Hole Aviation's Request for Development of private construction of general aviation facilities.

Blann made a motion to adopt Resolution 2017-06 in the form presented, which among other things would direct staff to study and report on the feasibility of a second FBO at the Airport by next month's Board meeting, and pending such report, hold in abeyance the application of Wyoming Jet Center for a second FBO, and the Request for Development of Jackson Hole Aviation to construct FBO facilities. Braun seconded the motion. Having no further discussion, the motion passed unanimously.

**H. Jedediah Contract Amendment:** Elwood stated that the term on the Lease with Jedediah Corporation expires on January 15, 2018 if the final year option would have been exercised. He said the Board and Jedediah's acknowledge that it would be inconvenient for both parties if the Lease term were to end in January, given the number of enplanements during that time period. He said Jedediah's has agreed to extend the Lease through April 10, 2018. He said that the Board will then have time to develop and publish an RFP for restaurant services. He acknowledged the Concessions Committee and Mike Gierau.

Gibson Scott made a motion to adopt the Resolution in the form presented, under which the Board shall elect not to exercise its final one-year option on the Airport Facilities Lease and Concession Agreement with Jedediah Corporation, and approve the First Amendment to said Lease in the form presented to extend the Lease term until April 10, 2018. Blann seconded the motion. Having no further discussion, the motion passed unanimously.

**I. Town of Jackson Agreement for Law Enforcement:** Elwood said the Town of Jackson provides law enforcement to the Airport as required by TSA. Eastman stated that the proposal is to increase the payment from the Town from \$486,996 to \$531,600 per year and enter into a new three-year Memorandum of Understanding. Eastman noted that 10% of the budget is two line items, law enforcement and custodial services. He said the increase is based on wages and benefits for law enforcement officers. Kirkpatrick stated that the correct amount is \$531,924 not \$531,600.

Eastman made a motion to approve the Memorandum of Understanding between the Town of Jackson and Jackson Hole Airport Board for Provision of Law Enforcement Services to the Jackson Hole Airport in the amount of \$531,924 per year for three years. Gibson Scott seconded the motion. Eastman amended the motion. Having no further discussion, the motion passed unanimously.

**J. Custodial Services Contract Amendment:** Elwood stated that Aspen Carpet Cleaning provides day and night time custodial services at the Airport in addition to two Airport custodial employees. He said the proposed fee is \$518,293, a 6.5% increase for the second year of the Contract. Braun stated the Facilities Committee has reviewed the proposal and recommends approval.

Braun made a motion to approve the First Amendment to the Independent Contractor Agreement between Jackson Hole Airport and Aspen Carpet Cleaning LLC for custodial services in the amount of \$518,293. Blann seconded the motion. Having no further discussion, the motion passed unanimously. Gibson Scott noted that the 6.5% increase in fees is for increased labor costs, and not increased overhead by the contractor.

**K. Website Design Agreement:** Anderson explained that the Airport sent out an RFQ for website redesign services at the beginning of March. She said that the Airport seeks to maintain the current look and feel of the website that is consistent with the Airport's brand, with some redesign to make it easier for the public to navigate. She said the Airport would like a new content management system to make it easier for staff to update the website with current news. She said the Airport would also like to add the capability for online payment options for items such as parking and ground transportation fees to the website. She said the new website will be ADA compliant. Gibson Scott stated how important it is to be able to update the website with current news especially with all of the construction projects that are underway.

Eastman asked if there will be more web cameras added with the redesign of the website. He asked for weather information to be on the updated website to help users gather if the Airport is open and operational. He also suggested that a live twitter feed be linked to the updated website. He asked for the status of the parking lot, whether it is full or has open spaces, to be on the website. He said in relation to the parking information, he would like to see seamless Ride2Fly reservation connectivity. He stated he would also like to see mobile functionality. Blann suggested a 360 degree viewable camera from the control tower.

Blann made a motion to approve the Agreement between VR Interactive Media LLC d/b/a TMBR Creative Agency and Jackson Hole Airport Board for website redesign services in the amount of \$20,000. Eastman seconded the motion. Having no further discussion, the motion passed unanimously.

**L. Audit Contract Agreement:** Anderson said the Airport issued an RFQ for Audit Services in March. She said five proposals were received and staff narrowed it down and reference checked two firms. She said staff selected Eide Bailly LLP and recommends approval subject to negotiation of fees not to exceed \$50,000. Blann

asked what Eide Bailly's qualifications are. Anderson said they are a large national firm which has audited 14 airports in the past with extensive Wyoming Joint Powers Board experience. She said they have also audited the Wyoming Retirement System and the Deputy Director of the Wyoming Retirement System was extremely pleased with them.

