



## North Dakota Aeronautics Commission

Thursday, June 1, 2017 – 1:00 pm  
Aeronautics Commission Conference Room  
Bismarck, ND

Chairperson Cindy Schreiber-Beck called the meeting of the North Dakota Aeronautics Commission to order at 1:00 pm on Thursday, June 1, 2017.

### **COMMISSIONERS PRESENT:**

Cindy Schreiber-Beck, Chairperson  
Maurice Cook, Member  
Warren Pietsch, Member  
Kim Kenville, Member

### **STAFF PRESENT:**

Kyle Wanner, Director  
Mike McHugh, Education Coordinator  
Ben West, Airport Planner  
Jared Wingo, Airport Planner  
Gaye Niemiller, Administrative Officer

### **OTHERS PRESENT:**

Shae Helling, Bismarck Aero Center  
Tara Brandner – North Dakota Attorney General's Office

Minutes – Minutes of the April 24, 2017 meeting were reviewed. No changes were made and the minutes were accepted as printed.

Shae Helling, from Bismarck Aero Center, attended the meeting to provide an update on Career Day. He reported that the event came in \$150.00 under budget this year. Shae also provided handouts with information on Career day, sharing that there were 858 fifth grade students that attended this year, and over 900 people showed up overall.

Financial Statement –Gaye presented the financial statement for April, 2017. Kyle also informed the Commissioners of an issue on an excise tax that was presented to us from Valley Med Flight. Valley Med Flight had recently requested that the agency accept their request for a waiver on excise tax payments per 57-40.5-03 century code. They requested that the agency reimburse them \$139,742 of tax already paid and also credit their remaining \$315,758 balance that is still due on 5 different aircraft. Kyle has been working with the Attorney General's Office and the Tax Department on this issue, and it has been determined by the three agencies that Valley Med flight is not eligible for a waiver because the same entity that holds a emergency medical services operation licensed under chapter 23-27 is required to also own the aircraft to be eligible for the waiver. Med Flight Leasing is currently the owner of the aircraft and is leasing the aircraft to Valley Med Flight. Kyle will continue to work with all groups involved on the issue and will update the commission as progress is made.

Director monthly recap – Kyle reviewed the Director’s monthly recap, highlighting a few areas for the Commissioners.

April 25<sup>th</sup> was the ND Congressional Briefing in Bismarck. These meetings are held every three years. Representation from the Governor’s office and each Congressional office was there.

Kyle attended the American Council of Engineering Companies Liaison Meeting on May 11<sup>th</sup>.

On May 15<sup>th</sup> Kyle and Mike attended a meeting at the Langdon Airport to discuss solutions to the runway project.

Kyle attended a meeting with the UAS Authority on May 17<sup>th</sup>.

Gaye attended the Government Finance Officers Association Annual Conference in Denver May 21<sup>st</sup> – 24<sup>th</sup>.

Kyle attended a meeting in Williston to discuss the airport relocation project. Sue Schalk, Regional Airport Division Director and multiple staff from the local FAA office were also in attendance.

Ben attended a Runway Reconstruction Safety Risk Management Panel meeting in Grand Forks on May 23<sup>rd</sup>.

May 25<sup>th</sup> and 26<sup>th</sup> – Annual performance evaluations were completed.

ATC Privatization – Kyle provided the Commission with an email and letter from the Aviation Council to Congressional delegation in opposition to ATC privatization. Kyle is looking for thoughts from the Commissioner before he responds. After some discussion, it was determined the Commissioners would like to view the proposal in order determine if a stance should be taken. Legislation on the proposal is not currently available at this time. Kyle will respond appropriately to the governor’s office.

Legislative Session Recap – Kyle felt that it was a very successful session and the Aeronautics Commission actually ended the session net ahead in appropriations due to changes in aircraft registration fees. A new fund energy impact fund was created alongside the oil impact fund and in total, \$35 million was appropriated to Williston and \$5 million to Dickinson. The newly create Energy impact fund is under the Treasurer’s office, but the land board still has authority over it and will administer the funds. A grant round is planned for September/October for the commission to make recommendations for the first round of oil impact funding in the next biennium.

A break was called at 2:15 and the meeting reconvened at 2:30.

Grant Database Tour – Kyle provided information to the Commissioners regarding the new grant database program. Multiple reports were reviewed and it was explained how the information can be provided and utilized through creating reports from the database.

Review Grant Recommendations – Spreadsheets listing all of the grant requests were provided to the Commissioners, discussions were held and the Aeronautics Commission staff provided the Commissioners with their grant award recommendations.

Kim made a motion to approve acceptance of the grant recommendations made on the Commercial Service airports. Warren seconded the motion. Warren – Y, Maurice – Y, Kim – Y. Motion carried.

Kim made a motion to approve acceptance of the grant recommendations made for all FAA project recommendations for General Aviation airports. Warren seconded the motion. Warren – Y, Maurice – Y, Kim – Y. Motion carried.

Kim made a motion to approve acceptance of the grant recommendations made for non-federal rubber crack filling and for General Aviation airports. Warren seconded the motion. Warren – Y, Maurice – Y, Kim – Y. Motion carried.

Kim made a motion to approve acceptance of the grant recommendations made for all non-federal projects for General Aviation airports. Maurice seconded the motion. Warren – Y, Maurice – Y, Kim – Y. Motion carried.

Policy Review – The following policies were up for annual review in May, 2017.

GR-1 – Airport Grant Request Procedures

GR-2 – Airport Grant Funding

GR-3 – Priority Rating of Airport Projects

GR-4 – Education Grant Funding

Warren made a motion to approve all polices as presented. Kim seconded the motion. Warren – Y, Maurice – Y, Kim – Y. Motion carried.

Aviation Education Update – Mike provided information and discussed the grant request that was submitted by Amanda Brandt with the Commissioners. Warren made a motion to award the request based on student numbers. Kim seconded the motion. Warren – Y, Maurice – Y, Kim – Y. Motion carried.

Mike also discussed some grants that may be coming up for approval sometime in the future.

In April, Mike discussed four airports were interested in the Duggy tour. The Duggy tour is now delayed since questions arose over who would cover the insurance and aircraft maintenance expenses. Mike is going to work with students at UND to come up with a business plan for Duggy.

The State Chart has historically been updated every two years. The WAC chart was the FAA publication that was utilized in the past for the chart and that publication is no longer in circulation. Discussion took place regarding the value of the chart and the fact that most pilots currently utilized digital information. The Commission agreed with discontinuing the updating of the aeronautical chart.

Aircraft pilot discussion – This was marked for a one-review by the Commissioners. Kyle had provided regular updates to the Commissioners throughout the year and is now asking for the discretion to allow Mike to operate as pilot in command of the aircraft and to also contract for a pilot when needed. Kim made a motion to approve. Warren seconded the motion. Warren – Y, Maurice – Y, Kim – Y. Motion carried.

Aircraft ADSB Update – There has been more research done on the ADSB and Mike also explored an option from UND. There are two solutions currently being discussed; one is a Garman solution and the other is from Cessna. The Garman option included ADSB in and out and the Cessna does ADSB out only.

Warren made a motion to approve the Cessna Solution ADSB installation based on a little further research by Mike. Kim seconded the motion. Warren – Y, Maurice – Y, Kim – Y. Motion carried.

Old business – Commission portfolio reports – No other reports were made.

Next meeting is the state grant meeting on June 15<sup>th</sup>, 2017, at 9:00 a.m.

Kim made a motion to go into Executive Session. Warren seconded the motion. Warren – Y, Maurice – Y, Kim – Y. Motion carried.

Meeting adjourned at 5:00 p.m.