

SOUTH DAKOTA AERONAUTICS COMMISSION MEETING

Thursday, March 20, 2025 at 2:00 p.m. CT

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

COMMISSIONER PRESENT: John Taylor, Chairman
Bob Huggins
Dustin Coleman

COMMISSIONER PRESENT

VIA CONFERENCE CALL: Jerry Rieber, Vice-chairman (joined at 2:04 p.m.)
Rolf Johnson
Kassidy Nelson
Chris Funk

DOT STAFF PRESENT: Joel Jundt, Karla Engle, Kellie Beck, Jon Becker, Nancy Hiller, Brock Antijunti and Kari Kroll

DOT STAFF PRESENT

VIA CONFERENCE CALL: Jack Dokken

OTHERS PRESENT: Steve Blair – Office of the Attorney General

OTHER PRESENT

VIA CONFERENCE CALL: Steve Hamilton; Brooke Edgar – Helms and Associates; and Rodd Senn – Mead & Associates; Patrick Dame – Rapid City Regional Airport

Chairman John Taylor called the meeting of the South Dakota Aeronautics Commission (the “Commission”) to order at 2:00 p.m. CDT. Roll call was taken. A quorum was determined.

Taylor 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.

Taylor then moved to the gallery and handed the gavel to Bob Huggins to act as chairman for this consideration at 2:01 p.m.

Karla Engle, Office of Legal Counsel, presented to the Commission nine waiver requests disclosed by Commissioner John Taylor concerning potential conflicts of interest. Copies of the nine waivers are included with these minutes as **ATTACHMENT A**.

Vice-chairman Jerry Rieber joined the meeting at 2:04 p.m.

Engle shared with the Commission a summary of the statutes regarding conflict of interest and when recusal is necessary. The Commission discussed each waiver individually and whether recusal by Taylor was necessary for the disclosed conflicts.

A MOTION WAS MADE by Coleman and seconded by Johnson that the terms of the contract disclosed in the Aviation Investors, LLC written waiver requests by Commissioner Taylor are fair, reasonable, and not contrary to public interest and that Commissioner Taylor does not need to recuse himself from participation in regard to the Lincoln County Airport at this time. All present voted aye by roll call vote except Taylor, who abstained. The motion carried.

Bob Huggins turned the gavel over to Vice-chairman Jerry Rieber at 2:25 p.m.

Rieber continued through the list of waivers. Engle stated the motion for each of the following disclosures individually based on the Commission's direction:

A MOTION WAS MADE by Coleman and seconded by Huggins that the terms of the contract disclosed in the Blue Sky Leasing, LLC written waiver requests by Commissioner Taylor are fair, reasonable, and not contrary to public interest and that Commissioner Taylor does not need to recuse himself from participation in regard to the Sioux Fall Regional Airport Board due in regards this matter at this time. All present voted aye by roll call vote except Taylor, who abstained. The motion carried.

A MOTION WAS MADE by Funk and seconded by Coleman that the terms of the contract disclosed in the Finger Four, LLC written waiver requests by Commissioner Taylor are fair, reasonable, and not contrary to public interest and that Commissioner Taylor does not need to recuse himself from participation in regard to the Lincoln County Airport at this time. All present voted aye by roll call vote except Taylor, who abstained. The motion carried.

A MOTION WAS MADE by Huggins and seconded by Johnson that the terms of the contract disclosed in the J & R Aviation Inc. written waiver requests by Commissioner Taylor are fair, reasonable, and not contrary to public interest and that Commissioner Taylor does not need to recuse himself from participation in regard to the Sioux Fall Regional Airport Board due in regards this matter at this time. All present voted aye by roll call vote except Taylor, who abstained. The motion carried.

A MOTION WAS MADE by Huggins and seconded by Johnson that the terms of the contract disclosed in the Premier Aviation, LLC/ Wyatt Honomichl written waiver requests by Commissioner Taylor are fair, reasonable, and not contrary to public interest and that Commissioner Taylor does not need to recuse himself from participation in regard to the Lincoln County Airport at this time. All present voted aye by roll call vote except Taylor, who abstained. The motion carried.

