



## North Dakota Aeronautics Commission

Thursday, August 11, 2022 – 3:00 PM  
Aeronautics Commission Conference Room  
Bismarck, ND

Chairperson Kyle Humann called the meeting of the North Dakota Aeronautics Commission to order at 3:00 PM on Thursday, August 11, 2022.

### **COMMISSIONERS PRESENT:**

Kyle Humann, Chairperson  
Warren Pietsch, Member  
Kim Kenville, Member  
Jay B. Lindquist, Member  
Steve Blazek, Member

### **STAFF PRESENT:**

Kyle Wanner, Director  
Mike McHugh, Aviation Education Coordinator  
Adam Dillin, Airport Planner  
Gaye Niemiller, Admin Officer

Commission Chair Kyle Humann called the meeting to order at 3:00 pm and roll call was made.

**6/16/22 Meeting Minutes** – Approved as is.

**Financial Statements** – Gaye reviewed May and June 2022 financial statements. No changes were requested.

**Aeronautics Staff Activity Report** - Kyle reviewed the Staff Activity Report of May 16<sup>th</sup> – August 5<sup>th</sup> with the Commissioners. The staff has been busy attending airport and industry meetings, conducting airport inspections, and with budget preparation. A summary of the highlights of the information provided was as follows:

- Kyle attended the Legislative Management Administrative Rules Committee Hearing and provided testimony on the UAS Aerial Applicator Licensing rule update. The rules were approved and were officially went into effect on July 1<sup>st</sup>.
- Annual Staff evaluations were completed
- A report was provided by Mike regarding the professional development class for North Dakota educators which was included within a FAA workforce development grant.
- Kyle and Adam participated in a site tour and collaborate meeting with the Fargo-Hector International Airport, engineer, and FAA.
- The Aeronautics Staff finalized the engineering selection process for the International Peace Garden Airport.
- Nels' last day at the Aeronautics Commission was July 13<sup>th</sup> and he completed all airports inspections for Western North Dakota and assisted greatly in a smooth transition.

- Aeronautics Staff participated in a meeting with BND, JP Morgan, and Paymentus representatives to discuss options to move forward to modernize the credit card payment system on the Aeronautics Commission website.
- The FAA Office of Civil Rights approved the updated Disadvantaged Business Enterprise program that covers NDAC projects and all FAA-funded projects conducted at NPIAS General Aviation airports.
- Kyle participated in the Watford City Fly-in and Runway Dedication event.
- Aeronautics staff participated in a Airport Association of North Dakota roundtable event with commercial service airports and airport engineers.
- Aeronautics Staff met with and provided an initial orientation to Commissioner Steve Blazek.
- Aeronautics Staff attended a conference call with tax commissioner Brian Kroshus and staff to discuss future excise tax policy challenges with unmanned aircraft.
- Kyle and Mike performed an inspection and site tour of the Garrison Dam Recreational Airpark with members from the Core of Engineers, Game & Fish, EAA, and RAF. Discussion occurred on planning a Fall workday to provide the airport with a facelift. Interest also exists to further discuss developing a new south/eastern taxiway system for aircraft operators to gain access to a new recreation area.
- Kyle participated in a meeting with the Northern Plains UAS test site authority and participated in meetings with Northern Plains UAS test site staff to discuss updates to the VANTIS program.
- Kyle met with the UND Aerospace Network and past Aviation Hall of Fame chairman Gary Ness to discuss the current hall of fame video production schedule and to collaborate on the best way to honor past hall of famers that did not have a video produced. Video production for Roger Pfeifer and Bob Miller are currently being worked on.

Kyle also reviewed multiple upcoming dates and events for the commission's awareness.

**Proposed 2023-2025 Budget** - Kyle presented the commission with a high level review of the 2023-2025 budget. He provided a discussion and analysis of the current status of revenues and expenditures within the 2021-2023 budget and explained how it affected the proposed 2023-2025 budget which included an optional package for additional airport infrastructure funding. He provided a breakdown of the projected 2023-25 revenues and walked through the anticipated expenditures and projects in the next biennium that are shown within the budget proposal. The Commission discussed the budget and Kim made a motion to approve the 2023-2025 budget as proposed. Kyle H seconded the motion. All yays, no nays. Motion carried.

**IPG Airport Engineer Selection** – Kyle informed the Commission that the five-year contract with Interstate Engineering for the International Peace Gardens has come to an end. NDAC advertised to receive proposals for the following 5-year capital improvement plan which includes an airfield rehabilitation project. The Commission received three proposals. The selection committee comprised of Kyle, Adam, Mike, Janell, and Gaye. The committee reviewed and scored the bids and is unanimously recommending that the Commission accept the recommendation and allow the staff to enter into contract negotiations with Interstate Engineering for any upcoming projects at the International Peace Gardens. Jay B. made a motion to approve. Kim seconded. All yays, no nays. Motion carried.

**Watford City emergency grant request** – Kyle reacquainted the Commissioners on the Watford City projects and the amounts that were previously awarded to them. He also explained that storm water pipes were needed after the fact that were not included in the original awarded amounts, along with

additional engineering fees due to environmental and tribal concerns that came up during the projects. Kyle additionally reviewed the following information with the Commission to understand what the emergency grant request entails and provided a recommendation on the funding sources that should be utilized for the grant request.

Jay B. made a motion to approve the Runway 12-30/Taxiway Relocation Phase 2 (Construction) supplemental request as an eligible expense under the previously approved project. \$4,841.95 in SIF funds is to be re-allocated to the Runway 12-30/Taxiway Relocation – Engineering Fee supplemental request with the remaining \$72,954.05 to be approved to be paid with ARPA funds.

Steve seconded the motion. All yays, no nays. Motion carried.

**State Grant Assurance discussion** – Kyle reviewed the information provided regarding the potential sale of the Minto Airport to a private individual who is interested in purchasing the airport to expand their business. The sale would turn the airport into a private-use only airport. Kyle also reviewed the State Grant Assurances that all airports agree to when they accept a state grant -

“The Airport Sponsor agrees to operate the Airport for the use and benefit of the public and to keep the Airport open to all types, kinds, and classes of aeronautical use without discrimination and as necessary without compromising the safe and efficient operation of the Airport.”

The commission discussed the situation and ramifications of a public-use airport desiring to be removed from “public status.” The Commissioners determined that they would like to table this discussion for the next meeting and Kyle will put together some updated grant assurance language for the commission to consider at the next meeting.

**Portfolio assignments** – Kyle proposed updated portfolio assignments for the Commissioners and the assignments were agreed upon by the commission.

### **Old business**

**Apron Eligibility** – Kyle gave an update on the apron eligibility discussion which occurred at the May commission meeting and it was decided that item can be removed from the agenda moving forward. The commission will maintain its current policy on apron eligibility but will continue to monitor concerns on apron funding and can revisit this issue if needed.

**Portfolio Reports** – None.

Next meeting is tentatively set for October 20, 2022 at 9:00 a.m.

Meeting adjourned at 4:52 p.m.

