

# **SOUTH DAKOTA AERONAUTICS COMMISSION MEETING**

**Thursday, March 21, 2024 at 2:00 p.m. CT**

Becker-Hansen Building/ Commission Room – 700 E. Broadway Ave, Pierre SD 57501

**COMMISSIONERS PRESENT:** Eric Odenbach, Chairman

## **COMMISSIONER PRESENT**

**VIA CONFERENCE CALL:** Bob Huggins, Vice-Chairman  
Christopher Funk  
Rolf Johnson  
Jerry Rieber  
John Taylor

**DOT STAFF PRESENT:** Joel Jundt, Kellie Beck, Jack, Dokken, Jon Becker, Tom Koch, Nancy Hiller, Brock Antijunti, Katlyn Wieme, and Kari Kroll

## **DOT STAFF PRESENT**

**VIA CONFERENCE CALL:** Dustin DeBoer

**OTHERS PRESENT:** Rod Senn – Mead & Hunt; Dan Letellier – Sioux Falls Regional Airport; Patrick Dame – Rapid City Regional Airport; Kent Penney – KLJ Engineering; Jamie Huizenga – City of Pierre; Brian Cowles – Pierre Regional Airport; Mitch Honan – Legislative Research Council; Senator Dave Johnson; and Senator Jim Mehlhaff

## **OTHERS PRESENT**

**VIA CONFERENCE CALL:** Steve Hamilton – South Dakota Pilots Association; Craig Ketterling – Sioux Falls Regional Airport; Tom Schauer – Mead & Hunt; Barb Minnick – City of Madison

Chairman Eric Odenbach called the meeting of the South Dakota Aeronautics Commission (the “Commission”) to order at 2:00 p.m. CT. Roll call was taken and a quorum was determined.

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Odenbach opened the floor to the Commission to disclose potential conflicts of interest and to present requests for waiver pursuant to South Dakota Codified Law (SDCL) Chapter 3 – 23.

No commissioners disclosed a conflict of interest nor requested a waiver.

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The annual election of officers was held. Odenbach opened the floor for nominations for Chairman. Commissioner Rieber nominated Odenbach for Chairman. Commissioner Johnson seconded the nomination. There were no further nominations. Odenbach turned the gavel over to Vice-Chairman

Huggins who requested a roll call vote on the nomination. All present voted aye by roll call vote except Odenbach who abstained.

Odenbach was reappointed Chairman.

Huggins turned the gavel back over to Odenbach.

Odenbach opened the floor for nominations for Vice-Chairman. Rieber nominated Huggins for Vice-Chairman. Johnson seconded the nomination. There were no further nominations. Odenbach requested a roll call vote on the nomination. All present voted aye by roll call vote except Huggins who abstained.

Huggins was reappointed Vice-Chairman.

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Odenbach asked for a motion to approve the December 14, 2023 Commission meeting minutes.

A MOTION WAS MADE by Taylor and seconded by Huggins to approve the December 14, 2023 Commission meeting minutes. All present voted aye by roll call vote. The motion carried.

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Odenbach acknowledged the group of people in the room and asked for a round of introductions.

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Dustin DeBoer, Office of Legal Counsel, requested the Commission set a hearing date of April 18, 2024 to consider amendments to ARSD 70:02:04 – Airport Licensing by resolution.

A MOTION WAS MADE by Rieber and seconded by Taylor to set the administrative hearing date for April 18, 2024. All present voted aye by roll call vote. The motion carried.

**RESOLUTION #2024 - 3.1 was adopted.**

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Odenbach opened the floor to public comment.

No members of the public addressed the Commission or offered input.

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Secretary Jundt presented the following items as the Secretary's Report to the Commission:

- Because Congress has not yet passed a 5-year reauthorization bill and the continuing resolution is set to expire on May 10, 2024, there are no Federal Aviation Administration (FAA) funding updates. However, it is believed Congress will pass a bill prior to the deadline based on recent discussions. The main issues of contention have been pilot hours required and capacity at Ronald Reagan Airport aka DC National Airport.
- The Federation Transportation HUD (Housing and Urban Development) Bill has passed; however, Congress needs to pass all the other appropriation bills before this bill funding can be executed. This may be done soon, as the FAA, U.S. Department of Transportation, and other agencies need to set their budgets.

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Jundt presented to the Commission for their consideration the commencement of the Senate Bill 144 (SB144) Terminal Funding process. He shared that the bill gives \$10 million in grant money authorized by the Commission for terminal projects for all airports in the state. The funds must be expended or obligated by June 30, 2028. He suggested the following process for disbursement of funds:

1. Setting criteria to which to judge funding requests
2. Create an application to which each requester must complete so that information compiled is the same for each project
3. Put out a call for projects with a set deadline to receive all applications
4. Review applications and hear from all eligible applicants
5. Award grants

Jundt suggested that the Commission set criteria at the April Commission meeting, put a call for projects at the May meeting, and hear applications no later than the June meeting.

A MOTION WAS MADE by Huggins and seconded by Rieber to authorize the Department of Transportation (the "Department") to commence an application process for special grant funding program for terminal projects provided in SB144. All present voted aye by roll call vote.

Jundt then shared that any time the legislature passes special appropriations, the Joint Committee of Appropriations will write a Letter of Intent (LOI) to the cabinet secretary relative to how they'd like to see the funds be administered/expended. That letter is currently being drafted. The letter would also give the Department a better understanding of the intent which will go into the application process as well as help the criteria.

With all the possibilities for criteria options, Jundt suggested to keep the discussion open to those in the room to share opinions and suggestions but hold off until the April meeting to make any hard decisions.

