

**JOINT RESOLUTION NO. 2022-05**  
**Amending Resolution 2001-26**

**WHEREAS**, 67-10-102 MCA allows Counties and City to jointly acquire land, establish, construct, own, control, lease, equip, improve, operate and regulate airports; and,

**WHEREAS**, 67-10-202 MCA authorizes the Board of County Commissioners and City Council to adopt rules and establish fees or charges for use of the airport in exhibit A; and,

**WHEREAS**, the City Council of the City of Columbus, Montana and the Board of Commissioners of Stillwater County, Montana, have in their sound discretion formed a joint airport board pursuant to 67-10-205 MCA; and,

**WHEREAS**, the joint airport board is authorized by 67-10-205(2)(e) MCA to adopt rules deemed necessary for the management, government and use of the airport; and,

**WHEREAS**, the joint airport board has adopted the following rules for the management, government and use of the Columbus Airport; and,

**WHEREAS**, the City Council of the City of Columbus, Montana and the Board of Commissioners of Stillwater County, Montana, have in their sound discretion hereby determined that rules and fees are necessary for the management, government and use of the Columbus Airport.

**Exhibit A**

**COLUMBUS AIRPORT RULES**

**I. DEFINITIONS**

- A. "Aircraft" means all winged vehicles, including ultra-lights, airships, gliders and rotorcraft.
- B. "Airport" means the Columbus Airport and all property and improvements within the fenced boundary lines of said airport.
- C. "Airport Tenant" means any person, firm, or corporation leasing property at the Columbus Airport.
- D. "Commercial Activity" means any activity by any person, corporation or entity, the purpose of which is to secure earnings, income, compensation, or profit, whether such objective or objectives are accomplished or not.
- E. "Commercial Air Operator" means any person owning, controlling, operating, or managing aircraft for any commercial purposes for compensation.
- F. "FAA" means Federal Aviation Administration.
- G. "FAR" means Federal Aviation Regulation.
- H. "Fixed Base Operator" (FBO) means any person engaged in business of any aviation nature and being authorized to conduct such business by virtue of a lease agreement with the City of Columbus and Stillwater County.
- I. "Fuel Flowage Fee" means to include self-fuelers.

- J. "Management" means the Airport Manager, Joint City/County Airport Board, and governing bodies of the City of Columbus and Stillwater County which have authority to manage, control and protect the Columbus Airport. The Airport Manager is appointed by the governing bodies upon recommendation of the Joint City/County Airport Board.
- K. "NTSB" means National Transportation Safety Board.
- L. "Person" means any individual, co-partnership, corporation, company, association, joint-stock association, or body politic; and includes any trustee, receiver, assignee or other similar representative thereof.

## II. GENERAL

- A. All operations at the Columbus Airport must be done in compliance with appropriate FAR's, grant assurances, and other FAA requirements.
- B. All persons on any part of the property comprising the Airport shall be governed by these rules and regulations and by the Resolutions and Ordinances and any amendments thereto established or adopted by the Columbus City Council and Stillwater County Commissioners relative to the use or occupancy of any part of the property comprising the Airport.
- C. No person shall post, distribute, or display signs, advertisements, circulars, printed or written matter at the Airport without approval of the Management. Said signs must be maintained in good condition.
- D. Only personnel engaged in aviation activities are permitted on Airport grounds at night. Night defined by (FAR)14 CFR §1.1.
- E. No person under the influence of liquor or narcotic drugs shall operate a motor vehicle or aircraft of any kind on the Airport.
- F. No person shall commit any disorderly, obscene or indecent act or commit any nuisance on the Airport.
- G. Any person who does not comply with these rules and regulations may be removed or ejected from the Airport upon the order of the Management and may be deprived of further use of the Airport and its facilities for such lengths of time as may in the discretion of the Management, be required to insure the safe-guarding of the Airport property and the public and its interests therein.
- H. Each operator/individual shall be responsible for the orderly parking of aircraft in the areas leased to him/her and for the cleanliness of the area the lease uses.
- I. Soliciting of any kind is prohibited.
- J. Dumping of waste materials at any location on the Airport is expressly prohibited except in designated containers located at the West Entrance and East Entrance. No other trash receptacles will be allowed.
- K. Any damages to any of the physical property on the Airport shall be reported immediately to the Management.
- L. The Management assumes no responsibility for loss, injury or damage to persons or property by reason of fire, theft, vandalism, wind, flood, earthquake, collision, strikes, or acts of God or of the public enemy, nor does it assume any liability for injury to persons or property while on the Airport or while using the facilities of same.
- M. Any disabled ground vehicle shall be removed from the Airport within twenty- four (24) hours. Any ground vehicle left on the Airport for more than three (3)

days will be parked in the parking area designated by the Management and a key left with a commercial operator. (FBO)

