



## MINUTES OF THE JACKSON HOLE AIRPORT SPECIAL MEETING

**Date:** September 25, 2023

**BOARD PRESENT:** Ed Liebzeit, Melissa Turley, and Bob McLaurin were present in person in the Airport Meeting Room. Valerie Brown and Rob Wallace were present through the WebEx platform.

**OTHERS PRESENT:** Jim Elwood, Michelle Anderson, Aimee Crook, Dustin Havel, Meg Jenkins, Kevin Dunnigan, Tony Cross, Jamey Miles, Apinya Wright, Esther Borja, Gina Van Slyke, Jordyn McDougall, Craig Foster, Jackson Hole Airport Board; Dan Reimer, Airport Attorney; Ryk Dunkelberg, Mead & Hunt; Paul Dunholter, BridgeNet; Jeremy Barnum and Maria King, Grand Teton National Park; Bruce Abel, START; Charlotte Frei, Teton County; Jessica Jaubert, Three Elephant; and Kathryn Turner, public. Other individuals not individually documented were present in person or watched the meeting live through the WebEx platform.

- I. **CALL TO ORDER:** Board President Liebzeit called the Board Meeting to order at 9:00 AM.
- II. **EMPLOYEE OF THE MONTH:** Elwood congratulated Chris Wells as the September Employee of the Month.
- III. **COMMENTS FROM GRAND TETON NATIONAL PARK, THE TOWN OF JACKSON, TETON COUNTY, AND THE PUBLIC:** Barnum introduced King, his colleague visiting from headquarters in Washington DC. He advised that the Grand Teton National Park (the 'Park') has a plan if Congress does not pass the Appropriations Bill, which includes communications with the Airport if there is a shutdown. He advised that it is approaching the time of year when all the Park visitor lodgings and restaurants are closed for the winter, and by November 1, 2023, Moose-Wilson Road and inner Park Roads will be closed to vehicles.

Liebzeit inquired into the Park's visitation levels compared to previous years. Barnum advised that there is steady growth; however, it has not reached or exceeded 2021 visitation levels. He continued that he did not know if the Park was participating directly in the county wildfire survey, and the Moose-Wilson Road is open as most of the road paving and construction is completed.

- IV. **COMMUNITY OUTREACH:** Elwood stated that Jackson Hole Airport Board (JHAB) staff updated the noise page on the Airport website to include a 'quick access' QR

code. He said that staff will upload a Q&A flyer with the frequently asked noise questions in the next few days.

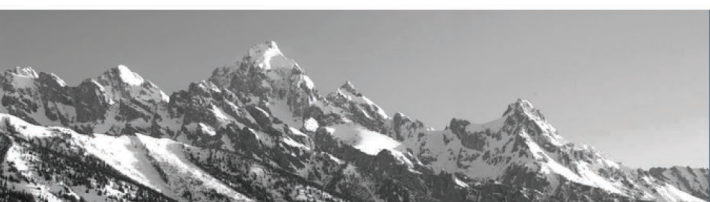
- V. Q2 FLY QUIET PRESENTATION:** Elwood introduced Reimer, the Airport's Attorney; Dunkelberg, the Airport's environment consultants with Mead & Hunt; and Dunholter, the Airport's noise consultant with BridgeNet, presenting Fly Quiet Program information from January 1 – June 30, 2023, and other noise-related topics.

Reimer said that the legal framework for the Fly Quiet Program is voluntary versus mandatory. He advised that the Airport Board has no power to control aircraft operations; the Federal Aviation Administration (FAA) has exclusive jurisdiction over airspace regulations, including the design of flight procedures; FAA air traffic controllers and pilots make individual decisions about where and how to fly. Reimer clearly stated that the Airport cannot tell aircraft where and how to fly.

Reimer noted that the Airport Board has limited power to regulate Jackson Hole Airport (JAC) use. He said that while some airports have longstanding limits on use, like mandatory curfews, in 1990, Congress prohibited all new mandatory noise and access restrictions. He continued that JAC had some pre-1990 use restrictions from the 1983 Use Agreement. He noted that the Airport could not adopt new restrictions without FAA approval, and the FAA has not granted such approval for any airport and would not grant approval for JAC. Reimer said there are no loopholes; overlapping and interlocking legal requirements cut off any avenue that airports have to impose mandatory restrictions.

