

**SOUTH DAKOTA AERONAUTICS COMMISSION
CONFERENCE CALL MEETING MINUTES
Thursday, July 16, 2020 at 2:00 p.m. CDT**

**COMMISSIONERS PRESENT
VIA CONFERENCE CALL:**

Eric Odenbach, Chairman
Bob Huggins, Vice-chairman
Rolf Johnson, Member
Gerald "Jerry" Rieber, Member
Dave Luers, Member
Christopher Funk, Member

DOT STAFF PRESENT:

Karla Engle, Jack Dokken, Jon Becker, Tom Koch, Brad Remmich, and Kari Kroll

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

Joel Jundt, Dustin DeBoer, and Bonnie Olson

**OTHERS PRESENT
VIA CONFERENCE CALL:**

Steve Hamilton – South Dakota Pilots Association (SDPA);
Brooke Edgar – Helms & Associates; Kaci Nowicki – SEH;
Jacob Braunagel – KLJ; and Rodd Senn - KLJ

Chairman Odenbach called the meeting of the South Dakota Aeronautics Commission (the "Commission") to order at 2:00 p.m. CDT. A roll call was taken to verify a quorum.

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

Odenbach presented an annual disclosure and a waiver request received from Robert Huggins concerning potential conflicts of interest. A copy of the waiver request is attached to and incorporated into these minutes as **Attachment A**. Huggins accepted a teaching position at Lake Area Technical Institute starting in the Fall 2020 semester.

A MOTION WAS MADE by Rieber and seconded by Luers that the matters disclosed in the annual disclosure and waiver request are fair, reasonable, and not contrary to public interest. All present voted aye by roll call vote, except Huggins, who abstained. The motion carried.

Odenbach asked for a motion to approve the June 18, 2020, Commission meeting minutes.

A MOTION WAS MADE by Funk and seconded by Luers to approve the June 18, 2020, Commission Meeting minutes. All present voted aye by roll call vote. The motion carried.

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

Karla Engle, Chief Legal Counsel, presented for Commission consideration a request to set a hearing date for August 20, 2020, to consider amendments to or the repeal of Administrative Rules of South Dakota (ARSD) 70:02 – Aeronautics Rules. Engle requested a change to the original written list of rules to exclude chapter 70:02:04 – Airport Licensing from the hearing, stating that more in-depth research was needed. The hearing date request is for chapters 70:02:01 – Procedural rule, 70:02:02 – Aerial applicators, 70:02:03 – Structures affecting aviation; 70:02:05 – Registration of aircraft, and 70:02:06 – Pilot and airport employee identification.

Engle explained the hearing procedure in detail to the Commission. She stated that the reason for the rule changes stemmed from the amount of statutory changes resulting in the need to clean up the rules.

A MOTION WAS MADE by Huggins and seconded by Johnson to set the administrative hearing date for August 20, 2020. All present voted aye by roll call vote. The motion carried.

Deputy Secretary Joel Jundt presented the Secretary's Report. Jundt shared the current process for receiving federal funds for an aeronautic project. First, you need to have an authorization bill. The current bill is good through 2023. Second, you need an appropriations bill. The appropriations bill is awarded by federal fiscal year beginning October 1 and continuing through September 30. Congress is currently working on a new appropriations bill.

Jon Becker, Office of Aeronautics, presented an amendment to a current Airport Improvement Program (AIP) grant from 2018 for the Pierre Regional Airport for reconstruction of a GA taxiway for agricultural operations and construction of a taxi-lane for the hangar area in the amount of \$1,413.21. The federal grant amount was increased to reflect final as-built measured quantities for construction. The state share must increase accordingly.

A MOTION WAS MADE by Funk and seconded by Huggins to approve the increased state match of \$1,413.12 to AIP project # 3-46-0044-39-2018. All present voted aye by roll call vote. The motion carried.

Becker presented the 2020 Airport Improvement Program (AIP) grants to the Commission for consideration. Becker informed the Commission CARES Act funding will be used to provide the state and local match on the 2020 AIP projects, except the Rapid City 3-46-0048-055-2020 and the Watertown 3-46-0058-011-2020 projects which both require a local match on the funding.

Britton 3-46-0004-014-2020

Acquire and install AWOS-III including site preparation.

Federal Share	\$378,000.00
State Share	\$
Local Share	\$
Total	\$378,000.00

Brookings 3-46-0005-032-2020

Design and construct hangar taxilane; reimburse access road reconstruction.

