

**SOUTH DAKOTA AERONAUTICS COMMISSION CONFERENCE CALL
MEETING MINUTES OCTOBER 23, 2018 – 1:00 P.M.
BECKER-HANSEN BUILDING – 700 EAST BROADWAY
PIERRE, SOUTH DAKOTA**

**COMMISSIONERS PRESENT
VIA CONFERENCE CALL:**

Robert Huggins, Vice Chair
Chris Funk, Member
Kassidy Nelson, Member
Travis Lantis, Member
Dave Luers, Member
Dan Noteboom, Member

DOT STAFF PRESENT:

Darin Bergquist, Karla Engle, Bonnie Olson, Jack Dokken, Jon Becker, Tom Koch, Colton Stahl, and Katherine Anderson

OTHERS PRESENT:

Bob Mercer – Associated Press

**OTHERS PRESENT
VIA CONFERENCE CALL:**

Steve Hamilton – South Dakota Pilots Association (SDPA)

Vice Chair Robert Huggins called the meeting of the South Dakota Aeronautics Commission (the “Commission”) to order at 1:02 p.m. Roll call was taken and a quorum was determined.

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

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

Huggins asked for a motion to approve the minutes of the September 25, 2018, Commission meeting.

A MOTION WAS MADE by Funk and seconded by Nelson to approve the September 25, 2018, meeting minutes. All present voted aye by roll call vote. The motion carried.

A MOTION WAS MADE by Funk and seconded by Noteboom to defer the Election of Officers to the November Aeronautics Commission meeting. All present voted aye by roll call vote. The motion carried.

Huggins opened the floor for public input. No members of the public addressed the Commission or offered input.

Secretary Darin Bergquist of the Department of Transportation (the “Department”) had no items for the Secretary’s report. Bergquist presented a discussion of Aeronautics Commission Powers. The Department is currently working on updates to the Department’s Delegation of Authority Policy, which will include a listing of the powers and duties of each commission or board within the Department. As a process improvement, the Department hopes to clearly identify the powers and duties of each board

and commission. An ad hoc committee is also continuing to work on review of Title 50 of the South Dakota Code. Bergquist requested the Commission become familiar with the Powers of the Aeronautics Commission document in the agenda packet and let the Department know if there are questions or if any further clarification is needed.

Jon Becker of the Office of Air, Rail, and Transit, presented for Commission consideration the 2018 Grant Applications. Becker provided the following description of the Department's recommendations:

The Office of Aeronautics is requesting funding from the State Aeronautics Fund for the AIP projects below.

Lemmon 3-46-0027-014-2018

Reconstruct runway 12/30 and connecting taxiway A, MIRL, taxiway lighting, PAPI, RSA grading, edge drains.

Federal Share	\$3,172,500.00
State Share	\$ 176,250.00
Local Share	\$ 176,250.00
Total	\$3,525,000.00

The Department recommends approval of state assistance in the amount of \$176,250.00

A MOTION WAS MADE by Lantis and seconded by Huggins to approve state assistance in the amount of \$176,250.00 for the Lemmon 3-46-0027-014-2018 project. All present voted aye by roll call vote. The motion carried.

Jack Dokken, Program Manager for the Office of Air, Rail, and Transit, presented consideration of the Sioux Falls State Amendment. Dokken provided the following description of the Department's recommendation:

Sioux Falls Regional Airport AIP #3-46-0050-50-2016 – Reconstruct a portion of Runway 3/21; Rehabilitate Taxiways A and A2.

The federal grant amount was increased to reflect final as-built measured quantities for construction. The state share must increase accordingly.

Federal (90%)	State (5%)
\$7,491,596.00	\$416,199.78
\$7,048,235.00	\$391,568.61
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\$443,361.00	\$24,631.17

The Department recommends approval of a state grant amendment in the amount of \$24,631.17.

A MOTION WAS MADE by Luers and seconded by Funk to approve a state grant amendment in the amount of \$24,631.17 for the Sioux Falls Regional Airport AIP #3-46-0050-50-2016 project. All present voted aye by roll call vote. The motion carried.

Becker informed the Commission that the City of Mitchell withdrew its funding request. No action was taken by the Commission.

Bergquist addressed the Commission again relating to tall structure and navigation hazard applications. The Commission had some past discussions and questions regarding its authority and responsibility relative to tall structure and navigation hazards. Bergquist asked Karla Engle to provide additional details.

Karla Engle of the Office of Legal Counsel discussed case law relating to federal authority over hazards to air navigation and state statutes and administrative rules relating to navigation hazards.

Tom Koch of the Office of Air, Rail, and Transit, presented a Tall Structure Application for Commission consideration. Koch provided the application itself and the following description of the Department's recommendation:

The following aeronautical study **Has Not Been Approved** by the FAA as of the date of this letter. The proponent is asking the Aeronautics Commission for conditional approval pending the FAA's issuance of a 'Determination of No Hazard to Air Navigation'.

SDDOT Permit #2018-18850. Mobridge, SD

FAA Aeronautical Study 2018-AGL-18850-OE

Real Tuff Inc. is proposing to replace a Quonset hut style building that was recently destroyed in a windstorm with a new 23-foot-high pole building approximately .3 miles south of the Mobridge airport.

The Department recommends approval contingent upon receipt of FAA's 'Determination of No Hazard to Air Navigation' and that the structure be marked and lit in accordance with any FAA requirements.

A MOTION WAS MADE by Lantis and seconded by Noteboom to approve the application for construction of a new 23-foot-high pole building approximately .3 miles south of the Mobridge airport, contingent upon receipt of FAA's "Determination of No Hazard to Air Navigation" and compliance with any FAA requirements for marking and lighting. All present voted aye by roll call vote. The motion carried.

Dokken asked for direction from the Commission as to whether or not there are any new items the Commission would like to see included in the report that is to be submitted to the Governor.

Bergquist suggested that the Commission submit items for the annual report to the Governor before the November Aeronautics Commission meeting so that the report could be approved at the November meeting. The Commission agreed on this due date.

With no other business to come before the Commission, the meeting was adjourned at 1:51 p.m.

DRAFT