Brown stated that the Board does not have control over airspace, but the Board could recommend a flight path to the FAA. She shared that the Task Force's objective was to find a new flight path to recommend to the FAA for consideration that would reduce the noise impact of departing aircraft over our southern neighbors while meeting the safety standards of the FAA and constraints of the Grand Teton National Park noise requirements. She reminded the group that the Task Force was unsuccessful in identifying a flight path that would meet the objectives. McLaurin asked if the Task Force identified a flight path and the FAA approved it, would it be required for a pilot to fly the flight procedure? Elwood stated that the procedure would be added to the multitude of available approach and departure procedures; the pilot gets to use their discretion on which procedure is the safest to fly, given the variables they need to consider.

Dunkelberg stated that the goal of the Fly Quiet Program is to "encourage pilots to fly quieter aircraft and to utilize procedures that minimize noise over Grand Teton National Park as well as noise-sensitive areas of our community." He noted that the Fly Quiet Program considers the aircraft, noise fleet quality, voluntary curfew violations, high



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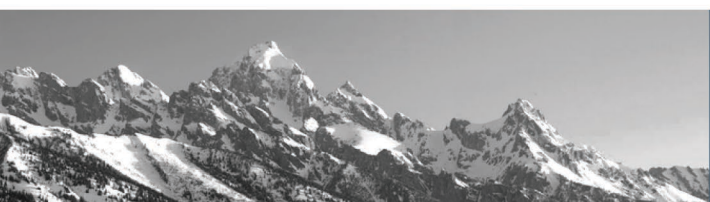
noise events, and flight procedure compliance. He said the Fly Quiet Program is not static; it continually redefines and expands noise reduction goals using multiple metrics and measures. He advised that the Fly Quiet Program elements are Fleet Quality, Minimize Higher Noise Events, Minimize Voluntary Curfew Violations, Flight Procedure, and Bonus Points.

Dunholter stated that the Fly Quiet results are scaled on a 0-100 scoring system; 100 is considered the best possible score in each category. He said top-tier operator scores are between 90-100 points, compliant between 70-89.9, and low-tier falls between 0-69.9 points. He reviewed the three (3) approved airport flight procedures, noting that operators receive bonus points for flying the new arrival procedure flight path. He said 32 flights have flown the new arrival procedure through 2023 Q2, noting Delta, SkyWest, and Alaska are the largest users. He stated that aircraft follow the flight procedure goals with greater than 90% compliance and show trends of year-over-year increased compliance.

Dunholter advised that the Airport is working with individual operators and educating them on the Fly Quiet Program, including contacting operators who violated the voluntary curfew, sending respective operators to the Low Scoring tier with their scorecard, and developing a self-help guide on improving scores. He summarized that the Fly Quiet Program shows continued improvement or steady levels of Fly Quiet noise measures.

Brown asked what JHAB staff were doing to communicate with NetJets and other large operators about curfew violations. Elwood advised that staff are scheduled to meet with Part 135 operators one-on-one at an upcoming conference and will continue to communicate their quarterly performance reports with the Board and end-users. McLaurin asked if the staff had contacted the State of Wyoming and if an A319 is a Stage 5 aircraft. Elwood advised that there has been turnover within their organization, but staff contacted the State and are working with their current staff to improve their score. Dunholter advised that an A319 is considered a Stage 4 aircraft.

Dunkelberg stated there is an internal discussion about issuing an end-of-the-year press release, so operators and customers see the final scoring. He noted that the future steps include promoting top-tier operators, continued work with low-tier operators to improve, using up-to-date data to track operators, communicating and promoting the Program quarterly with industry publications, and advertising Fly Quiet Program results. He stated that the operators utilizing the Jackson Hole Airport are trending towards having a quieter fleet than the average airport around the rest of the country.



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Brown asked if there were restrictions on catering and fueling to help support the voluntary GA curfew. Elwood advised that GA aircraft are not being supported during curfew hours, including deicing.

**VI. COMMENTS FROM THE PUBLIC:** Turner thanked the Board for changing the voluntary curfew hours and asked about petitioning the FAA and protecting the Park and neighbors from Airport noise.

Reimer advised that from the federal law, FAA point of view, JAC is looked at as the same as all other airports; further, the National Park Service acknowledges that the FAA has exclusive jurisdiction by which JAC is a federally obligated public use airport inside a national park which is interesting but not legally relevant.