Federal Share	\$ 383,000.00
State Share	\$ 0
Local Share	\$ 0
Total	\$ 383,000.00

Canton 3-46-0007-009-2020

Construct hangar taxilane extension.

Federal Share	\$ 199,000.00
State Share	\$ 0
Local Share	\$ 0
Total	\$ 199,000.00

Chamberlain 3-46-0071-010-2020

Environmental assessment for runway 17-35 extension.

Federal Share	\$ 225,000.00
State Share	\$
Local Share	\$
Total	\$ 225,000.00

DeSmet 3-46-0063-014-2020

Construct runway turnarounds.

Federal Share	\$ 821,000.00
State Share	\$
Local Share	\$
Total	\$ 821,000.00

Eagle Butte 3-46-0068-011-2020

Design runway 13/31 reconstruction, environmental and geotechnical surveys.

Federal Share	\$ 240,000.00
State Share	\$
Local Share	\$
Total	\$ 240,000.00

Faith 3-46-0076-011-2020

Construct taxiway A1 and A3; relocate runway 31 threshold.

Federal Share	\$ 645,000.00
State Share	\$
Local Share	\$
Total	\$ 645,000.00

Flandreau 3-46-0077-011-2020

Miscellaneous planning study.

Federal Share	\$ 55,000.00
State Share	\$
Local Share	\$
Total	\$ 55,000.00

Gregory 3-46-0018-016-2020

Design runway 13/31 reconstruction and taxiway turnaround construction.

Federal Share	\$ 160,000.00
State Share	\$
Local Share	\$
Total	\$ 160,000.00

Madison 3-46-0029-018-2020

Design and bid for south GA apron expansion.

Federal Share	\$ 96,000.00
State Share	\$
Local Share	\$
Total	\$ 96,000.00

Martin 3-46-0030-014-2020

Acquisition of 18 acres for airport design standards.

Federal Share	\$ 196,887.00
State Share	\$
Local Share	\$
Total	\$ 196,887.00

McLaughlin 3-46-0031-010-2020

ALP update with narrative report, aeronautical obstruction and archaeological/TCS surveys.

Federal Share	\$ 220,000.00
State Share	\$
Local Share	\$
Total	\$ 220,000.00

Milbank 3-46-0034-016-2020

Land acquisition for runway 13/31 RPZ & departure surfaces.

Federal Share	\$ 285,000.00
State Share	\$
Local Share	\$
Total	\$ 285,000.00

Mitchell 3-46-0037-028-2020

Master Plan with ALP update, cultural survey and aeronautical obstruction survey.

Federal Share	\$ 430,000.00
State Share	\$
Local Share	\$
Total	\$ 430,000.00

Onida 3-46-0041-012-2020

Design runway 13/31 reconstruction and taxiway turnaround construction.

Federal Share	\$ 180,000.00
State Share	\$
Local Share	\$
Total	\$ 180,000.00

Parkston 3-46-0042-013-2020

Design and construction 4-unit revenue-generating hangar.

Federal Share	\$ 787,000.00
State Share	\$
Local Share	\$
Total	\$ 787,000.00

Platte 3-46-0066-011-2020

Construct GA terminal and revenue-producing hangar, site grading, fence/gate relocation.

Federal Share	\$ 680,000.00
State Share	\$
Local Share	\$
Total	\$ 680,000.00

Rapid City 3-46-0048-053-2020

SRE procurement; relocate 14-32 hold position markings; design terminal chiller replacement.

Federal Share	\$ 1,320,000.00
State Share	\$
Local Share	\$
Total	\$ 1,320,000.00

Rapid City 3-46-0048-055-2020

Passenger boarding bridges – design, construction, engineering.

Federal Share	\$ 2,155,000.00
State Share	\$
Local Share	\$ 239,444.44
Total	\$ 2,394,444.44

Redfield 3-46-0049-013-2020

Design and construct 10' wildlife fence, with gates and buried skirting.

Federal Share	\$ 585,000.00
State Share	\$
Local Share	\$
Total	\$ 585,000.00

Rosebud 3-46-0082-012-2020

Master plan and ALP update; aeronautical obstruction survey.

Federal Share	\$ 250,000.00
State Share	\$
Local Share	\$
Total	\$ 250,000.00

Sturgis 3-46-0054-016-2020

Construct 6-unit T hangar, approach pavement, taxilane, reconstruct existing taxilanes, pave access road.

