

**HEBER CITY CORPORATION**  
**75 North Main Street**  
**Heber City, UT 84032**  
**Airport Advisory Board (AAB) Meeting**

**April 16, 2025**

**4:00 p.m. – Regular Meeting**

-Time and Order of Items are approximate and may be changed as Time Permits-

- I.** Call To Order/Roll Call (Chairman Talley)
- II.** Pledge of Allegiance (Board Member Peterson)
- III.** Approval of Minutes
  - 1. Approval of the November 14, 2024, meeting minutes. (Robin Raines-Bond)
- IV.** Public Comments: (Please limit comments to three (3) minutes per person.)
- V.** Airport Manager Quarterly Report (Travis Biggs)
  - 1. Airport Update Flyers
    - Gate and Fencing Updates
    - Upcoming Pavement Project
    - AWOS Relocation
    - Environmental Next Steps
    - Mayor's Award and Fire Operations
    - Beta Electric Aircraft Visit
    - UAOA Report
    - UDOT, AOPA, UAOA Land Use Around Airports
    - Potential New Hangar Lots Behind the Airport Manager's Office
- VI.** General Business
  - 1. Election of New Officers (Jason Talley, Chairperson)
  - 2. Current Projects ()
    - Engineering Report (Jeremy McAlister, T-O Engineering)
    - T- Hangars (Jeff Petersen, Board Member)
    - Elemental Aviation (Jason Talley, Chairperson)
    - OK3 (Nadim AbuHaidar, Board Member)

**VII.** Adjournment

Ordinance 2006-05 allows Commission Members to participate in meetings via telecommunications media.

Posted on April 14, 2025, in the Heber City Municipal Building located at 75 North Main, the Heber City Website at [www.heberut.gov](http://www.heberut.gov), and on the Utah Public Notice Website at <http://pmn.utah.gov>.



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**75 North Main Street**  
**Heber City, UT 84032**  
**Airport Advisory Board (AAB) Meeting**

**November 14, 2024**

**5:00 p.m. – Special Meeting**

**DRAFT MINUTES**

-Time and Order of Items are approximate and may be changed as Time Permits-

**I. Call To Order/Roll Call (Chairman Talley)**

Chairperson Talley called the meeting to order at 5:03 pm. He welcomed everyone and recognized Jeff Mabbutt as a new member of the AAB, replacing Board Member Tomanelli, who moved.

**Airport Advisory Board Present:**

Chairperson Jason Talley  
Vice Chairperson Bill Tew  
Bart Mounteer  
Jay Henry  
Jeff Peterson  
Nadium AbuHaidar  
Jeff Mabbutt  
Alternate / City Council Member D. Scott Phillips (remotely)  
Alternate / City Council Member Sid Ostergaard

**Staff Present:**

City Manager, Matt Brower  
Airport Manager, Travis Biggs  
City Recorder, Trina Cooke  
Airport Administrative Assistant, Wendy Anderson  
Finance Manager, Sara Nagel  
City Attorney, Jeremy Cook

**Also Present:** Airport Consultant Ryan Leick, Oliver Talley, Bill Wehrs, and others who did not sign in or whose handwriting was illegible.

**Attending Remotely:** City Council Member Scott Phillips, Airport Attorney Steven Osit, IT Director Anthon Beales, and Cody Orvis.

**II. Pledge of Allegiance ( Bart Mounteer)**

Airport Advisory Board Member Bart Mounteer led the recitation of the Pledge of Allegiance.

**III. Approval of Minutes**

1. Approve the August 7, 2024, Meeting Minutes. (Robin Raines-Bond)  
**MOTION:** Board Member Peterson motioned to approve the minutes as written. Vice Chairperson Tew seconded the motion. **Yes:** Chairperson Talley, Vice Chairperson Tew, Board Member Mounter and Henry. **No:** None. **Abstained:** Board Members Jeff Mabbutt, Nadium AbuHaidar, and Jeff Peterson. **Motion passed**

**IV. Public Comments:** (Please limit comments to three (3) minutes per person.)  
No one from the public came forward to comment.

**V. General Business**

1. Rates and Charges Policy (Ryan Leicke, Aeroplex Group Partners, Travis Biggs, Airport Director)

**Overview:** The Heber Valley Airport Advisory Board (AAB) meeting primarily focused on reviewing and recommending fee schedules for airport operations, including landing fees, fuel flowage fees, and commercial aeronautical permit fees. Discussions addressed discrepancies between Staff recommendations, consultant studies, and AAB suggestions.