A MOTION WAS MADE by Coleman and seconded by Funk that the terms of the contract disclosed in the Riggins Flight Service Inc./ Morris A Riggins written waiver requests by Commissioner Taylor are fair, reasonable, and not contrary to public interest and that Commissioner Taylor does not need to recuse himself from participation in regard to the Madison Municipal Airport at this time. Coleman, Funk,

Johnson, Nelson, and Rieber voted aye and Huggins voted no by roll call vote except Taylor, who abstained. The motion carried.

A MOTION WAS MADE by Johnson and seconded by Coleman that the terms of the contract disclosed in the Turbo Arrow, LLC written waiver requests by Commissioner Taylor are fair, reasonable, and not contrary to public interest and that Commissioner Taylor does not need to recuse himself from participation in regard to the Brookings Municipal Airport at this time. All present voted aye by roll call vote except Taylor, who abstained. The motion carried.

A MOTION WAS MADE by Huggins and seconded by Coleman that the terms of the contract disclosed in the Wilde Air, LLC written waiver requests by Commissioner Taylor are fair, reasonable, and not contrary to public interest and that Commissioner Taylor does not need to recuse himself from participation in regard to the Huron Municipal Airport at this time. All present voted aye by roll call vote except Taylor, who abstained. The motion carried.

A MOTION WAS MADE by Coleman and seconded by Huggins that the terms of the contract disclosed in the Y14 Hangar Owners Association, Inc., written waiver requests by Commissioner Taylor are fair, reasonable, and not contrary to public interest and that Commissioner Taylor does not need to recuse himself from participation in regard to the Lincoln County Airport at this time. All present voted aye by roll call vote except Taylor, who abstained. The motion carried.

The gavel was passed back to Chairman Taylor at 2:37 p.m.

Taylor asked for any other potential conflicts of interest. No other members of the Commission disclosed a conflict or requested a waiver.

Taylor asked for a motion to approve the February 20, 2025 Commission meeting minutes.

Commissioner Bob Huggins requested that the Secretary's Report be edited to remove the word "will" when referencing the HB1189 and the expiration date.

A MOTION WAS MADE by Rieber and seconded by Huggins to approve the February 20, 2025 Commission meeting minutes with the suggested edit from Commissioner Huggins. All present voted aye by roll call vote. The motion carried.

Taylor opened the floor to public comment.

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

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

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

Executive session began at 2:40 p.m.

Executive session ended at 3:04 p.m.

Secretary Jundt presented the Secretary's Report. He shared that Congress passed a third Continuing Resolution for Federal Fiscal Year (FFY) 2025, resulting in appropriation for the full year. The passage of this bill avoided a federal government shutdown and provides funding for the federal government and its programs for the entire federal fiscal year (through September 30, 2025). It will extend FY 2024 funding and policies for the remaining seven months. Funding wise, appears federal funding for grants will go down just slightly. The largest funding issue for this Federal Fiscal Year is that the bill eliminates all funding that was designated for earmarks. This includes those tentative approved earmarks for Sioux Falls Airport and Rapid City Airport terminal projects.

Jundt also shared status of the bills that were acted upon during the final weeks of the state's legislative session. For all bills filed dealing with airport funding, none of them made it out of session. Of the last three bills that were still active since the Commission met:

- SB178 would have set the aviation gas and jet fuel tax at 7 cents/gallon. The bill was passed out of the Senate but was never made it out of the House Taxation Committee.
- SB132 would have provided \$30M of general funds for airport terminals (Similar to SB144 last year). This bill was passed out of Joint Committee on Appropriations but died on the Senate floor.
- SB127 was a hoghouse bill as a final attempt to provide funding for airport terminals. Although the bills passed the House Committee on Appropriations, it failed to pass the House of Representatives.

Steve Blair from the South Dakota Attorney General's Office gave a presentation on Open Meeting Laws.

Taylor opened the floor to the other Commissioner to designate who will attend the 2025 Airport Conference the following week in Deadwood, South Dakota.

A MOTION WAS MADE by Nelson and seconded by Funk to approve Commissioners Coleman, Taylor, and Huggins to attend the 2025 Airport Conference. All present voted aye by voice vote. The motion carried.

