

Resolution # 18 -2020

A Resolution of the Montrose County Board of County Commissioners to Authorize Air Carrier Assistance at Montrose County Regional Airport

WHEREAS, the Board of County Commissioners of Montrose County is empowered pursuant to C.R.S. 30-11-101 and 107 to adopt resolutions regarding the health, safety and welfare of the County, and to expend funds and otherwise provide in the budget for services to residents of the County; and

WHEREAS, the Board of County Commissioners is empowered by statutes, including but not limited to C.R.S. 30-11-101, 102, and 107 to make orders concerning the property of Montrose County as it deems expedient; and

WHEREAS, Montrose County owns an airport, the Montrose County Regional Airport ("MTJ") and is authorized to collect such fees for the use of the airport as it deems appropriate; and

WHEREAS, the Board of County Commissioners has authorized its Director of Aviation to manage the airport and to provide such recommendations for operation of the airport as the Director of Aviation finds appropriate and in the best interests of the County; and

WHEREAS, the Director of Aviation has recommended to the Board the adoption of the policy, attached, to assist Air Carriers during the COVID-19 epidemic; and

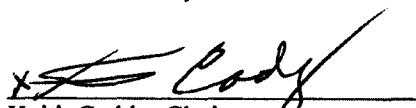
WHEREAS, the Board finds and determines that the proposed policy is in the best interests of the county and its residents under the current emergency circumstances;

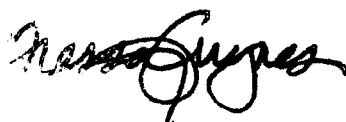
NOW, THEREFORE, The Board of County Commissioners for Montrose County, CO hereby resolves as follows:

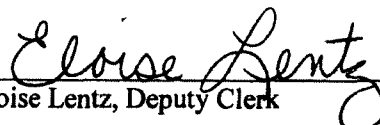
The Director of Aviation is authorized to adopt the proposed and attached Policy and to offer the financial assistance contained in the Policy to the Air Carriers currently operating at MTJ.

Done in open meeting this 6th day of May, 2020.

Board of County Commissioners


Keith Caddy, Chair

Attest: 


Eloise Lentz, Deputy Clerk

POLICY ON PASSENGER AIR CARRIER RENT DEFERRAL IN RESPONSE TO THE
COVID-19 PANDEMIC

April 17, 2020

BACKGROUND:

COVID-19 is a highly contagious virus that originated in China and has spread to numerous countries around the world, including the United States and Montrose County, as well as other counties and municipalities in Colorado. On March 11, 2020 the World Health Organization (WHO) declared COVID-19 to be the subject of a worldwide pandemic. On the same day, the Governor of the State of Colorado declared a state of emergency in Colorado due to the presence of COVID-19 in Colorado. On March 13, 2020, the President of the United States declared a nationwide emergency related to the COVID-19 epidemic. Additionally, the Montrose County Board of Health has issued a declaration of emergency for Montrose County.

The result of these declarations of pandemic and emergency have resulted in "stay at home" orders and general advisements to the public to avoid travel to the extent possible. This has further resulted in the number of deplanements and enplanements at the Montrose Regional Airport ("MTJ" or "Airport") to dramatically decrease, and the decrease is expected to continue for some time until travel can be resumed in a more normal manner.

Due to the continued importance of maintaining Air Carriers and ensuring the availability of future travel in and to MTJ, the purpose of this policy is to provide assistance to the Air Carriers at MTJ, with the further understanding that federally funded aid is anticipated as well.

1. Scope of Policy.

This policy applies to all passenger Air Carriers operating at MTJ by agreements in effect as of April 1, 2020. Each Air Carrier desiring to benefit from the provisions of this Policy shall confirm their acceptance of the Policy in a letter directed to the Director of Aviation on or before May 15, 2020.

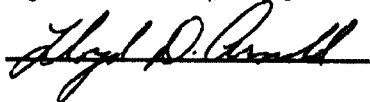
2. The Director of Aviation, by authorization of the Board of County Commissioners, hereby makes available to the Air Carriers currently operating at MTJ the following deferment of rates and charges:

a) Terminal rates and charges for exclusive use areas shall be deferred for payments due in April, May and June for ninety (90) days from the date of each invoice, making payments for those months due July 15, August 15 and September 15, 2020, respectively.

b) Terminal rates and charges for joint use areas and landing fees, which require month-end data shall also be deferred upon the same terms, with payments for April, May and June fees due on August 10, September 10 and October 10, 2020, respectively.

3. The rent deferral is not, and shall not be deemed, a waiver by the Airport of fees or rentals owed by the Air Carriers. This Policy does not alter the terms and conditions of the individual agreements between each Air Carrier and the Airport for operation at the Airport except as specifically herein by delaying required payments of fees and rents.
4. Payments for all rental fees and charges shall resume effective September 15, 2020 and August 10, 2020 in accordance with the operating agreements and schedule of rates for the Airport, and shall be invoiced under the contract terms of Net 30-day payment.
5. All deferred fees and rent shall be paid in full by October 10, 2020.
6. Any Air Carrier that does not affirmatively accept the terms of this Policy in writing shall continue to be invoiced under the Net 30-day payment terms of the current agreement between the Air Carrier and the Airport.

Dated this 17th day of April, 2020.

A handwritten signature in black ink, appearing to read "Lloyd Arnold", is written over a horizontal line.

Lloyd Arnold
Director of Aviation