Blann made a motion to approve the Agreement between Eide Bailly LLP and Jackson Hole Airport Board for professional audit services contingent upon fee negotiation not to exceed \$50,000. Eastman seconded the motion. Having no further discussion, the motion passed unanimously. Elwood thanked Porter, Muirhead, Cornia & Howard for their service to the Airport.

**M. Envoy Air Inc. License Agreement:** Kirkpatrick stated Envoy Air Inc., a wholly owned subsidiary of American Airlines, was selected by American to be the ground services provider for American Airlines. She stated that Envoy does not plan to rent space or bring flights into Jackson at this time so there are no landing fees or space rent identified within the agreement language. She said an Agreement is required to operate at the Airport. As additional comments, she said that Envoy is currently advertising for staff and plan to start May 1, 2017.

Gibson Scott made a motion to approve the Airline Ground Handling License Agreement between the Jackson Hole Airport Board and Envoy Air Inc. Blann seconded the motion. Having no further discussion, the motion passed unanimously.

**N. American Airlines Amendment:** Kirkpatrick said American Airlines has requested to lease two additional offices at the Airport that were previously leased by ATS. She said two offices are a total of 323 square feet and a rented rate of \$33 per square foot. She said the term of the lease will expire on June 30, 2017.

Braun made a motion to approve the Ninth Amendment to the Lease of Airport Facilities between the Jackson Hole Airport Board and American Airlines for two additional offices for a total of 323 square feet. Eastman seconded the motion. Having no further discussion, the motion passed unanimously.

**O. Snow Country Limousine:** George explained Snow Country Limousine has proposed an Executive Charter Service at the Airport. George stated that the proposal exceeds all Airport requirements and that Snow Country Limousine will be a positive addition to ground transportation options at Jackson Hole Airport. Waldrop asked how long Snow Country Limousine has been operating. Moore stated the Company has been operating in Park City, Utah for 18 years.

Blann made a motion to approve the Ground Transportation Agreement between Snow Country Limousine and the Jackson Hole Airport Board for Executive Charter Services. Gibson Scott seconded the motion. Having no further discussion, the motion passed unanimously.

**P. KLJ – Contract Coordination:** Elwood stated that KLJ will assist the Airport in coordinating multiple projects within the Capital Improvement Program that are

scheduled to be designed and constructed within the same general time frame. He said there will be a weekly review by KLJ of the planning and work of project consultants and contractors and the Airport will then be advised on strategies to resolve matters between projects. He stated the initial period of service will be for three months with the option to extend terms by Amendment. He said total cost of this contract shall not exceed \$54,000. Blann stated that outside coordination during the multiple projects that will be underway within the Capital Improvement Program is essential. Gibson Scott concurred with Blann on the extra oversight during multiple projects.

Gibson Scott made a motion to approve the Agreement between KLJ and the Jackson Hole Airport Board for Contract Coordination for multiple projects within the Capital Improvement Program for a not to exceed amount of \$54,000. Blann seconded the motion. Having no further discussion, the motion passed unanimously.

**Q. Security System Server:** Crook explained that the Airport seeks to upgrade the current recording server with two new servers of 8 terabytes of capacity each. She stated that the new servers will each be purchased with a five-year replacement warranty and a 2200 watt UPS back up power supply. She stated that these servers will allow the Airport greater flexibility and provide failover recording with longer storage time. She said that the servers will also allow additional cameras to be added. She noted that the five-year warranty will assure that the Airport is sent a new server immediately if one fails.

Blann made a motion to approve the purchase of two 8 terabyte security system servers at a total cost of \$25,960. Eastman seconded the motion. Having no further discussion, the motion passed unanimously.

**R. ABC – Change Order Wastewater Conveyance System:** Havel stated that Associated Brigham Contractors Change Order 3 in the amount of \$80,085 is for revisions to the demolition plans. He stated that the Change Order includes required excavation, removal and backfill of material. He stated that the Change Order also includes the lift station remote monitoring that is currently located in the ARFF building, and which is used to report all monthly flows to downstream entities. Eastman asked how much of the \$80,085 was for the monitoring of monthly flows. Havel stated that approximately \$10,000 was for the monitoring and reporting of flows and \$70,000 was for the removal of material. Elwood noted that the Airport is voluntarily removing the backfill material.

Braun made a motion to approve Associated Brigham Contractor's Change Order 3 for the required excavation, removal and backfill of material in the amount of \$80,085. Eastman seconded the motion. Having no further discussion, the motion passed unanimously.