Becker presented to the Commission for its consideration the following Airport Improvement Program (AIP) and Bipartisan Infrastructure Law (BIL) grant applications:

Mitchell 3-46-0030-033-2025

BIL: Design for shift/reconstruction and lighting of runway 18/36.

Federal Share	\$ 299,250.00
State Share	\$ 7,875.00
Local Share	\$ 7,875.00
Total	\$ 315,000.00

Philip 3-46-0027-020-2025

AIP: Master Plan and Airport Layout Plan (ALP)

Federal Share	\$ 118,750.00
State Share	\$ 3,125.00
Local Share	\$ 3,125.00
Total	\$ 125,000.00

Philip 3-46-0043-019-2025

BIL: Master Plan and ALP surveys, property map, title VI plan.

Federal Share	\$ 171,000.00
State Share	\$ 4,500.00
Local Share	\$ 4,500.00
Total	\$ 180,000.00

Webster 3-46-0059-019-2025

AIP: Construction of fuel farm – reimbursement.

Federal Share	\$ 90,250.00
State Share	\$ 0.00
Local Share	\$ 4,750.00
Total	\$ 95,000.00

A MOTION WAS MADE by Rieber and seconded by Huggins to approve all AIP and BIL grant applications as presented. All present voted aye by roll call vote. The motion carried.

Commissioner Huggins inquired about the status of airport weather cameras at the airports and asked for a discussion at the next meeting of the Commission to find out if it would be an investment the Commission would like to entertain.

With no further business to come before the Commission, Chairman Taylor adjourned the meeting at 4:14 p.m. CT.

DRAFT

STATE OF SOUTH DAKOTA

AERONAUTICS COMMISSION

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

THIS IS A PUBLIC DOCUMENT

Date: 3-19-2025

Name of Board Member or Former Board Member: John E. Taylor

Name of Board, Authority or Commission: Aeronautics Commission

Brief explanation of contract for which a waiver is requested:

a) Parties to the contract

Aviation Investors, LLC (the "Client")
Lincoln County Board of Commissioners (the "Sponsor")

b) Board Member's role in the contract

Advised Client and negotiated with the Sponsor with respect to a land lease agreement.

c) Purpose and objective of the contract

The purpose and objective of the contract was to provide legal services to the Client with respect to a land lease document. The Board Member does not, and did not consider said services to be adverse or contrary to the interests of the Sponsor.

d) Consideration or benefit conferred or agreed to be conferred upon each party

The Board Member represents the Client on an hourly fee basis.

e) Duration of the contract

The duration of the representation is ongoing and does not involve the Sponsor.

Signature of Requesting Party: John E. Taylor Digitally signed by John E. Taylor
Date: 2025.03.19 18:24:40 -05'00' Date 3-19-2025

STATE OF SOUTH DAKOTA

AERONAUTICS COMMISSION

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

THIS IS A PUBLIC DOCUMENT

Date: 3-19-2025

Name of Board Member or Former Board Member: John E. Taylor

Name of Board, Authority or Commission: Aeronautics Commission

Brief explanation of contract for which a waiver is requested:

a) Parties to the contract

Blue Sky Leasing, LLC (the "Client")
Sioux Falls Regional Airport Board (the "Sponsor")

b) Board Member's role in the contract

Advised Client and negotiated with the Sponsor with respect to a land lease agreement.

c) Purpose and objective of the contract

The purpose and objective of the contract was to provide legal services to the Client with respect to a land lease document. The Board Member does not, and did not consider said services to be adverse or contrary to the interests of the Sponsor.

d) Consideration or benefit conferred or agreed to be conferred upon each party

The Board Member represents the Client on an hourly fee basis.

e) Duration of the contract

The duration of the representation is ongoing and does not involve the Sponsor.

