



Mark Gordon  
Governor  
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Director

# WYOMING DEPARTMENT OF TRANSPORTATION AERONAUTICS COMMISSION MEETING MINUTES



Bill DeVore  
Chairman  
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## I. CALL TO ORDER

A meeting of the Aeronautics Commission was held via videoconference on Tuesday, May 19, 2020. Chairman DeVore presided, calling the meeting to order at 2:00 p.m.

## II. ROLL CALL

*The following Commission members were present, constituting a quorum.*

Bill DeVore, Chairman, District 3	John Newton, Vice Chairman, District at Large
Anja Bendel, Commissioner, District 1	Jerry Blann, Commissioner, District 2
Bruce McCormack, Commissioner, District 4	Pete Schoonmaker, Commissioner, District 5
Sigsbee Duck, Commissioner, District at Large	K. Luke Reiner, Ex Officio, WYDOT Director

## III. INTRODUCTIONS

*The following staff and guests were present and participated in the business meeting.*

Brian Olsen, Administrator	Katie Pfister, Commission Secretary
Cheryl Bean, Interim Planning & Programming Manager	Shawn Burke, Air Service Development Manager
Sheri Taylor, UAS Program Manager	Phillip Hearn, Engineering & Construction Manager
Adam Schutzman, Senior Planner	Ryan Thompson, AG's Office
Mike Kahler, AG's Office	Sandra Scott, Transportation Commission Secretary
Susan Elliott, Director's Executive Assistant	Connie Golden, Flight Scheduler
Kari Cooper, JH Air	

## IV. ADJUSTMENTS TO AGENDA

There were no adjustments made to the agenda.

## V. APPROVAL OF MINUTES

### A. DRAFT MINUTES

Commissioner Bendel noted a change one of the minutes under the Chairman's Update, changing the district number from five to one. It was moved by Commissioner Schoonmaker, seconded by Commissioner McCormack, and carried to approve the corrected draft meeting minutes from the April 24, 2020, business meeting. Commissioner Blann abstained from voting.

## VI. UPDATES/DISCUSSIONS

### A. CHAIRMAN'S UPDATE

Chairman DeVore presented the Chairman's Update.

#### Staff Acknowledgement

He acknowledged staff for their hard work and dedication in transitioning to this new remote working environment.

## VI. UPDATES/DISCUSSIONS (CONTINUED)

### B. DIRECTOR'S UPDATE

Director Reiner presented the Director's Update.

#### COVID-19 Agency Impacts

He conveyed that the agency remains focused on employee care while accomplishing its mission, stressing that roughly 500 employees remain on telework to date. He also highlighted that 65 construction projects are currently underway throughout the state, with minimal impacts seen to date, other than a bit of delay in steel coming from the east for guardrail repairs.

#### CARES Act Funding

He conveyed that the state is set to receive \$1.25B in CARES Act funding, stressing that requests must be for COVID-19 related expenses not previously budgeted for, and must be spent between March and December of this year. He highlighted that the agency currently has 11 items submitted for consideration and review by the Budget Response Advisory Team, and noted that he and the agencies Chief Financial Officer, Mr. Dennis Byrne, are among those selected to be a part of that team.

#### State Budget

He stressed that the agencies budget has been greatly impacted by the reduction in traffic on Wyoming's highways due to the COVID-19 pandemic, with traffic counts down by 40 percent for automobiles and 10 percent for trucks in April. He highlighted that traffic counts appear to be stabilizing, with automobile traffic counts currently sitting at roughly 25 percent of the normal range. He stressed that the agency had already projected a \$135M shortfall prior to the pandemic, and that work continues on the Needs Analysis Study, which will determine the exact dollar amount of the agencies needs prior to the next legislative session.

He also stressed that work continues in terms of recommended budget cuts that will be incorporated into next year's Transportation Commission Budget, which goes into place in October, and that the agency remains focused on asset preservation during this time.

#### Legislative Update

He conveyed that the agency will testify before the Joint Judiciary Committee on May 20, 2020, regarding DUI and other related issues, and the Joint Transportation Committee on May 21, 2020, regarding COVID-19 effects, revenue, safety, and various statutory changes. He noted that the agency continues work on trying to implement a road user charge, has hired a consultant, WSP, to help with this task, and stood up a working group that includes various stakeholders throughout the state.