**Key Points:**

1. **Fee Recommendations and Discussions:**

**Legal Counsel:** Mr. Osit, Airport Legal Counsel clarified that an ACIP stood for Airport Capital Improvement Plan, and explained that the FAA (Federal Aviation Administration) mostly funded it. The Heber City Airport would generate the remaining expenses. The ACIP was a fifteen to twenty-year plan.

Mr. Osit clarified that the FBO's (Fixed Base Operator) legal counsel was working on defining the phrase "regional trends", and the City had decided to wait to increase fuel flowage fees until that term was defined. City Attorney Jeremy Cook concurred.

**Consultant Presentation:** Mr. Ryan Leicke provided an overview of fee recommendations based on financial studies for airport sustainability. He said to include the rates and fees for firefighters and other emergency entities that use the airport.

**Board Concerns:** Clarifications were requested on registration fees, revenue projections, fuel flowage fees, and the rationale behind proposed rates. Questions about the possibility of a special district for the airport boundaries were addressed.

**Staff's Stance:** City Manager Matt Brower clarified there were three differences between the recommendations approved by the Airport Advisory Board versus the recommendations forwarded to the City Council from Staff. The landing fees, fuel flowage fees, and the commercial aeronautic fees. The Staff recommendation was based upon the studies performed by the consultant in order for the airport to maintain financial soundness. City Manager Matt Brower emphasized the

importance of aligning fees with consultant studies.

## 2. Initial Motion and Debate:

**Motion by Board Member Bill Tew:** Recommended the proposed fee schedule with an exemption for the Fixed Base Operator (FBO) from commercial aeronautical permit fees.

**Clarifications:** Airport Counsel Steve Osit explained that FBOs operate under independent agreements, making such exemptions common but potentially inconsistent with broader fee policies.

**Amended Motion:** Board Member Tew removed the FBO exemption, and the motion passed (3-2).

**Motion:** Board Member Bill Tew moved to recommend the proposed fee schedule as depicted in the Fee Schedule Comparison slide shown in the presentation. **Second:** Board Member Henry's second stood. **Vote: Voting Yes:** Board Members Bill Tew, Jay Henry, Jeff Peterson, and Bart Munteer. **Voting No:** Board Members Jeff Mabbutt and Nadim AbuHaidar. The **Motion Passed 3-2**

## 3. Landing Fees for Small Aircraft:

**Legal Concerns:** Staff and legal counsel advised against exempting aircraft under 3,500 pounds from landing fees, citing FAA case law and concerns about unjust discrimination.

**Revised Motion:** Board Member Tew moved to reconsider and remove the exemption for small aircraft. This motion passed unanimously (5-0).

**Motion:** Board Member Tew moved to reconsider the previously passed recommendation and remove the exemption of landing fees for aircraft under 3,500 pounds. **Second:** Board Member Henry made the second. **Yes:** Board Members Bill Tew, Jay Henry, Jeff Peterson, Bart Munteer, Jeff Mabbutt, and Nadim AduHaidar. **No:** None **Motion Passed.**

## 4. Council Recommendations:

The AAB's final recommendations included the revised fee structure without exemptions for small aircraft or FBO-specific fees.

The proposed fee schedule will be presented to the City Council on December 3, 2024.

## Decisions:

- Adopted a fee structure based on consultant studies, ensuring compliance with legal and FAA standards.
- Clarified roles and fee responsibilities between FBOs and SASOs (Specialized

- Aviation Services Operator).
- Ensured equitable cost distribution for airport maintenance through revised landing fee policies.

**VI.** Adjournment

**Motion:** Board Member Peterson made the motion to adjourn. **Second:** Board Member Henry made the second. The meeting adjourned at 7:00 p.m.

I, Robin Raines-Bond, Deputy Recorder of Heber City, hereby certify that the foregoing minutes represent an accurate record of the meeting held on November 14, 2024. This document constitutes the official minutes of the Airport Advisory Board Meeting.

SEAL

April 16, 2025

Robin Raines-Bond,  
Deputy Recorder

## Elemental Aviation Fueling LLC

Elemental Aviation Fueling LLC, hereby requests to build a previously planned taxiway and an addition to its commercial activity permit to install and operate a Commercial Self Service Alternative Fuel and Charging Facility (the “fuel facility”).

Elemental Aviation is a leading global distributor of small aircraft that run on alternative fuels. Unlike traditional aircraft, Elemental’s Pipistrel aircraft are battery powered or run on unleaded aviation fuel. Elemental has developed at Heber City a significant center of excellence for alternative aviation powered aircraft. Elemental Aviation employs 4 full time employees at its Heber location as well as 3 others in its Kansas and Texas locations.