**VIII. DIRECTOR'S COMMENTS:** Elwood gave an update on the ongoing construction projects, stating that projects are on schedule and on budget. He stated that the Security Screening Contract has been awarded to the Airport by the TSA. He spoke about a letter received from Lower Valley Energy regarding upgrades to the electrical



service in the valley. He stated that the Airport supports the initiatives put forward by Lower Valley Energy. Waldrop asked staff to write a letter from the Board supporting Lower Valley Energy, particularly to assure continuity of power. Gibson Scott asked how much of the additional cost of \$10 million to the underground transmission lines was aesthetic. Elwood stated there is a lot of detail yet to be provided.

Eastman made a motion to support Lower Valley Energy's initiative to upgrade electrical services provided. Blann seconded the motion. Having no further discussion, the motion passed unanimously.

**IX. BOARD COMMENTS:** Eastman stated that there was a full scale disaster exercise that was managed by staff and required by the FAA. He acknowledged staff for an excellent job, with special acknowledgment to Alton George who was Incident Commander.

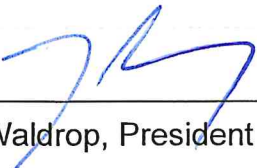
Gibson Scott acknowledged staff for the work they do. She said she attended the ACI-AAAE conference in Greenville, South Carolina earlier in the month.


Braun said that Airport staff continues to exceed expectations.

Blann stated that the five-year extension on the Security Screening Contract is so positive. He acknowledged Waldrop for a well-executed meeting.

Waldrop stated that it was a very robust meeting and applauded the Board on their work. He stated there are a lot of things happening and in the pipeline for the Airport and there has been a lot of preparation. He said it has been powerful to be a part of the employee and housing initiatives and thanked Tony Cross and the HR Committee.

**X. ADJOURN:** Eastman made a motion to adjourn the meeting at 11:19 am on April 19, 2017. Gibson Scott seconded the motion and the meeting was adjourned.

  
\_\_\_\_\_  
Jim Waldrop, President

  
\_\_\_\_\_  
Mary Gibson Scott, Secretary

(“JHA”), has submitted a Request for Development under the Business Rule, requesting authority to finance, construct and own, among other things, New Hangar 3 and the New Fuel Facility; and

**WHEREAS**, as a recipient of federal AIP grant funds, the Board is required, among other things, to make the Airport “available to all types, kinds and classes of aeronautical activity on fair and reasonable terms and without unjust discrimination,” and may not unreasonably exclude a qualified applicant from engaging in an on-airport aeronautical activity without just cause.

**NOW THEREFORE**, in open meeting and on motion made, seconded and unanimously adopted, the Jackson Hole Airport Board hereby resolves as follows:

1. Staff is directed to consider all relevant factors, including those set forth in the Recitals above, and to study and report back to the Board as soon as possible, but no later than the Board’s May 2017 meeting, on whether, consistent with the Board’s regulatory and contractual obligations, (a) there is sufficient land and/or facilities available or reasonably expected to be available on the Airport for establishment of a second FBO, (b) a second FBO at the Airport could be operated safely on the land and with the facilities available, and (c) establishment of a second FBO at the Airport would be in the best aeronautical interests of the public and the Airport.

2. After such staff report is received, the Board intends to decide whether to (a) consider the pending application of WJC for a second FBO at the Airport, (b) instead solicit proposals for a second FBO at the Airport in an open and competitive process, or (c) determine that no applications for a second FBO at the Airport can be considered.

3. Pending the above staff report and decision, the Board will hold in abeyance both (a) the application of WJC and any others applications for a second FBO which may be received, and (b) JHA’s Request For Development of FBO facilities on the Airport.

Adopted by the Board in open and public meeting this 19th day of April 2017.

**JACKSON HOLE AIRPORT BOARD**

By:  \_\_\_\_\_  
Jim Waldrop, President

**ATTEST:**

By:  \_\_\_\_\_  
Secretary

**RESOLUTION NO. 2017-05  
OF THE  
JACKSON HOLE AIRPORT BOARD**

**RE: Determination Regarding Use of Hangars 4 and 5**

**April 19, 2017**

The Jackson Hole Airport Board (the "Board"), a body corporate, organized under the laws of Wyoming, finds that:

**WHEREAS**, the Board is operator and proprietor of the Jackson Hole Airport (the "Airport") and is authorized to enter into leases and agreements with airport tenants and concessionaires, pursuant to Wyoming Statute §§10-5-101, *et seq*;