#### Retirement Announcement

He announced that the agency's Chief Engineer, Ms. Shelby Carlson, will retire on June 5, 2020. He stressed that this will be a big loss to WYDOT, and highlighted what a tremendous asset she has been to the agency.

### C. ADMINISTRATOR'S UPDATE

Administrator Olsen presented the Administrator's Update.

#### Workforce & Operational Focus

He conveyed that the Aeronautics Division remains on telework at this time while still accomplishing its mission, and expressed his appreciation to his staff members for their perseverance and flexibility during this

## VI. UPDATES/DISCUSSIONS (CONTINUED)

### C. ADMINISTRATOR'S UPDATE (CONTINUED)

#### Workforce & Operational Focus (Continued)

transition. He noted that operational focus remains on customer service and support to the state's airports during this difficult time, and while some CARES Act funding is being dispersed directly to airports, that his team will continue to work alongside the FAA and airport sponsors to get grants approved, and funds into the airport sponsors hands. He highlighted that 29 out of the 33 airports have applied, and that 27 have been sent out for signature to date. He also conveyed that Mr. Burke is in the process of implementing an air service module into the BlackCat Database system, which will provide more efficiency and visibility for the airport sponsors moving forward.

#### COVID-19 Impacts to Aviation

He conveyed that passenger traffic numbers have increased slightly, moving from a 96 percent drop in passenger traffic to 90 percent year-over-year. In terms of CARES Act funding for the state, he stressed that the Capacity Purchase Agreement was headed in strong direction of not exceeding the contractual cap with SkyWest Airlines prior to COVID-19, so work continues on a request to offset this through the Budget Response Advisory Team.

#### Federal Legislation

He conveyed that on May 15, 2020, the House of Representatives passed a \$3T Coronavirus relief package entitled the HEROES Act, which proposes funding for the Airport and Airway Trust Fund, which declined significantly due to the loss of aviation fuel tax revenues. The act also requires that the US Department of Transportation coordinate with other agencies on the development of a National Aviation Preparedness Plan for disease outbreaks. He also highlighted that the Federal Aviation Administration announced their intent to award roughly \$4.9M of FY2020 discretionary funds to Southwest Wyoming Regional Airport for use on their commercial terminal renovation project, which will be at a 100 percent federal match.

### D. AIR SERVICE DEVELOPMENT PROGRAM UPDATE

Mr. Burke presented the Air Service Development Program Update.

#### National & Statewide COVID-19 Impacts

He reiterated that nationwide, May traffic is expected to be down 90-91%, with modest increases anticipated for May and June. He conveyed that major airlines are predicting that it will be a multiyear path to return to 2019 traffic levels, and should airlines begin retiring aircraft that it will take even longer.

He noted that the DOT is broadening the number of service exemptions that airlines can take under the CARES Act, provided that at least one carrier still remains in the community, and that the division will continue to closely monitor scheduling changes into the fall.

#### Capacity Purchase Agreement

He conveyed that tagged flights for Sheridan, Riverton, Rock Springs, and Gillette shall remain through at least June, or until demand returns, and that the Division will continue to work alongside the airline and sponsors to ensure that service levels remain appropriate. He also stressed the need for reductions at this time, noting that the guarantee required for each departure went from roughly \$400 to \$3,500. He noted that work has commenced on amending the contractual agreement with SkyWest in order to better capture necessary service reductions during this time, and that community MOU amendments will follow.

**VI. UPDATES/DISCUSSIONS (CONTINUED)**

**D. AIR SERVICE DEVELOPMENT PROGRAM UPDATE (CONTINUED)**

Additionally, Mr. Burke presented the Air Service Development Program Standard Reports.

ASEP Budget Forecast Report

The ASEP Budget Forecast Report reflected the following change for Fiscal Year 2020:

- A reversion of \$180,000, as Cody-Yellowstone Regional Airport will not pursue a grant for peak summer service.

CPA Budget Forecast Report

The CPA Budget Forecast Report reflected no changes.