Signature of Requesting Party: John E. Taylor Digitally signed by John E. Taylor
Date: 2025.03.19 18:25:28 -05'00' Date 3-19-2025

STATE OF SOUTH DAKOTA

AERONAUTICS COMMISSION

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

THIS IS A PUBLIC DOCUMENT

Date: 3-19-2025

Name of Board Member or Former Board Member: John E. Taylor

Name of Board, Authority or Commission: Aeronautics Commission

Brief explanation of contract for which a waiver is requested:

a) Parties to the contract

Finger Four Formation, LLC (the "Client")
Lincoln County Board of Commissioners (the "Sponsor")

b) Board Member's role in the contract

Advised Client and negotiated with the Sponsor with respect to a land lease agreement.

c) Purpose and objective of the contract

The purpose and objective of the contract was to provide legal services to the Client with respect to a land lease document. The Board Member does not, and did not consider said services to be adverse or contrary to the interests of the Sponsor.

d) Consideration or benefit conferred or agreed to be conferred upon each party

The Board Member represents the Client on an hourly fee basis.

e) Duration of the contract

The duration of the representation is ongoing and does not involve the Sponsor.

Signature of Requesting Party: John E. Taylor Digitally signed by John E. Taylor
Date: 2025.03.19 18:26:09 -05'00' Date 3-19-2025

STATE OF SOUTH DAKOTA

AERONAUTICS COMMISSION

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

THIS IS A PUBLIC DOCUMENT

Date: 3-19-2025

Name of Board Member or Former Board Member: John E. Taylor

Name of Board, Authority or Commission: Aeronautics Commission

Brief explanation of contract for which a waiver is requested:

a) Parties to the contract

J & R Aviation, Inc. (the "Client")
Sioux Falls Regional Airport Board (the "Sponsor")

b) Board Member's role in the contract

Advised Client and negotiated with the Sponsor with respect to a land lease agreement.

c) Purpose and objective of the contract

The purpose and objective of the contract was to provide legal services to the Client with respect to a land lease document. The Board Member does not, and did not consider said services to be adverse or contrary to the interests of the Sponsor.

d) Consideration or benefit conferred or agreed to be conferred upon each party

The Board Member represented the Client on an hourly fee basis.

e) Duration of the contract

The duration of the contract was approximately 7 months and the activities have ended.

Signature of Requesting Party: John E. Taylor Digitally signed by John E. Taylor
Date: 2025.03.19 18:26:31 -05'00' Date 3-19-2025

STATE OF SOUTH DAKOTA

AERONAUTICS COMMISSION

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

THIS IS A PUBLIC DOCUMENT

Date: 3-19-2025

Name of Board Member or Former Board Member: John E. Taylor

Name of Board, Authority or Commission: Aeronautics Commission

Brief explanation of contract for which a waiver is requested:

a) Parties to the contract

Premier Aviation, LLC; Wyatt Honomichl (collectively the "Client")
Lincoln County Board of Commissioners (the "Sponsor")

b) Board Member's role in the contract

Advised Client and negotiated with the Sponsor with respect to an airport management agreement.

c) Purpose and objective of the contract

The purpose and objective of the contract was to provide advice to the Client related to a potential airport management contract. The Board Member does not, and did not consider said services to be adverse or contrary to the interests of the

d) Consideration or benefit conferred or agreed to be conferred upon each party

The Board Member represents the Client on an hourly fee basis.

e) Duration of the contract

The duration of the current Client representation is ongoing and does not involve the Sponsor.

Signature of Requesting Party: John E. Taylor Digitally signed by John E. Taylor
Date: 2025.03.19 18:26:48 -05'00' Date 3-19-2025

STATE OF SOUTH DAKOTA

AERONAUTICS COMMISSION

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

THIS IS A PUBLIC DOCUMENT

Date: 3-19-2025

Name of Board Member or Former Board Member: John E. Taylor

Name of Board, Authority or Commission: Aeronautics Commission

Brief explanation of contract for which a waiver is requested:

a) Parties to the contract

Riggin Flight Service, Inc.; Morris A. Riggin (collectively the "Client")
City of Madison (the "Sponsor")

b) Board Member's role in the contract

Advised Client, who acts as the Sponsor's airport manager, with respect to
business operations, past-present-and future litigation, and aviation matters.

c) Purpose and objective of the contract

The purpose and objective of the contract is to provide legal services to the Client
with respect business operations. The Board Member does not, and did not
consider said services to be adverse or contrary to the interests of the Sponsor.

d) Consideration or benefit conferred or agreed to be conferred upon each party

The Board Member represents the Client on an hourly fee basis.

e) Duration of the contract

The Board Member's representation of the Client is ongoing and not adverse to
the Sponsor.