Barnum expressed appreciation for all that has been done. Wallace asked what might be on a wish list if the Board was going to petition the FAA, with the caveat that Reimer has not seen a successful petition in the last 30 years.

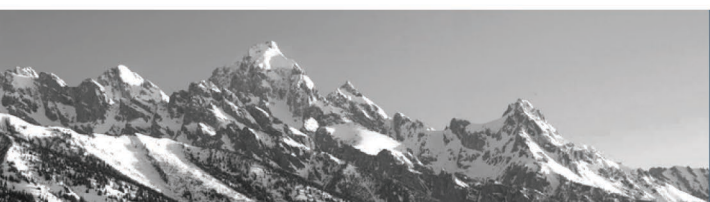
**VII. CONSENT AGENDA:**

- A. Approval of the Minutes – Special Meeting – August 23, 2023
- B. Resolution 2023-12: Asset Disposal Policy
- C. DBT Transportation Aviation Support and Maintenance Service Agreement
- D. Global Aviation Services Use Agreement for Ground Support Equipment Maintenance
- E. Stand Form Agreement for FBO-Airline Into Plane Fueling Agreement
- F. Aviation Revision 2<sup>nd</sup> Amendment – Construction Management for Schedule I and IV (Non-Federal) of the Deice Access Taxilane and North Taxiway A Rehabilitation Project

Brown asked that items A, E, and F be removed from the consent agenda.

McLaurin moved approval of consent agenda items B-D. Turley seconded the motion, which passed unanimously.

Brown asked for clarity on A. Approval of the Minutes – Special Meeting – August 23, 2023, specifically item D, had the aggregate been tested for PFAS because this is not what the minutes reflect. Elwood advised that that site had been tested, and PFAS was not within measurable limits. Brown stated that the minutes did not need to be changed as long as the testing had been accomplished.



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Brown moved approval of the Minutes – Special Meeting – August 23, 2023. McLaurin seconded the motion, which passed unanimously.

Brown requested confirmation that fueling commercial aircraft outside the curfew morning hours doesn't facilitate GA jets taking off before their curfew hours. Elwood confirmed.

Brown moved approval of the Stand Form Agreement for FBO-Airline Into Plane Fueling Agreement. McLaurin seconded the motion, which passed unanimously.

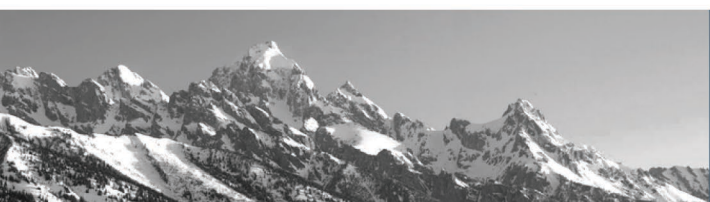
Brown asked if item F of the consent agenda had a contract. Havel advised that this additional Knife River schedule was approved last month for the screening and crushing of the rock material; what is before the Board for approval is the Jviation administration portion of that project. He stated that currently, the only Construction Manager at Risk (CMAR) are the Fuel Farm and Hanger 3 projects, which do not include this project, which is time and materials. Brown asked Havel to clarify CMAR projects versus Time and Materials projects. Havel stated that CMAR projects usually have correlating projects that can impact each other (i.e., Fuel Farm project with a shared staging area). Elwood noted that there are cost controls in the Time and Material agreement(s) with a Not to Exceed amount.

Brown moved approval of Jviation Revision 2<sup>nd</sup> Amendment – Construction Management for Schedule I and IV (Non-Federal) of the Deice Access Taxilane and North Taxiway A Rehabilitation Project. Turley seconded the motion, which passed unanimously.

## VIII. ACTION ITEMS:

**A. Financial Reports:** Anderson included for approval the financial reports for the period ending August 31, 2023. She advised that the August income and expenses are below budgeted levels due to lower-than-projected fuel sales. Anderson noted that net revenues remain above projected levels, capital reimbursements align with projections, and capital expenses are below projections due to the timing of invoices and payments.

Liebzeit asked for additional information on Jackson Hole Flight Services, Fixed Based Operator (JAFS or FBO) falling below budget for expenses; Elwood and Foster advised that the FBO has been operating cost consciously and the procurement of Jackson Hole Aviation expendable(s) before the transition has lowered cost versus purchasing new.



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Brown moved approval of the financial reports for August 2023. Wallace seconded the motion, which passed unanimously.

