

SOUTH DAKOTA AERONAUTICS COMMISSION MEETING

Thursday, July 20, 2023, at 2:00 p.m. CDT

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

COMMISSIONERS PRESENT

VIA CONFERENCE CALL: Bob Huggins, Vice-chair
Dave Luers
Chris Funk
Rolf Johnson
Jerry Rieber (joined at 2:01 p.m.)
Kassidy Nelson (joined at 2:06 p.m.)

DOT STAFF PRESENT: Joel Jundt, Kellie Beck, Jack Dokken, Nancy Hiller, Katlyn Wieme, and Kari Kroll

DOT STAFF PRESENT

VIA CONFERENCE CALL: Dustin DeBoer

OTHERS PRESENT

VIA CONFERENCE CALL: Steve Hamilton – South Dakota Pilots Association (SDPA);

Vice-chairman Bob Huggins called the meeting of the South Dakota Aeronautics Commission (the “Commission”) to order at 2:00 p.m. CDT. Roll call was taken and a quorum was determined.

Huggins 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.

Commissioner Jerry Rieber joined the meeting at 2:01 p.m.

Dustin DeBoer, Office of Legal Counsel, presented to the Commission a conflict of interest waiver from Commissioner Rolf Johnson as **ATTACHMENT A**.

A MOTION WAS MADE by Funk and seconded by Luers that, after disclosure of the full terms of the potential conflict of interests, that the matter underlying the potential conflict of interest is fair, reasonable, and not contrary to public interest. All present voted aye by roll call vote except Johnson who abstained. The motion carried.

DeBoer then presented a conflict of waiver from Commissioner Rieber. At this time, Commissioner Rieber shared he had another potential conflict and the Commission agreed to take up his waiver at the August meeting.

Huggins asked for a motion to approve the June 15, 2023 Commission meeting minutes. He asked for an edit to be made on page 2, second paragraph of the Secretary's report to read *remodels* not "remodals."

A MOTION WAS MADE by Johnson and seconded by Huggins to approve the June 15, 2023 Commission meeting minutes with the edit as requested. All present voted aye by roll call vote. The motion carried.

Commissioner Kassidy Nelson joined the meeting at 2:06 p.m.

Huggins opened the floor to public comment.

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

Secretary Joel Jundt presented the Secretary's Report to the Commission. He shared the Federal Aviation Administration (FAA) Re-authorization legislation has been moving forward including the passing of the House bill today that would increase the funding to \$4 billion. He noted a point of contention within the bill was the Essential Air Service (EAS) funding amounts were being debated for possible elimination of funding. However, the EAS funds remain in the bill with \$160 million in funding. The Senate drafted bill could be heard as early as next week.

Next, Secretary Jundt shared that at the August 2023 Commission meeting, the Office of Legal Counsel will be asking for a hearing date to make amendments to Administrative Rules of South Dakota (ARSD) 70:02:04 – Airport Licensing. This was requested by the Legislative Research Council after they recognized outdated statutes within the rule.

Lastly, he shared that today's meeting would be Commissioner Dave Luers' last meeting. Commissioner Luers has chosen to retire from the Commission. Secretary Jundt thanked him for all he's done for the Commission.

Jack Dokken, Program Manager for the Office of Air, Rail & Transit, presented to the Commission for their consideration the following Airport Improvement Program (AIP) grant and Bi-partisan Infrastructure Law (BIL) grant applications.

Belle Fourche 3-46-0072-018-2023

AIP: hangar area drainage improvements & vehicle access with gate

Federal Share	\$ 287,705.00
State Share	\$ 15,984.00
Local Share	\$ 15,984.00
Total	\$ 319,673.00

Belle Fourche 3-46-0072-019-2023**BIL:** hangar area drainage improvements & vehicle access with gate

Federal Share	\$ 268,495.00
State Share	\$ 14,916.00
Local Share	\$ 14,916.00
Total	\$ 298,328.00

Hoven 3-46-0021-017-2023**AIP:** construction of lighting improvements including MIRL, MITL, PAPI, wind cone, and beacon

Federal Share	\$ 481,500.00
State Share	\$ 26,750.00
Local Share	\$ 26,750.00
Total	\$ 535,000.00

Pierre 3-46-0044-049-2023**AIP:** ARFF truck procurement

Federal Share	\$ 904,500.00
State Share	\$ 50,250.00
Local Share	\$ 50,250.00
Total	\$ 1,005,000.00

Spearfish 3-46-0065-033-2023**AIP:** pavement maintenance (crack seal, seal coat, markings 13/31)

Federal Share	\$ 504,000.00
State Share	\$ 28,000.00
Local Share	\$ 28,000.00
Total	\$ 560,000.00

A MOTION WAS MADE by Rieber and seconded by Funk to approve the AIP grants as presented. All present voted aye by roll call vote. The motion carried.