Signature of Requesting Party: John E. Taylor Digitally signed by John E. Taylor
Date: 2025.03.19 18:27:34 -05'00' Date 3-19-2025

STATE OF SOUTH DAKOTA

AERONAUTICS COMMISSION

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

THIS IS A PUBLIC DOCUMENT

Date: 3-19-2025

Name of Board Member or Former Board Member: John E. Taylor

Name of Board, Authority or Commission: Aeronautics Commission

Brief explanation of contract for which a waiver is requested:

a) Parties to the contract

Turbo Arrow, LLC (the "Client")
City of Brookings (the "Sponsor")

b) Board Member's role in the contract

Advised Client and negotiated with the Sponsor with respect to assignment of a land lease agreement.

c) Purpose and objective of the contract

The purpose and objective of the contract was to provide legal services to the Client with respect to a land lease document. The Board Member does not, and did not consider said services to be adverse or contrary to the interests of the Sponsor.

d) Consideration or benefit conferred or agreed to be conferred upon each party

The Board Member represents the Client on an hourly fee basis.

e) Duration of the contract

The duration of the Client representation is ongoing and does not involve the Sponsor.

Signature of Requesting Party: John E. Taylor Digitally signed by John E. Taylor
Date: 2025.03.19 18:27:57 -05'00' Date 3-19-2025

STATE OF SOUTH DAKOTA

AERONAUTICS COMMISSION

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

THIS IS A PUBLIC DOCUMENT

Date: 3-19-2025

Name of Board Member or Former Board Member: John E. Taylor

Name of Board, Authority or Commission: Aeronautics Commission

Brief explanation of contract for which a waiver is requested:

a) Parties to the contract

Wilde Air, LLC (the "Client")
City of Huron (the "Sponsor")

b) Board Member's role in the contract

Advised Client and negotiated with the Sponsor with respect to a FBO facility lease and additional land lease agreement.

c) Purpose and objective of the contract

The purpose and objective of the contract was to provide legal services to the Client with respect to lease contracts. The Board Member does not, and did not consider said services to be adverse or contrary to the interests of the Sponsor.

d) Consideration or benefit conferred or agreed to be conferred upon each party

The Board Member represents the Client on an hourly fee basis.

e) Duration of the contract

The Board Member's representation of the Client involving the Sponsor has ended and otherwise continues with respect to matters unrelated to the Sponsor.

Signature of Requesting Party: John E. Taylor Digitally signed by John E. Taylor
Date: 2025.03.19 18:28:21 -05'00' Date 3-19-2025

STATE OF SOUTH DAKOTA

AERONAUTICS COMMISSION

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

THIS IS A PUBLIC DOCUMENT

Date: 3-19-2025

Name of Board Member or Former Board Member: John E. Taylor

Name of Board, Authority or Commission: Aeronautics Commission

Brief explanation of contract for which a waiver is requested:

a) Parties to the contract

Y14 Hangar Owners Association, Inc. (the "Client")
Lincoln County Board of Commissioners (the "Sponsor")

b) Board Member's role in the contract

Advised Client and negotiated with the Sponsor with respect to a proposed
template land lease agreement.

c) Purpose and objective of the contract

The purpose and objective of the contract was to provide legal services to the Client
with respect to a land lease document. The Board Member does not, and did not
consider said services to be adverse or contrary to the interests of the Sponsor.

d) Consideration or benefit conferred or agreed to be conferred upon each party

The Board Member represents the Client on an hourly fee basis.

e) Duration of the contract

The Board Member's representation of the Client has ended and if reengaged is
not expected to be adverse to the Sponsor.

Signature of Requesting Party: John E. Taylor Digitally signed by John E. Taylor
Date: 2025.03.19 18:28:48 -05'00' Date 3-19-2025