Elemental is currently operating under a commercial activity permit issued by the City Council pursuant to Section 1.1.4 which allows for standards to be created on a case-by-case basis for activities that do not fall within the minimum standards. Pursuant to section 15.5.2.1, Elemental is desiring to include in its permit the ability to offer a commercial self service alternative fuel and charging facility to offer sustainable and lead free fuels to the public. As this activity is not defined in the minimum standards, standards will have to be recommended and adopted by the City on a case by case basis.

Elemental has been repeatedly approached by based aircraft about providing lead free aviation fuel and sustainable aviation fuel (SAF). These fuels are not commercially available at Heber today. Because these fuels are not obtainable, current aviation tenants are forced to either fly to other airports to fuel or “tanker” fuel into Heber – thus depriving the Heber Airport of fuel flowage fees and generating otherwise unnecessary airport operations.

A majority of today’s aircraft operate on leaded aviation fuel, commonly called 100LL (100 Octane Low Lead). A recent EPA endangerment study highlights the dangers of leaded aviation fuel to surrounding communities and operators of these aircraft. Today an alternative exists for 100LL that can be utilized by most aircraft. This fuel is called UL94 and is manufactured by Swift Fuels.

Elemental desires to offer UL94 Aviation fuel via a credit card, self service fuel tank. Offering unleaded fuel will reduce the amount of lead emitted by local aircraft, helping to promote a safer community.

In addition to providing lead-free aviation fuel for piston aircraft, Elemental believes that it is important to make available a blend of Sustainable Aviation Fuel (“SAF”) available in lieu of jet fuel. SAF is a biofuel that is used to power aircraft and has similar properties to conventional jet fuel but with a smaller carbon footprint. Today’s production of SAF is small, but by offering a blend of SAF, Heber’s airport will be well positioned to as SAF production increases nationally.

The fuel facility will be engineered towards providing Heber based aircraft alternate fueling options to the current fuel provided by the FBO, providing solutions that are not readily available today. The target demographic is for aircraft that are owner flown, price conscious, and inclined to service their own aircraft with fuel instead of having full service fuel delivery.

Elemental also desires to install a public aviation charging station, which will serve current and future electrified aviation.

## **Pricing**

Transparency in pricing is critical to the success and adoption of the self service facility. Recognizing that Heber City's fuel flowage fee is less than desired, Elemental would be willing to willingly pay a fuel flowage fee of \$.25 per gallon for all fuels instead of \$.05 per gallon. If, at such time, FBOs are assessed a higher flowage fee than \$.25 per gallon, then Elemental will expect to pay such fees on an equitable and non-discriminatory basis.

Elemental's initial pricing structure is to have a "into-plane" fee of \$1.00 per gallon, regardless of fuel selected. By leveraging the volume of both fuels, Elemental is able to accomplish this. Because SAF is sold in such higher quantities, the sale of such fuel effectively subsidizes the other petroleum products offered. Without the sale of SAF, it would be financially impractical to construct the fueling system.

Elemental intends to install 2 fuel tanks. Unleaded Avgas (Most likely UL94), and a SAF blend. Both tanks will share a common credit card authorization machine.

In the attached Exhibit A (the "concept"), Elemental depicts the proposed commercial self service island.

In addition to the two fuels being offered, Elemental intends to begin the process of constructing a commercial electric aircraft recharging station, making Heber City the first airport in Utah with a public access charger available to electric aircraft. This process will involve applying for public/private grants as well as coordination with the Heber Power and Light for electrical service and construction.

As depicted in the concept, aircraft served will be limited to a 55 foot wingspan and a gross maximum take off weight (MTOW) of 20,000 pounds. This is done to ensure there is adequate room for ingress and egress to the fuel facility as well as the underlying concrete and asphalt construction. This will serve the majority of the small single pilot owner flown aircraft in use. High definition video monitoring will be utilized to ensure compliance.

The concept places the storage and fueling equipment, as well as the ramp space required for operations, on land currently under lease by Elemental. Additionally, Elemental is willing to construct a taxiway to the current airport environment which is consistent with the recently

approved Master Plan and Airport Layout Plan (ALP). A commercial agreement on the construction of the new taxiway and potential expense reimbursement from future hangar pads would be contemplated (as nominally they would be expected to participate in the infrastructure).

**Economic Contribution**

Elemental’s fuel and charging facility will greatly contribute to the financial self-sustainability of the airport. By canvassing possible users of the facility of aircraft owners based on the field, the following fuel flows and flowage fees are expected:

		<u>Flowage Fee</u>	<u>Lease</u>
SAF	125,000 gallons	\$31,250	
Unleaded Avgas	20,000 gallons	\$5,000	
Additional hangar/ Land lease (third parties)			\$25,000
Total annual contribution			\$61,250

The proposed fuel and charging facility will have a meaningful impact on the airport’s budget, allowing for reduced landing fees, or the acceleration of other construction projects.