- N. Prior permission shall be obtained from the Management for any Air show or other extraordinary activity to be held on the Airport grounds. All such activity must be covered by Liability Insurance for an amount to be determined by the Airport Board must be required for these activities under such terms and conditions as prescribed by Management.
- O. Any damaged aircraft shall be removed from the airport or stored within 24 hours of release by FAA or NTSB.
- P. Hangar use shall comply with applicable FARs, as well as applicable zoning, building and fire codes.
- Q. No person shall park aircraft in any area on the airport other than prescribed by Management.

### III. CONFINEMENT OF AIRCRAFT OPERATIONS

- A. No aircraft or vehicle shall be operated on any paved surface of the airport at a weight greater than the design load of that surface.
- B. Tracked and/or skid-steer vehicles shall not be operated on any paved airport surfaces without the express consent of the Airport management.

### IV. TRAFFIC PATTERNS

- A. The standard traffic pattern is normally left hand. Right traffic may be used under special circumstances and shall be announced to approaching aircraft on UNICOM.
- B. Pattern altitude will be 4400' MSL (825' AGL).
- C. After take-off, turns below 4000' MSL (425' AGL) are prohibited except as necessary for terrain or obstacle clearance, or for emergencies.
- D. Agricultural aircraft shall make left or straight out departures when departing to the west.
- E. Motor vehicular traffic shall be marked with a proper flag and not cross over any active runway without UNICOM notification.

### V. FUELING AND DE-FUELING OF AIRCRAFT

- A. No aircraft shall be fueled or de-fueled while the engine is running or being warmed by applications of exterior heat.
- B. No smoking shall be permitted during fueling or de-fueling operations.
- C. During fueling or de-fueling, the aircraft and the fuel dispensing apparatus shall be grounded. Fueling from plastic containers is prohibited.
- D. Persons engaged in fueling or de-fueling of aircraft shall exercise care to prevent overflow of fuel. If a fuel spill accrues, please contact the Airport Manager as soon as possible. Cleanup and repair of airport property as a result of any damaging or hazardous spills shall be billed to the principal responsible parties.

Adequate fire extinguishers shall be within ready reach of all fueling and de-fueling operations.

**VI. AIRCRAFT SAFETY, REPORTS AND ACCIDENTS**

- A. In addition to making all other required reports, persons involved in aircraft accidents occurring on the Airport shall make a full report thereof to the Management.
- B. In case of an accident occurring on the Airport, no vehicle or personnel shall be permitted without the approval of the Management emergency equipment excepted.

**VII. VEHICULAR TRAFFIC**

- A. The movement of personnel and vehicles on the landing area shall not be permitted unless prior authorization has been granted by the Airport Management.
- B. Parking of vehicles shall be in those areas designated as parking areas by the FBO or Management.

**VIII. COMMERCIAL OPERATIONS**

- A. No person shall engage in any commercial activity on the airport except with the express written approval of the Management and under such terms and conditions as is prescribed in the use or lease agreements.
- B. The Management shall act upon such requests for use or lease agreements individually and on a case-by-case basis relative to the requirements for buildings, personnel, services, hours of operation and insurance requirements, based on the type of business or commercial activity being proposed.
- C. The Management shall not accept an original request to lease land unless the applicant puts forth in writing a proposal which sets forth the scope of operation the applicant proposes, including the following:
  - 1. The services applicant will offer.
  - 2. The amount of land the applicant desires to lease.
  - 3. The building space applicant will construct or lease.
  - 4. The number of persons applicant will employ.
  - 5. The hours of proposed operation.
  - 6. The type of insurance coverage applicant will maintain.
- D. All sub-leasing shall be subject to the written consent of the Management.
- E. In addition to the other requirements of this article, FBO applicants are subject to the following:
  - 1. Applicants shall present evidence of financial stability and credit rating with respect to payment of rentals, taxes and insurance required by the Management.

Applicants shall provide services consistent with normal fixed base operations, including aircraft repair and fueling, aircraft sales, aircraft rental, flight instruction and charter operations.

**IX. SNOW REMOVAL AND MOWING PLAN**

- A. Snow removal procedures shall be initiated when snow depth on the runway or snow characteristics are such that a hazard to aircraft exists or appears probable.
- B. The decision to plow the snow and the timing of any snowplow operations shall be made by the designated FBO and Airport Manager.