Percent of Grant Projects by City Report

The Percent of Grant Projects by City Report reflected the following change for Fiscal Year 2020:

- A recovery from Cody-Yellowstone Regional Airport in the amount of \$180,000.

**E. ENGINEERING & CONSTRUCTION PROGRAM UPDATE**

Mr. Hearn presented the Engineering & Construction Program Update.

General Construction Projects

He conveyed that seven active construction projects are underway, highlighting that the Wheatland runway project is moving along more smoothly, noting that placement and compaction was recently accepted for smoothness, with pavement anticipated later in the week.

Additionally, Mr. Hearn presented the Engineering & Construction Program Standard Reports.

Change Orders Report

The Change Orders Report reflected no changes.

Statewide Line Items Report

The Statewide Line Items Report reflected no changes.

Bid Summary Report

The Bid Summary Report reflected bid letting information:

Hulett Municipal Airport – Seal Coat & Mark Pavements

<u>Bidders</u>	<u>Proposal Amount</u>	<u>% Difference</u>	<u>Pref. Adjust.</u>
American Road Maintenance	\$246,109.75	-0.71%	\$0.00
Maxwell Asphalt, Inc.	\$258,528.20	4.30%	\$0.00

Hulett Municipal Airport – Upgrade Airfield Lighting

<u>Bidders</u>	<u>Proposal Amount</u>	<u>% Difference</u>	<u>Pref. Adjust.</u>
Scott Brothers, Inc.	\$658,170.90	-16.78%	\$0.00
CSI Electrical, LLC	\$675,981.50	-14.53%	\$0.00
Delta Wye, Inc.	\$747,150.25	-5.53%	\$0.00
Muth Electric, Inc.	\$749,605.00	-5.22%	\$0.00
Short Power Lines Services, LLC	\$770,655.15	-2.56%	\$0.00

**VI. UPDATES/DISCUSSIONS (CONTINUED)**

**E. ENGINEERING & CONSTRUCTION PROGRAM UPDATE (CONTINUED)**

Bid Summary Report (Continued)

Hulett Municipal Airport – Upgrade Airfield Lighting (Continued)

<i>Pavlik Electric Co.</i>	\$785,308.00	-0.71%	\$0.00
<i>Kenny Electric</i>	\$987,614.39	24.87%	\$0.00

Cowley – North Big Horn County Airport – Construct Wildlife Fence

<u>Bidders</u>	<u>Proposal Amount</u>	<u>% Difference</u>	<u>Pref. Adjust.</u>
<i>Wyoming Services, LLC</i>	\$293,930.76	-54.78%	\$0.00
<i>Great Falls Fence</i>	\$343,332.16	-47.18%	\$0.00
<i>Jays Construction, Inc.</i>	\$346,723.55	-46.66%	\$0.00
<i>TNT Contractors</i>	\$348,000.00	-46.46%	\$0.00
<i>SWI, LLC</i>	\$457,613.00	-29.60%	\$0.00
<i>CoyotePak Construction</i>	\$583,000.00	-10.31%	\$0.00
<i>Custom Fencing Company</i>	\$992,859.75	52.75%	\$0.00

Casper – Natrona County International Airport – ARFF Bldg. & Training Facility Upgrades, Acquire Training Vehicle

<u>Bidders</u>	<u>Proposal Amount</u>	<u>% Difference</u>	<u>Pref. Adjust.</u>
<i>Municipal Emergency Services</i>	\$91,898.69	-38.32%	\$0.00

Buffalo – Johnson County Airport – Repair R/W Slope Failure & Construct T/W Turnaround

<u>Bidders</u>	<u>Proposal Amount</u>	<u>% Difference</u>	<u>Pref. Adjust.</u>
<i>Simon Contractors</i>	\$1,299,371.00	13.85%	\$0.00

Pine Bluffs Municipal Airport – Construct GA Terminal

<u>Bidders</u>	<u>Proposal Amount</u>	<u>% Difference</u>	<u>Pref. Adjust.</u>
<i>Anderson-Shaw</i>	\$839,116.20	11.54%	\$0.00
<i>Paul Reed Construction</i>	\$866,206.63	15.14%	\$0.00
<i>Russell’s Excavation</i>	\$940,938.95	25.07%	\$0.00
<i>Richardson Construction</i>	\$950,494.20	26.35%	\$0.00
<i>Eric Reichert Insul.</i>	\$1,077,799.51	43.27%	\$0.00