Federal Share	\$ 1,344,000.00
State Share	\$
Local Share	\$
Total	\$ 1,344,000.00

Vermillion 3-46-0056-014-2020

Reconstruct 2,200' hangar taxilanes.

Federal Share	\$ 955,000.00
State Share	\$
Local Share	\$
Total	\$ 955,000.00

Watertown 3-46-0058-011-2020

Design new passenger terminal; purchase ARFF foam cart.

Federal Share	\$ 1,550,000.00
State Share	\$
Local Share	\$ 352,526.72
Total	\$ 1,902,526.72

Winner 3-46-0061-016-2020

Design and construct 100'x200' expansion on southeast side of GA apron; replacement of affected ramp lighting.

Federal Share	\$ 625,000.00
State Share	\$
Local Share	\$
Total	\$ 625,000.00

Yankton 3-46-0062-031-2020

Reconstruct runway 1-19, remark 1-19 to 2-20 and install new MIRL.

Federal Share	\$ 2,737,000.00
State Share	\$
Local Share	\$
Total	\$ 2,737,000.00

SDDOT 3-46-4600-026-2020

Pavement maintenance for airports at DeSmet, Eureka, Faulkton, Flandreau, Gettysburg, Huron, Mitchell, Murdo, Pine Ridge, Redfield, Sisseton, Spearfish and Wagner.

Federal Share	\$ 1,780,000.00
State Share	\$
Local Share	\$
Total	\$ 1,780,000.00

Commissioner Funk left the meeting from 2:37 p.m. – 2:40 p.m.

Funk recused himself from the discussion and vote on the Brookings AIP grant funding request due to a previously disclosed conflict of interest.

A MOTION WAS MADE by Johnson and seconded by Huggins to approve the Brookings 3-46-0005-032-2020 AIP grant funding request. All present voted aye by roll call vote, except Funk, who abstained. The motion carried.

Rieber recused himself from the discussion and vote on the Watertown AIP grant funding request due to a previously disclosed conflict of interest.

A MOTION WAS MADE by Huggins and seconded by Luers to approve the Watertown 3-46-0058-011-2020 AIP grant funding request. All present voted aye by roll call vote, except Rieber, who abstained. The motion carried.

A MOTION WAS MADE by Rieber and seconded by Luers to approve the remaining AIP grant funding requests. All present voted aye by roll call vote. The motion carried.

Deputy Secretary Jundt reminded the Commission of the upcoming 2020 Transportation Hall of Honor nomination deadline of July 30, 2020.

Karla Engle reminded the Commission to submit their annual conflict of interest disclosures before the August meeting for Commission consideration.

With no other business to come before the Commission, Odenbach adjourned the meeting at 3:01 p.m. CDT

DRAFT

STATE OF SOUTH DAKOTA
AERONAUTICS COMMISSION

REQUEST FOR STATE BOARD WAIVER
PURSUANT TO SDCL 3-23-3

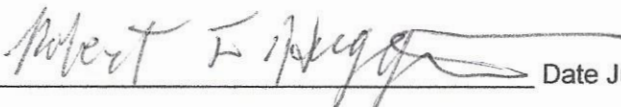
THIS IS A PUBLIC DOCUMENT

Date: June 22/2020

Name of Commission Member or Former Commission Member: Robert F. Huggins

Brief explanation of contract for which a waiver is requested:

- a) Parties to the contract Lake Area Technical Institute and Robert F. Huggins
- b) Commission Member's role in the contract. Adjunct instructor for one course.
- c) Purpose and objective of the contract To allow Robert Huggins to instruct one class in the Professional Pilot Course entitled FIT 235.
- d) Consideration or benefit conferred or agreed to be conferred upon each party Pay will be the standard rate for an adjunct instructor based on course hours. Payment will be made in two lumps. Midway through the semester and at the end of the semester.
- e) Duration of the contract Fall Semester 2020

Signature of Requesting Party:  Date June 22, 2020

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

THIS IS A PUBLIC DOCUMENT

Name of Member: ROBERT F HOLLING

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
TO HIRE ROBERT HUGGINS AS AN ADJUNCT INSTRUCTOR IN AVIATION	LAKE AAAA TECH INSTITUTE & ROBERT HUGGINS	TO BE HIRED AS AN INSTRUCTOR	NA

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
SEE #1			

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
NONE		

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: Walter R. Higgins Date: 6/22/2020