- C. Snow removal vehicles, or the operators, shall be equipped with two-way radio communication equipment and at least one (1) vehicle shall be in contact with the UNICOM at all times.
- D. Consistent with equipment availability, windrows of snow along the runway and taxiway edges shall not exceed 24" in height.
- E. In the event that snow depth is hazardous, the Airport will be closed until it is cleared. Such decisions shall be made by a designated FBO or Management.
- F. Grass shall not exceed 12" in hangar, taxiway, and runway areas and shall be mowed when it is considered a hazard by the Airport Manager. Mowing expenses in the hangar area shall be billed to the hangar owners.

#### **X. AIRPORT MANAGEMENT**

- A. Airport Management consists of the Airport Manager, Joint City/County Airport Board, and governing bodies of the City of Columbus and Stillwater County which have authority to manage, control and protect the Columbus Airport. An Airport Manager shall be appointed by the governing bodies upon recommendation of the Joint City/County Airport Board.
- B. The Airport Manager shall be responsible for the Airport Safety Self Inspection Program which includes but is not limited to surface conditions, holes, loose aggregate, cracks, bumps, ponding water, obstructions, drainage, grass mowing, snow removal, functioning lights and beacon, operable wind sock and segmented circle, markings and signs are clearly visible, wildlife or bird problems, fences, gates closed and adequately signed, issuing NOTAM's, fire extinguishers available, bulk fuel storage areas are lighted, fenced and secured, no smoking signs are in place, fuel pumps and trucks are marked and labeled to identify fuel type, or other safety concerns and general airport maintenance.

#### **XI. LEASE OR USE AGREEMENTS**

- A. The FBO and other airport tenants are required to have approved lease or use agreements with the airport owners prior to building or occupying hangars or other buildings on the Columbus Airport property. Airport tenants are responsible for filing FAA form 7460-1, obtaining zoning and building permits or other permits and fees required by the Federal, State, or Local governments as well as those required by private utility companies for utility hook-ups and service charges.
- B. Leases are for aircraft owners and associated aeronautical uses. The storage of non-aviation related equipment outside of hangar buildings is prohibited. The term of lease or use agreements may be up to 20 years. Fees shall be set annually by the Management at an amount sufficient to cover the cost of airport operation and maintenance.

#### **XII. HANGARS**

- A. All hangar designs shall be submitted to the Joint City - County Airport Board for review and approval. Hangars shall be built within six months of leasing hangar

space. Hangars less than 3,000 sq. ft. shall be built a minimum 10 feet apart from other hangars. Hangars greater than 3,000 sq. ft. shall be built a minimum 40 feet apart from other hangars. Hangars shall be built with an impervious floor and have paved approaches, either concrete or asphalt. A 12" concrete pipe is required to cross taxiway "A" or an 8" (minimum) corrugated metal pipe when crossing drainage swales along all other taxi lanes. Doors are required on all hangars except open hail hangars. Sliders and horizontal folders must be contained within the hangar footprint at all times. Overhead doors shall not be a traffic hazard when open. Hangars shall meet all applicable building codes and the design must meet or exceed a 30# pound snow load and an 80-mph wind load. Hangars shall be basic colors; earth tones are suggested. A maximum of two colors will be allowed.

- B. Hangar block 1 is located west of the access drive to the current FBO location. Hangars located in block 1 shall be at least 50 feet by 60 feet. The doors shall open to the south, water and sewer continuation and/or stub-in is required. Hangar block 2 is located immediately west of the Tie Down Area. Hangars located in block 2 shall be at least 50 feet by 60 feet. The doors shall open to the east, water and sewer continuation and/or stub-in is required. Hangar block 3 is located west of Taxi lane "D" and east of the Tie Down Area. Hangars located in block 3 shall be at least 50 feet by 60 feet. Hangar doors shall open to the south or east. Hangar block 4 is located north of Taxi lane "E". Hangars located in block 4 shall be at least 40 feet wide with a depth of 40 feet. Hangar doors will open to the south. Hangar block 5 is located south of Taxi lane "E". Hangars located in block 5 shall be T-Hangars with a depth of 40 feet. The doors shall open to the north or south.

### **XIII. AIRPORT HAZARD AREAS**

The City of Columbus Zoning Ordinance and Regulations shall govern the airport hazard area. An airspace map shall be prepared to define airport hazard areas for the Columbus Airport.

### **XIV. THROUGH THE FENCE ACCESS**

An access agreement shall be required for all private owners/users for aircraft hangared off airport property. The agreement must be approved by the FAA Helena Office and the City of Columbus. The users fee established in the agreement shall be as set forth on the adopted Fee Schedule. These access agreements shall be available to allow access by existing based aircraft only. No new or rehabilitation of old off airport hangars will be eligible for access agreements. The City of Columbus may cancel access agreements when a safety hazard is recognized.