Lusk Municipal Airport – Construct GA Terminal

<u>Bidders</u>	<u>Proposal Amount</u>	<u>% Difference</u>	<u>Pref. Adjust.</u>
<i>Richardson Construction</i>	\$735,682.50	-3.11%	\$0.00
<i>Fuller Construction</i>	\$788,275.00	3.82%	\$0.00
<i>Paul Reed Construction</i>	\$830,409.06	9.37%	\$0.00
<i>Hladky Construction</i>	\$865,912.44	14.04%	\$0.00

**F. PLANNING & PROGRAMMING PROGRAM UPDATE**

Ms. Bean and Mr. Schutzman presented the Planning & Programming Program Update.

Intern Selection

Ms. Bean conveyed that Mr. Zach Jenson was selected as this year’s Aeronautics intern, and that he is currently pursuing a degree in aviation management from Rocky Mountain College out of Billings, Montana.

## VI. UPDATES/DISCUSSIONS (CONTINUED)

### F. PLANNING & PROGRAMMING PROGRAM UPDATE (CONTINUED)

#### Economic Impact Study

Mr. Schutzman conveyed that surveys have been completed for both general and commercial aviation, and that initial impacts have been developed and sent out to the airports for their review and consideration. He also noted that surveys are currently out regarding case studies on the project, such as aerial applicators, aerial firefighting, emergency medical services, etc., and highlighted that outreach video footage will be shot as well in the coming months.

#### Airport Facilities Directory

Mr. Schutzman highlighted that the Division received a total of 89 photographs for the cover of the Airport Facilities Directory, which is up for Commission consideration later in the business meeting.

Ms. Bean then presented the Planning & Programming Program Standard Reports.

#### Administrative Approvals Report

The Administrative Approvals Report reflected no changes.

#### Recovered State Funds Report

The Recovered State Funds Report reflected no changes.

### G. UAS PROGRAM UPDATE

Ms. Taylor presented the Unmanned Aircraft Systems (UAS) Program Update.

#### Policy

She conveyed that the UAS Policy is in its finalized version, and out for review and comment by the agencies executive management team.

#### Benefits of UAS at DOT's

She conveyed that the division is undertaking a new cost and benefit analysis project for drone usage at the agency, which will be included in the consultant's final report to the director by the end of this year.

## VII. OLD BUSINESS

There were no old business matters to discuss.

## VIII. REGULAR BUSINESS

Ms. Bean reviewed the WACIP.

### A. FY20 WACIP BUDGET MODIFICATIONS

As discussed last month, the Federal CARES Act stimulus funding provides for an increase to 100% federal funding to development projects currently budgeted for federal funds in FY20. We continue to reprogram these projects to reflect this on projects recently bid, or soon to be bid.

The remaining balance of \$664,290 is above the usually desirable reserve of \$400,000. Bids are still coming in for various projects, and after the Division has ensured adequate funding for those projects, we will adjust by moving forward other projects. The remaining balance of \$769,113 is well above the usually desirable reserve of \$400,000; however, the Division believes it is necessary at this time to have a strong reserve due to unknowns in construction costs due to the potential impact of COVID19 on the industry.

## VIII. REGULAR BUSINESS (CONTINUED)

### A. FY20 WACIP BUDGET MODIFICATIONS (CONTINUED)

*Recommendation:* Ms. Bean recommended approval of the FY20 WACIP Budget Modifications as presented.

*Motions:* It was moved by Commissioner Duck, seconded by Commissioner Blann, and carried via a roll call vote to approve the FY20 WACIP Budget Modifications as presented.

### B. FY21 WACIP BUDGET MODIFICATIONS

The remaining balance in FY21 is \$640,805. The Division will move projects as appropriate to rebalance and to maintain a reserve closer to \$400,000.

The Commission's attention is drawn to the statewide Crack Seal (GMP) funding. The Division is recommending an increase of 4% over the 2020 line item (\$1,100,000) to offset increasing prices due to inflation.