As depicted in the proposed site plan, aircraft served will be limited to a 55 foot wingspan and a gross maximum take off weight (MTOW) of 20,000 pounds. This is done to ensure there is adequate room for ingress and egress to the fuel facility as well as the underlying concrete and asphalt construction. This will serve the majority of the small single pilot owner flown aircraft in use.

**Compliance with the Approved Airport Layout Plan**

Elemental’s proposal is in complete compliance with the approved airport layout plan that is part of the 2023 Airport Master Plan. Elemental’s does not interfere or intrude upon the North Campus FBO location or in anyway interfere with the current FBO’s decision making process on campus choice. Elemental’s fuel facility would require the construction, at Elemental’s cost, of an already designed and approved taxiway on the ALP. By constructing the taxiway now, instead of in 8-10 years, Elemental will be allowing the Airport to monetize potential hangar ground leases that would otherwise not be recognized for some time.

The ALP currently depicts two hangar rows, labeled I and J that connect to the proposed taxiway. Elemental estimates that this will generate over \$25,000 per year in aeronautical land lease revenue for the Airport.

Elemental does not wish to offer FBO Services and is not applying to become an FBO. It wishes simply to add commercial self service fueling and charging to the other commercial operations it provides at the Airport.

## Compliance with Grant Obligations

The Airport is subject to multiple FAA grant assurances. This proposed project exceeds the requirements currently in place for the self-service operations for AVGAS. By accepting this proposal, the Airport is complying with Grant Assurance 23, which forbids the exclusive grant of rights of use of the airport. While some may not wish SAF to be offered by anyone other than the current FBO, restricting another qualified operator from offering this type of petroleum product is discriminatory. Furthermore, current users of the airport are being forced to go off airport to acquire such services. It is also a necessary financial and feasibility requirement in order to justify the investment required to subsidize the unleaded and charging self service capability.

Elemental Aviation hereby requests the Heber City Airport Advisory Board recommend to the City Council the following:

1. Pursuant to the Section 1.1.4 establish a case by case standard for Elemental to expand its commercial activity permit to include Commercial Self-Fueling Permittee with the following requirements:
  - a. Permittee may construct or install and maintain a public commercial unleaded fuel, SAF blend, and public charging aircraft station each with a maximum capacity of 10,000 gallons (for the petroleum products).
  - b. Permittee shall, at its sole expense, maintain the fuel storage facility, all improvements thereon, and all appurtenances thereto, in a presentable condition consistent with good business practice and equal or better than in appearance and character to other similar improvements on the Airport
  - c. Permittee shall demonstrate that satisfactory arrangements have been made with a reputable aviation petroleum supplier/distributor for the delivery of the aviation fuels in the quantities that are necessary.
  - d. Permittee shall have a written Spill Prevention Contingency and Control Plan (SPCC Plan) that meets regulatory measures for aboveground fuel storage facilities. An updated copy of the SPCC Plan shall be filed with the Airport Manager at least 30 days prior to commencing operations.
  - e. Permittee shall be liable and indemnify the City for all leaks, spills, or other damage that may result through the handling and dispensing of fuel.
  - f. Fuel delivered shall be clean, bright, pure, and free of microscopic organisms, water, or other contaminants. Ensuring the quality of the fuel is the responsibility of the Permittee.
  - g. Permittee shall maintain current fuel reports on file, including total gallons of fuel delivered by type, and make sure reports available for auditing at anytime by the Airport Manager.

2. Pursuant to Section 15.5.2.1 expand the scope of the activities permitted under the Commercial Activity Permit previously approved by the City Council for Elemental Aviation to include Commercial Self-Service Fueling and Charging.
3. Approve the concept attached as Exhibit A for the construction of the commercial self service fuel facility, consistent with applicable state, local, and fire codes.
4. Approve the construction by Elemental of the taxiway described in Exhibit A and consistent with the Airport Layout Plan and enter into a reimbursement plan for future hangar pad lessees as applicable for such improvements.

In conclusion, Elemental's application is a part of bundling services, and in addition to our current commercial permit. This types of fuel and charging that we are wishing to bring to Heber's airport is in addition to what is currently being provided. We believe that this will help the airport stay relevant into the future and provide a full array of services that will support our current and prospective new aeronautical users; keeping them safe and increasing the revenue potential for the airport.



# Approved Airport Layout Plan