Senator David Johnson, the bill author, presented to the Commission the intention of the bill. He noted that the funds must be available to all airports across the state and should not be used on just the two largest.

Senator Mehlhaff, Dan Letellier, Patrick Dame, Jamie Huizenga, and Tom Schauer also addressed the Commission with their thoughts/opinions.

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Jundt presented to the Commission for consideration of Aeronautics Commission Policy and Procedures for Use of State Funds. He noted that currently, the Department has projected Capital Improvement Project (CIP) for the next three years. He suggests looking at projects in the next 5 years before making any modifications to the document. His request was to table this discussion and consideration until the May meeting.

Commissioner Christopher Funk joined the meeting at 2:43 p.m.

A MOTION WAS MADE by Taylor and seconded by Huggins to table the discussion and consideration of Aeronautics Commission Policy and Procedures for Use of State Funds until the May meeting. All present voted aye by roll call vote. The motion carried.

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Jon Becker, Office of Air, Rail and Transit, presented to the Commission for their consideration the following Bi-partisan Infrastructure Law (BIL) application.

**Miller 3-46-0035-015-2024**

**BIL:** Design taxiway connector and access road construction

Federal Share	\$ 81,000.00
State Share	\$ 4,500.00
Local Share	\$ 4,500.00
Total	\$ 90,000.00

**Platte 3-46-0066-015-2024**

**BIL:** Design AWOS III; aquatic and cultural resource survey

Federal Share	\$ 81,000.00
State Share	\$ 4,500.00
Local Share	\$ 4,500.00
Total	\$ 90,000.00

**Redfield 3-46-0049-018-2024**

**BIL:** Design ag operation area and taxiway w/aquatic and cultural resource surveys

Federal Share	\$117,000.00
State Share	\$ 6,500.00
Local Share	\$ 6,500.00
Total	\$130,000.00

**Sturgis 3-46-0054-023-2024**

**BIL:** Design GA terminal/SRE storage building w/geotechnical exploration

Federal Share	\$ 90,000.00
State Share	\$ 5,000.00

Local Share	\$ 5,000.00
Total	\$100,000.00

**Vermillion 3-46-0056-020-2024**

**BIL:** Construction of AWOS III

Federal Share	\$ 337,500.00
State Share	\$ 18,750.00
Local Share	\$ 18,750.00
Total	\$ 375,000.00

**Wessington Springs 3-46-0080-018-2024**

**BIL:** Design GA apron reconstruction

Federal Share	\$ 72,000.00
State Share	\$ 4,000.00
Local Share	\$ 4,000.00
Total	\$ 80,000.00

A MOTION WAS MADE by Taylor and seconded by Rieber to approve the BIL grant applications. All present voted aye by roll call vote. The motion carried.

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Nancy Hiller, Office of Air, Rail, and Transit presented to the Commission for their consideration a request to amend AIP#3-46-0022-042-2022 for the Huron Regional Airport. The federal grant amount was increased to reflect final as-built quantities for the lighting improvement construction. The request was to amend the state share for the project in the amount of \$110.

A MOTION WAS MADE by Taylor and seconded by Huggins to approve the amendment to the state share for AIP#3-46-0022-042-2022 at the Huron Regional Airport in the amount of \$110. All present voted aye by roll call vote. The motion carried.

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Hiller presented to the Commission the following four fuel tax fund requests.

The City of Chamberlain is requesting the use of \$8,242.77 of their fuel tax funds to apply toward the cost share on project number 9V9-GLG-3-46-0071-015-2023 (airport terminal).

A MOTION WAS MADE by Rieber and seconded by Funk to approve the request by the City of Chamberlain for \$8,242.77 of their fuel tax funds. All present voted aye by roll call vote. The motion carried.

The City of Madison is requesting the use of \$11,711.74 of their fuel tax funds to reimburse Madison Municipal Airport jet fuel bills paid in June and July 2023.

A MOTION WAS MADE by Rieber and seconded by Huggins to approve the request by the City of Madison for \$11,711.74 of their fuel tax funds. All present voted aye by roll call vote. The motion carried.

Marv Skie/Lincoln County is requesting the use of \$11,736.30 of their fuel tax funds to pay for the installation of their new beacon tower.

A MOTION WAS MADE by Huggins and seconded by Taylor to approve the request by Marv Skie/Lincoln County for \$11,736.30 of their fuel tax funds. All present voted aye by roll call vote. The motion carried.

The City of Pierre is requesting the use of \$6,000 of their fuel tax funds to pay for the first year of service with Virtower.

A MOTION WAS MADE by Funk and seconded by Rieber to approve the request by the City of Pierre for \$6,000 of their fuel tax funds. All present voted aye by roll call vote. The motion carried.

Commissioner Taylor left the meeting at 3:34 p.m.

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Hiller presented to the Commission for their consideration a request for \$500 to pay for the remaining cost of the prizes for the 2024 International Aviation Art Contest. She noted the total cost was \$1,100 and the South Dakota Pilots Association donated \$600.

A MOTION WAS MADE by Johnson and seconded by Funk to approve the request for \$500 from the Aeronautics Fund to pay for the remaining cost of the 2024 International Aviation Art Contest prizes. All present voted aye by roll call vote. The motion carried.

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Kent Penny of KLJ Engineering presented a PowerPoint presentation to the Commission for their information a status update on the airport zoning with South Dakota and part of surrounding states.

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Jon Becker presented to the Commission for their information the current list of 2024 planned airport projects. The goal was to give the Commission an advanced look at future projects so they are ready with questions about the project when presented.

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With no further business to come before the Commission, Odenbach adjourned the meeting at 4:04 p.m. CT.