**B. START Intergovernmental Agreement – Airport Service Pilot Program:** Reimer advised that the Southern Teton Area Rapid Transit (START) and the Airport have been working for the last several months to determine the feasibility of conducting a pilot program during the upcoming winter season, which provides bus or shuttle service between the Town of Jackson to the Airport. He advised that this project accounts for the current parking shortage during peak periods and the need to find alternate ways for passengers and employees to access the Airport.

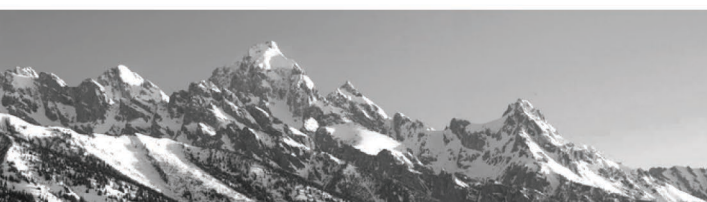
Reimer presented an Intergovernmental Agreement (IGA) for the Board to approve, by which the Airport would contract with START for a pilot transportation program operating from December 16, 2023, to April 15, 2024, paying any shortfall in revenue. He continued that the projected cost of the service is \$191,082; START estimates the projected revenue to be between \$40,000 and \$80,000.

Elwood advised that the FAA has consented to use the Airport's revenue through the IGA for the pilot program; however, this funding does not extend beyond the pilot program, and the program will need to be self-sufficient before full implementation.

McLaurin asked for additional information on the bus being used for the pilot program. Abel advised that his staff has procured 'road coaches' with an anticipated November 2023 delivery date. Turley inquired into the hiring status of the additional staff needed for the winter season. Abel advised that he is cautiously optimistic; of the 26 staff required, 19 have accepted the position with other candidates in the hiring queue.

Turley moved approval of the Intergovernmental Agreement with START for the Airport Service Pilot Program in the form presented. McLaurin seconded the motion, which passed unanimously.

**C. Resolution 2023-13: Terminal Media Policy:** Elwood stated that at the April 2023 Board Meeting, JHAB staff presented to the Board options related to advertising opportunities in the terminal; the Board expressed a policy preference which does not to allow commercial advertising in the Terminal. He proposed the Terminal Media Policy to the Board, which limits the use of the digital displays to content that the Airport or National Park Service generates; furthering, the policy also identifies the brochure rack as the only available opportunity for commercial advertising.



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Elwood said that having a written policy clearly defining how and where businesses can or cannot advertise at the Airport is important and protects the Board. Reimer advised that digital displays and communication will be limited to government speech; that is, the Board will be the only speaker of messaging.

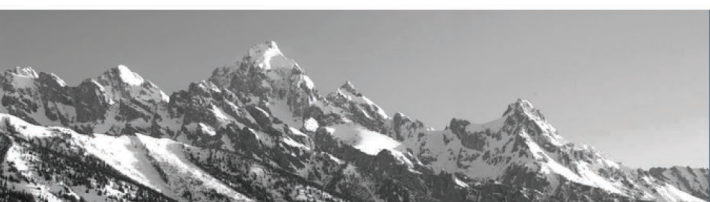
Turley asked if it would be allowed if an entity like the Wyoming Office of Tourism wanted to display something that JHAB staff did not generate. Reimer said there was the allowance for taking other organizations' messaging as the Airport's own but would need to maintain editorial control or put the information out in our own words. Turley stated that staff could potentially take on a lot of extra work if the Airport is going to produce content. Brown noted that the question had been asked, and Jenkins affirmed that her department had the resources to create content. Brown said that this policy allows the Board to manage the messaging that goes onto the digital displays and ensure they align with the values of our region.

McLaurin moved approval of Resolution 2023-13, the Terminal Media Policy, in the form presented. Brown seconded the motion, which passed unanimously.

**D. Jviation 22<sup>nd</sup> Amendment – Design, Construction Administration, and Construction Management for Vehicle Service Road Relocation and Bridge**

**Construction:** Havel stated that Jviation and staff are working on a proposed Change Order to the Knife River Agreement for the Runway 1/19 project. He advised that this Change Order will be brought before the Board in December 2023 and is for the relocation of a vehicle service road and the construction of a bridge to cross the Enterprise Ditch located at the Airport. He noted that the existing service road has been in place since 1987; during an inspection with the FAA, it was advised that the vehicle service road should be relocated outside the Runway Safety Area (RSA) to comply with an FAA Advisory Circular. Havel said the 22<sup>nd</sup> Amendment is to the previous Jviation On-Call Engineering Service Agreement and is for the design work for relocating the Vehicle Service Road and associated bridge. He advised that the cost for the design and associated construction services is \$168,258.60; as a portion of the project is federally funded, the Airport had an Independent Fee Analysis (IFE) conducted.