### **XV. REVISION OF REGULATIONS**

The Management reserves the right to make any additions, modifications or deletions to the Rules and Regulations which may be necessary for the safe operation of aircraft or personnel using the Air

**Woltermann Memorial Airport  
Fee Schedule**

1. Term of lease: 20 year, with 20-year renewable
2. Amount: Commercial per square ft (See table)  
Non-Commercial per square ft (See table)
3. Payment: Prepaid once a year. Initial payment will be prorated the time of execution of lease, then on or before July 1<sup>st</sup> for each year thereafter. Lease or use permits are non-refundable.
4. Default: Failure to pay any rent or other charges within 30 days of invoice receipt
5. Annual Increase: Not to exceed 5% per year
6. Tie Downs: First week no charge. \$16.00 per month thereafter
7. Fuel Flowage Fee: \$.05/gallon
8. Vending Machines: 5% of gross sales
9. Use Fees/Permits: Use fees based on hangar leases rates, prorated if applicable. Permits will be granted on a case-by-case basis.

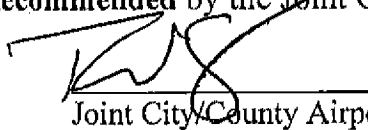
**Commercial and Non-Commercial Table**

	5% increase	5%	
Commercial			
	Current Amount	% increase total	Total Fee
2020	0.1200	0.0060	0.1260
2021	0.1260	0.0063	0.1323
2022	0.1323	0.0066	0.1389
2023	0.1389	0.0008	0.1397
2024	0.1397	0.0009	0.1406
2025	0.1406	0.0009	0.1416
2026	0.1416	0.0001	0.1417
2027	0.1417	0.0001	0.1418

**Non-Commercial**

	5% increase Current Amount	5% % increase total	Total Fee
2020	0.0800	0.0040	0.0840
2021	0.0840	0.0042	0.0882
2022	0.0882	0.0044	0.0926
2023	0.0926	0.0046	0.0972
2024	0.0972	0.0049	0.1021
2025	0.1021	0.0051	0.1072
2026	0.1072	0.0054	0.1126
2027	0.1126	0.0056	0.1182

Recommended by the Joint City/County Airport Board this 14<sup>th</sup> day of February 2022.

  
\_\_\_\_\_, Chairman  
Joint City/County Airport Board

WHEREAS, the Joint City-County Airport Board has recommended amending the Airport Rules and Fee Schedule as adopted by Resolution 2022-05 on February 14, 2022.

NOW, THEREFORE, BE IT JOINTLY RESOLVED, by the Council of the City of Columbus, Montana, and the Board of Commissioners of Stillwater County, Montana, that the fees and rules as amended by the joint airport board for the management, government and use of the Columbus Airport are hereby approved and adopted. Bob Fitzgerald MOVED for the adoption of the Resolution.

The motion for adoption of the foregoing Resolution was SECONDED by Terry Nystul Upon being put to a vote, Rick White, Terry Nystul, Tim Mayo, Cole Walther, Bob Fitzgerald, Danen Johannes voted FOR; none voted AGAINST; and the Mayor declared the motion passed and the Resolution adopted this 22 day of February, 2022.

  
Webb Mandeville, Mayor

ATTEST:


  
Kisha Miller, City Clerk



**PASSED AND ADOPTED** by the Board of Commissioners of the County of Stillwater, Montana, in regular session met and held on the 22 day of February, 2022, and spread at large upon its minutes.

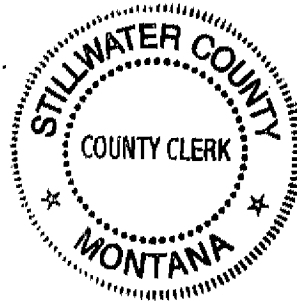
  
\_\_\_\_\_  
Tyrel Hamilton, Chairperson

  
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Steve Riveland, Member

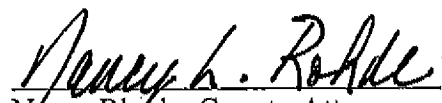
  
\_\_\_\_\_  
Mark Crago, Member

ATTEST:

  
\_\_\_\_\_  
Heidi L. Stadel  
Clerk & Recorder



Accepted to  
Form:

  
\_\_\_\_\_  
Nance Rhode, County Attorney

  
\_\_\_\_\_  
Ryan Addis, City Attorney