Dokken then presented for the Commission a request for funding from the Isabel Airport for solar lighting. At the June 15, 2023 Commission meeting, the Town of Isabel was asked to return to the Commission with a quote for the lighting which they did. They asked for 75% of the quote which was \$16,594 and would commit to the remaining 25% which was \$5,531.

A MOTION WAS MADE by Rieber and seconded by Luers to approve the request for \$16,594 to the Town to install solar lighting to the Isabel Airport. All present voted aye by roll call vote. The motion carried.

Phone issue from 2:22 – 2:26 p.m. The Commission Room was disconnected from the meeting.

Dokken presented to the Commission for their consideration possible amendments to the Policies and Procedures for Use of State Funds document. He shared the recommended changes were based on the discussion from the June 15, 2023 Commission meeting.

Huggins shared two Grammatical errors in section C item 2. They were to insert a period after “\$75,000” and remove the repeated word “the”.

A MOTION WAS MADE by Luers and seconded by Johnson to approve the edits to the Policies and Procedures for Use of State Funds as recommended and as noted by Huggins. All present voted aye by roll call vote. The motion carried.

With no further business to come before the Commission, Huggins adjourned the meeting at 2:32 p.m. CT.

ANNUAL DISCLOSURE FOR AUTHORITY/BOARD/COMMISSION MEMBER
PURSUANT TO SDCL CHAPTER 3-23

THIS IS A PUBLIC DOCUMENT

Name of Member: Rolf Johnson

Name of Board, Authority or Commission: South Dakota Aeronautics Commission

The Member shall disclose below any contract in which the Member has an interest or from which the Member derives a direct benefit if the contract is:

- 1) With the state agency to which the Member's board, authority or commission is attached for reporting or oversight purposes and which contract requires the expenditure of government funds;
- 2) With the state and which contract requires the approval of the Member's board, authority or commission and the expenditure of government funds; or
- 3) With a political subdivision of the state if the political subdivision approves the contract and:
 - a. Is under the regulatory oversight of the authority, board, or commission, or
 - b. Is under the regulatory oversight of the agency to which the Member's board, authority or commission is attached.

The Member shall disclose the contract even though no additional authorization is needed from the Member's board, authority or commission to have an interest or derive a benefit from the contract.

The Member shall also identify every entity in which the Member possesses an ownership interest of five percent or greater if:

- 1) The entity receives grant money from the State, either directly or by a pass-through grant or
- 2) The entity contracts with the State or any political subdivision for services.

1. **Contracts in which you have an interest pursuant to SDCL Chapter 3-23 and which do not violate any other provision of law** - Provide the following for each contract in which you have, or will have, an interest. For further information see SDCL 3-23-2.1 and 3-23-3.1.

Description of the contract	Parties	Description of your interest/role in the contract	Date contract was previously disclosed, if applicable
Personal Hangar	Rolf Johnson/ Aberdeen Regional Airport	LEASE the ground	2022.

Attach additional pages, if necessary.

2. **Contracts in which you have a direct benefit pursuant to SDCL Chapter 3-23** - Provide the following for each contract from which you derive, or will derive, a direct benefit. For more information see SDCL 3-23-2, 3-23-2.2 and 3-23-3.1.

Description of the contract	Parties	Description of the direct benefit	Date contract was authorized

Attach additional pages, if necessary.

3. Entities in which you possess an ownership interest of five percent or more that receive grant money from the State, either directly or by a pass-through grant, or that contract with the State or any political subdivision for services – Provide the following for each such entity. See SDCL 3-23-3.1.

Description of the contract or grant	Party in which you possess the interest	State agency or subdivision

Attach additional pages, if necessary.

The member shall complete a separate authorization request for any contract identified above that requires authorization from the Member's board, authority or commission in order for the Member to legally derive a direct benefit.

Signature of Member:



Date:

6-14-2023