

Moses Lake Municipal Airport Commission

A Study Session of the Moses Lake Municipal Airport Commission was held on Thursday, April 27, 2023, at 10:30 a.m. The meeting was called to order by Rod Richeson.

COMMISSION MEMBERS PRESENT/ABSENT/EXCUSED: **Present:** Rod Richeson, Richard Pearce, Finley Grant, Richard Waltman, and Darrin Jackson (via zoom).

OTHERS PRESENT: Trisha Kehret, Engineering Administrative Technician, Tony Massa, Public Works Superintendent, Rich Huebner, Assistant City Manager, and Katherine Kenison, City Attorney.

VISITORS: Micah Trautman, Seth Trautman, and Council Member, David Eck.

LEASES: In the process of creating a new lease for the Moses Lake Municipal Airport, the Commission had questions on the topics of the additional auto insurance requirements and the definition of “primary” regarding the use of the property shall be used primarily for aviation uses. The Commission asked to have a study session with City Attorney, Katherine Kenison, to help clarify these questions.

ADDITIONAL AUTO INSURANCE REQUIREMENTS: The City is currently requiring \$1,000,000 in additional auto insurance to meet the lease requirements. The Commission questioned why they needed to provide additional auto insurance since any one of them drives minimal distances at the airport. The Commission also proclaimed that \$1,000,000 was excessive requirements since the average speed on the airport roads is 15-25mph and the chances of causing a million dollars in damage was minimal. Ms. Kenison explained the city has recreational use immunity by statute for people that come to the airport to recreate, however, if the city invites someone onto the airport, such as lease holders or renters, then they fall outside of that statute and are not immune. Therefore, the City requires additional auto insurance to protect themselves from damage that may be caused by invited drivers. Ms. Kenison stated that the City Council sets policy for the City and that if the Commission desires a change to the automobile insurance requirements, that the Commission raise a motion with a specific recommendation at a future meeting, which, if passed, would be submitted to the City Council for consideration.

DEFINITION OF “PRIMARY”: There are concerns with the sentence in the lease that states, “The primary use of the property shall be for aviation uses.” The Commission questioned what defines “primary”? Ms. Kenison replied with “primary” is not defined in the lease and the dictionary definition is fifty-one percent. The City Council was adamant that the airport be used primarily for aviation purposes. The City Council will need to define “Primary” for purposes of the lease. Ms. Kenison suggested that the Airport Commission put together what it wants for the specific definition of “primary use” and present it to the City Council. Another concern was with defining it, comes enforcing it against non-compliant lease holders. Ms. Kenison stated as far as the Commission receiving approval of its recommended definition of “primary” by the City Council, it will go a long way if the Commission has a solid solution on how they will enforce compliancy internally.

INSURANCE REQUIREMENTS FOR THE STOL EVENT: Mr. Huebner received an insurance policy from Basin Pacific for the STOL event. Mr. Huebner and Ms. Kenison planned to review it after the study session to decide if the coverage is acceptable and make sure whoever is hosting the event is named as the policy holder and that the City is named as the additional assured. Ms. Kenison suggested that whoever is hosting the event post safety guidelines for the use of the runway during the event. Mr. Seth Trautman stated that based on the discussion in the meeting, he would be providing an updated policy document as additional coverage needs to be added. Mr. Seth Trautman stated he will provide the updated policy to the City as soon as it's available.

MISCELLANEOUS:

Market Analysis: Mr. Huebner announced that he and City Manager, Allison Williams, met with a gentleman who is a retired director of the Port District in Shelton and the vice president of the State Pilots Association. He suggested hiring a professional appraiser to come in and do an independent, non-biased evaluation. This is the direction the city is anticipating going. This is an expense that has been determined to be paid out of the general fund because it gives more information than just what is going into the lease.

Memorial Weekend Fly-In Event: The EAA needs to fill out a special event application form and provide the required insurance documentation. Mr. Pearce was given a copy of the application and will forward it to the EAA.

Airport Webpage: Ms. Kenison discovered after trying to get on the Moses Lake Municipal Airport web page that another web page was created at moseslakemunicipalairport.com. The City has a policy on social media and websites because of several legal obligations, one being public records retention. Whoever has this webpage up will have to work with administration and City Manager to be compliant with city policy or have the webpage taken down. Mr. Huebner offered to help the Commission build an airport webpage and the topic will be on the agenda for the next Airport Commission meeting.

Adjournment: The meeting was adjourned at 12:09pm.



Trisha Kehret, Engineering Administrative Technician