

# **SOUTH DAKOTA AERONAUTICS COMMISSION MEETING**

**Wednesday, April 6, 2022 at 8:00 a.m. CDT**

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

**COMMISSIONERS PRESENT:** Eric Odenbach, Chairman  
Robert Huggins, Vice-chairman  
Rolf Johnson  
Dave Luers  
Jerry Rieber  
Christopher Funk  
Kassidy Nelson

**DOT STAFF PRESENT:** Joel Jundt, Kellie Beck, Jon Becker, Tom Koch, Kyle Weinman, and Kari Kroll

**DOT STAFF PRESENT  
VIA CONFERENCE CALL:** Dustin DeBoer

**OTHERS PRESENT:** Steve Hamilton – South Dakota Pilots Association (SDPA); Bob Babcock – Helms & Associates; Brooke Edgar – Helms & Associates; Michael Bollweg; Angie Bollweg; Barb Leesman; Lenoard Spomer; Les Wulf; Harlan R. Smith; and Austin Gross

**OTHERS PRESENT  
VIA CONFERENCE CALL:** Andrea Goebel - South Dakota Aviation Association; Paul Bollweg; and Terry Barber

Chairman Eric Odenbach called the meeting of the South Dakota Aeronautics Commission (the “Commission”) to order at 8:00 a.m. CDT. All members of the Commissioner were at the table, a quorum was determined.

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

No conflicts of interest were disclosed. No waivers were requested.

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Odenbach opened the floor to public input. No members for the public addressed the Commission or offered input.

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Odenbach asked for a motion for the Commission to enter into executive session.

A MOTION WAS MADE by Rieber and seconded by Luers to enter into executive session pursuant to SDCL 1-25-2(3) for the purpose of consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. All present voted aye by voice vote. The motion carried.

Executive session began at 8:03 a.m. CDT.

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Odenbach called the meeting back into session at 8:38 a.m. CDT. A quorum was determined, all members were present.

Odenbach shared with the public a copy of the draft letter that will be submitted to the Public Utility Commission ("PUC"). He shared an edit to the letter that will be made before the final letter is sent to the PUC by Dustin DeBoer in the Office of Legal Counsel for the Department of Transportation (the "Department.")

DeBoer shared the procedural history of the permit as well as relevant statutes on the matter of the application by North Bend Wind Project, LLC for a permit to construct and operate the North Bend Wind Project in Hyde and Hughes Counties.

DeBoer advised the Commission against any effort to intervene as an interested party for the following reasons:

1. The deadline has passed.
2. Concerned landowners/citizens had ample opportunity to provide notice to the Department or the Commission.
3. Respect for the State Board and Commission process.

A MOTION WAS MADE by Huggins and seconded by Funk to authorize the Department to submit the letter as modified which complies with SDCL 49-41B-19 at the direction of the Commission to the PUC by electronic submission that contains evidence relative to environmental, social, and economic conditions and will provide a copy of the letter to the interested parties with a certification of service. All present voted aye by voice vote. The motion carried.

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With no other business to come before the Commission, Odenbach adjourned the meeting at 8:53 a.m. CDT.