Turley moved approval of the 22<sup>nd</sup> Amendment to the Jviation On-Call Engineering Services Agreement in the form presented in a not to exceed amount of \$168,258.60 and authorize Jim Elwood, the Airport Executive Director, to authorize Knife River to begin early procurement of the long lead items in a not to exceed amount of \$218,850.00. McLaurin seconded the motion, which passed unanimously.



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**IX. DIRECTORS COMMENTS:** Elwood presented the activity reports, reminding that year-to-date data will exclude April, May, and June due to the runway closure in those months during 2022. He said that for August 2023, GA operations were down 1.57% from August 2022; commercial was down 15.8 % compared to the same month in 2022; year-to-date GA is down 12%, and commercial is down 11.6%. Elwood advised that August enplanements were up 3.1% from August 2022, and load factors were up from August 2022 at 85.05%.

Elwood recognized Kevin Dunnigan for completing FEMA, Emergency Management Certification, and Envoy, ground handler in JAC, for winning the American Airlines customer cup. He stated that the Airport is putting in an order for firefighting material free of PFAS, and on August 11, 2023, the Airport applied for a Dark Skies certification.

Havel shared that the Maintenance, Operations, IT, and Custodial departments are getting ready for winter, including hiring full-time and seasonal snow removal positions. He advised that the Fuel Farm upgrade, Hangar 3, and deice project are progressing nicely. Havel advised that the Airport had received a rubber removal truck, a state-supported vehicle.

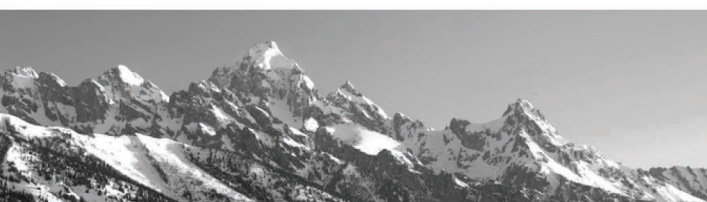
McLaurin asked about the status of the Air Traffic Control Tower. Havel advised that most of the work would be completed during the 2024 spring and fall.

Crook stated that as the summer season ends, the Transportation Security Administration (TSA) checkpoint wait times have remained low. She advised that there will be another JAC TSA PreCheck event on February 12 – 16, 2024.

Foster stated that Jackson Hole Flight Service (JHFS) has remained busy. He stated that the staff is doing an excellent job and works towards continuous improvement. He noted that he's in regular contact with operators regarding the Fly Quiet program and believes that it's making some progress.

**X. BOARD COMMENTS:** Brown thanked Andrew Wells and JHAB staff for their Board Meeting presentation photographs.

**XI. EXECUTIVE SESSION:** Turley moved the Board to go into Executive Session for the purpose of considering or receiving information related to the employment of executive personnel and the tender of offers concerning salaries, benefits, and terms of employment as authorized by Wyoming Statue §16-4-405(a)(ii) and (x). McLaurin seconded the motion, which passed unanimously.



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Liebzeit stated that no decisions were made in the Executive Session.

- XII. ADJOURN:** McLaurin motioned to adjourn the meeting at 12:52 PM. Turley seconded the motion, which passed unanimously.

DocuSigned by:

*Ed Liebzeit*

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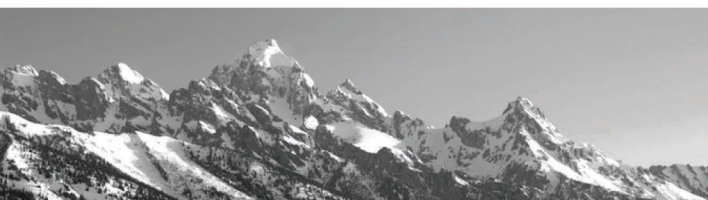
**Ed Liebzeit, President**

DocuSigned by:

*Melissa Turley*

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**Melissa Turley, Secretary**



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