**WHEREAS**, the predecessors in interest to Jackson Hole Aviation LLC ("JHA") entered into FBO Master Operating Agreements with the Board (the "MOA");

**WHEREAS**, JHA exercised a 5-year renewal option in the MOA, the term of which runs through April 13, 2018;

**WHEREAS**, in 2003 JHA constructed additions to Hangars 4 and 5, which shall become the property of the Board on April 27, 2018, the Board agreed that if JHA's investment in the additions was at least \$1 million it would be granted a first right to lease Hangars 4 and 5 and enter into a new MOA, both for additional five-year terms;

**WHEREAS**, JHA made the required investment and accordingly, the Board entered into a First Right to Lease (the "First Right") with JHA, which provides that prior to April 27, 2017, the Board shall determine whether Hangar 4 and/or Hangar 5 will continue to be used for general aviation purposes after April 27, 2018, and notify JHA of its determination;

**WHEREAS**, in connection with such notification, the Board must present JHA with proposed forms of lease for Hangar 4 and/or 5, and successor FBO Operating Agreement which provides for JHA's sole or joint use of a fuel facility for the same period, both for terms ending April 26, 2023, and both on fair and reasonable market terms no less favorable than those the Board may then be offering to others; and


**WHEREAS**, the Board wishes to determine that Hangar 4 and Hangar 5 will continue to be used for general aviation purposes after April 27, 2018.

**NOW THEREFORE**, in open meeting and on motion made, seconded and unanimously adopted, the Jackson Hole Airport Board hereby adopts the above findings and resolves as follows:


1. The Board hereby affirmatively determines that Hangar 4 and Hangar 5 will continue to be used for general aviation purposes after April 27, 2018.
2. The Executive Director shall notify JHA of such determination.

Upon motion duly made and seconded, the foregoing Resolution was adopted by the Jackson Hole Airport Board this 19th day of April 2017.

**JACKSON HOLE AIRPORT BOARD**

By:  \_\_\_\_\_  
Jim Waldrop, President

**Attest:**

By:  \_\_\_\_\_  
Secretary

**RESOLUTION NO. 2017-04  
OF THE  
JACKSON HOLE AIRPORT BOARD**

**RE: FAIR AND REASONABLE GROUND TRANSPORTATION RATES  
FOR SERVICES TO AND FROM THE AIRPORT**

**Adopted: April 19, 2017**

**Effective: May 1, 2017**

The Jackson Hole Airport Board (the "Board"), a body corporate, organized under the laws of Wyoming, finds that:

**WHEREAS**, the Jackson Hole Airport Board (the "Board") is authorized to operate and maintain the Jackson Hole Airport (the "Airport") under Wyoming Statute §§ 15-5-101, et seq., Chapter 12.16 of the Ordinances of the Town of Jackson, and the Board's capacity as proprietor of the Airport;

**WHEREAS**, the Airport is operated by the Board within Grand Teton National Park pursuant to an Agreement between the United States and the Board, dated April 27, 1983 as amended, which requires, at Section 9(b), and pursuant to 16 U.S.C. Section 7d, that all rates and prices charged to the public by the Board and its subcontractors and licensees shall be fair and reasonable;

**WHEREAS**, the Board has adopted a Ground Transportation Rule (the "Rule"), which is applicable to all classes of ground transportation providers providing service to, from and/or on the Airport, which Rule establishes Taxis, Shuttles, Transportation Network Companies and Executive Service Providers as separate and distinct classes of ground transportation service at the Airport;

**WHEREAS**, the Rule provides that the Board may establish from time to time by resolution, a schedule of rates which may be charged by some or all classes of ground transportation Providers, for service between the Airport and various destinations within Teton County; that each such resolution shall have an effective date, and further provides that each such resolution may establish rates to and/or from the Airport, may establish different rates for different classes of service, and different rates for one-way or round trip or group travel, as the Board finds to be fair, reasonable and in the public interest, or because of competition or other factors the Board may find that such rate and charge approval is not necessary to ensure they are fair and reasonable;

**WHEREAS**, the Rule further provides that rates established for Taxis between the Airport and the Town of Jackson shall be to or from all locations within Town limits; that rates established to or from any destination which is located between any two destinations listed in the Resolution, shall be at a fair rate determined by the Provider, but in no event more than the rate established for the farther listed destination nor less than the rate established for the closer listed destination; and that rates to locations beyond those listed in the resolution shall be at a fair and reasonable rate as determined by the Provider and disclosed in some manner on the rate card;