*Recommendation:* Ms. Bean recommended approval of the FY21 WACIP Budget Modifications as presented.

*Motions:* *Motions:* It was moved by Commissioner Blann, seconded by Commissioner Duck, and carried via a roll call vote to approve the FY21 WACIP Budget Modifications as presented.

## IX. NEW BUSINESS

Mr. Schutzman reviewed the Aeronautics Photography Contest.

### A. AERONAUTICS PHOTOGRAPHY CONTEST

The top four photos submitted in the photo contest, which were chosen as the best of 89 photos by Division staff, were presented to the Commission for inclusion on the Cover of the Airport Facilities Directory.

*Recommendation:* Staff recommended that the finalist be chosen via a roll call vote and indicating their picture selection by number.

*Roll Call Selection:* A roll call vote was conducted, with four votes for Option 1, and 2 votes for Option 3. Option 1 was selected by the Commission.

Ms. Cooper of JH Air gave a brief presentation, followed by Mr. Burke's review of the Air Service Enhancement Program Grant Applications.

### B. JH AIR'S 1<sup>ST</sup> ASEP GRANT APPLICATION

Jackson Hole Air Improvement Resources (JH AIR) is requesting two separate grants from the Air Service Enhancement Program (ASEP). The first, is for continuing service to Dallas/Fort Worth International Airport on American Airlines, and the second, is to continue service to Atlanta Hartsfield/Jackson International Airport. The combined request for the two applications is \$220,000 from the ASEP, which is above their previous year's grant request of \$140,000, but below the previous winter 2018/2019 original grant request, which was for \$250,000, and later amended down. The current fundraising and travel environment is the main reason for the higher request. Additionally, they elected to grow service slower in the 2019/2020 season, which resulted in a previously lower request. This first application, as mentioned, is to continue service to Dallas Fort Worth International Airport on American Airlines. We expect this service to generate approximately \$9 million in economic activity to the area, and regard this project as a good use of state funds for accomplishing the intended benefits of the Air Service Enhancement Program. Kari Cooper from JH AIR will provide a presentation to support these request.

May 19, 2020

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## **IX. NEW BUSINESS (CONTINUED)**

*Recommendation:* Mr. Burke recommended approval of JH Air's 1<sup>st</sup> ASEP Application for service on American Airlines to Dallas Fort Worth International Airport, at a state match of 40%, not to exceed \$140,000.

*Motions:* It was moved by Commissioner Duck, seconded by Commissioner McCormack, and carried via a roll call vote to approve the JH Air's 1<sup>st</sup> ASEP Grant Application as presented. Commissioner Blann abstained from voting.

### **C. JH AIR'S 2<sup>ND</sup> ASEP GRANT APPLICATION**

As their second request, JH AIR is requesting a grant of \$80,000, at a state match of 40% to continue seasonal winter service from Jackson Hole Airport to Atlanta Hartsfield/Jackson International Airport. We expect this service to generate \$6.5 million in economic activity to the area, and staff regards this project as a good use of state funds for accomplishing the intended benefits of the Air Service Enhancement Program.

*Recommendation:* Mr. Burke recommended approval of JH Air's 2<sup>nd</sup> ASEP Application for service on Delta Airlines to Atlanta, at a state match of 40%, not to exceed \$80,000.

*Motions:* It was moved by Commissioner Duck, seconded by Commissioner Schoonmaker, and carried via a roll call vote to approve the JH Air's 2<sup>nd</sup> ASEP Grant Application as presented. Commissioner Blann abstained from voting.

## **X. EXECUTIVE SESSION**

There was no need for an executive session.

## **XI. ANNOUNCEMENTS & REMINDERS**

Secretary Pfister conveyed that the next meeting is scheduled for June 23, 2020, at 1:30 p.m., and shall also be held via videoconferencing.

## **XII. ADJOURNMENT**

Chairman DeVore expressed his appreciation to the administrative staff for their technology assistance during the meeting. It was then moved by Commissioner Duck, seconded by Commissioner Blann, and carried to adjourn the meeting. Chairman DeVore adjourned the meeting at 3:35 p.m., on Tuesday, May 19, 2020.