**WHEREAS**, the Board finds that ground transportation facilities at the Airport are congested, and for purposes of safety and efficiency of operation, this requires Taxis to take fares on an in-line and a take-what-comes basis, which by its nature does not permit consumers to shop for rates between Taxis, or Taxis to compete on the basis of rates, and that there is only one Scheduled Shuttle Service at the Airport;

**WHEREAS**, rate competition between Taxis which take fares on an in-line and take-what-come basis is likely to cause confusion among passengers, increased pedestrian and vehicular congestion and a reduction in the quality of service to the traveling public, and as a result be contrary to the public interest, welfare and safety;

**WHEREAS**, the Board finds that there is adequate competition between Transportation Network Companies, Taxis when operating by advance reservations, and Executive Service and Executive Charter Providers which always operate by advance reservations, such that rates for such Providers may be presumed to be fair and reasonable;

**WHEREAS**, pursuant to this requirement, the Board adopted a Resolution in June 2016 establishing Taxi rates and charges to the public, has established Shuttle rates from time to time, and desires to re-confirm such rates in accordance with the exhibits annexed hereto, and to provide that Taxis operating on reservations are not subject to such established rates, but may charge such rates as may be fair and reasonable under the circumstances.

**NOW THEREFORE**, upon motion duly made, seconded and adopted, the Board resolves as follows:

1. The Board finds that the rates annexed hereto as **Attachment 1** for Taxi transportation to and from the Airport are fair and reasonable, and accordingly, they are re-confirmed effective April 19, 2017 and until amended, provided, however, that Taxis operating on advance reservations are not restricted by the rates set forth on **Attachment 1**, and may charge such rates to the public as are fair and reasonable under the circumstances.

2. The Board finds that the rates annexed hereto as **Attachment 2** for Shuttle transportation to and from the Airport are fair and reasonable, and accordingly they are re-confirmed effective April 19, 2017 and until amended.

3. The Board finds that it is not necessary at this time to control the rates of Transportation Network Companies, Executive Service and Executive Charter providers and Taxi's operating with reservations, to ensure that rates charged by such classes of service are fair and reasonable. The Board reserves the right to set rates in the future should the Board find that to be necessary to ensure that such rates are and remain fair and reasonable.

Upon motion duly made and seconded, the foregoing Resolution was adopted by the Jackson Hole Airport Board on the 19th day of April, 2017.

**JACKSON HOLE AIRPORT BOARD**

By:  \_\_\_\_\_  
Jim Waldrop, President

**Attest:**

By:  \_\_\_\_\_  
Secretary

**RESOLUTION NO. 2017-03  
OF THE  
JACKSON HOLE AIRPORT BOARD  
Re: AMENDMENT TO GROUND TRANSPORTATION RULE**

**April 19, 2017**

The Jackson Hole Airport Board (the "Board"), a body corporate, organized under the laws of Wyoming, finds that:

**WHEREAS**, on March 3, 2017, House Bill 80 was signed into law by Governor Mead which added a new Chapter 20 to Title 31, Wyoming Statutes (the "TNC Act");

**WHEREAS**, the TNC Act establishes a state-wide regulatory structure for Transportation Network Companies ("TNC"), and provides that certain airports, including Jackson Hole, may require TNCs to enter into "operating agreements" before granting access to the airport;

**WHEREAS**, in 2005 the Board adopted a Ground Transportation Rule (the "GT Rule") which did not anticipate the creation of TNCs as a separate class of ground transportation provider, and the GT Rule must therefore be amended before the Board may enter into operating agreements with TNCs.

**WHEREAS**, the Board published notice of its intent to consider amendments to its GT Rule, subjected the proposal to public comment for a period of at least forty five (45) days, and held a public hearing on such proposal on April 19, 2017; and

**WHEREAS**, the Board has considered all such public comment and desires to adopt the proposed amendment to among other things (1) identify TNC's as a separate class of ground transportation provider, (2) require TNCs operating at the Airport to comply in all respects with the TNC Act, and (3) permitting TNCs to enter into operating agreements authorizing TNC's drivers and vehicles to pick-up or drop-off passengers or property at the Airport.


**NOW, THEREFORE**, it is resolved by the Jackson Hole Airport Board, in open and public meeting, that the Ground Transportation Rule in the amended and restated form annexed to this Resolution as **Exhibit A**, is hereby adopted and shall become effective immediately.

Adopted by the Board in open and public meeting this 19th day of April 2017.

**JACKSON HOLE AIRPORT BOARD**

ATTEST:

By:   
Jim Waldrop, President

By:   
Secretary