



Mark Gordon
Governor

WYOMING *Aeronautics Commission*

DEPARTMENT OF TRANSPORTATION

Sigsbee Duck, Chairman

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K. Luke Reiner
Director

MEETING MINUTES

I. CALL TO ORDER

A meeting of the Wyoming Department of Transportation (WYDOT) Aeronautics Commission was held via videoconference on October 19, 2021. Vice Chairman Bruce McCormack presided, calling the meeting to order at 1:33 p.m.

II. PLEDGE OF ALLEGIANCE

Vice Chairman McCormack led the attendees in the Pledge of Allegiance.

III. ROLL CALL

The following commission members were present, constituting a quorum.

Anja Bendel, Commissioner, District 1

Steve Maier, Commissioner, District 5

Jerry Blann, Commissioner, District 2

Randy Harrop, Commissioner, District At-large

Bruce McCormack, Vice Chairman, District 4

Luke Reiner, Ex Officio, WYDOT Director

Chairman Sigsbee Duck and Commissioner Bill DeVore were absent.

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

Brian Olsen, Aeronautics Administrator

Mike Kahler, Senior Assistant Attorney General

Shawn Burke, Air Service Development Manager

Ryan Thompson, Assistant Attorney General

Phillip Hearn, Engineering & Construction
Manager

Wendy Volk, Cheyenne Regional Air Focus
Team, President

Cheryl Bean, Planning & Programming Manager

Tim Barth, Cheyenne Regional Airport, Director
of Aviation

Sheri Taylor, Unmanned Aircraft Systems (UAS)
Manager

Glenn Januska, Casper/Natrona County
International Airport, Airport Director

Kimberly Chapman, Commission Secretary

Susan Elliott assisted with virtual meeting management.

IV. ADJUSTMENTS TO AGENDA

There were no adjustments to the agenda.

V. APPROVAL OF MINUTES

A. DRAFT MINUTES

It was moved by Commissioner Blann, seconded by Commissioner Maier, and unanimously carried to approve the minutes from the September 10, 2021, business meeting.

VI. UPDATES/DISCUSSIONS

A. CHAIRMAN'S UPDATE

Vice Chairman McCormack presented the Chairman's Update.

Wyoming Airports Coalition Conference

Vice Chairman McCormack began his update by sharing his appreciation for last month's meeting in Casper.

Air Travel

Vice Chairman McCormack shared about his recent experience with air travel. He noted the lack of business travelers and the mask requirements still in place because of the pandemic.

B. DIRECTOR'S UPDATE

Director Reiner presented the Director's Update.

COVID-19 Update

Numbers of new COVID-19 cases within WYDOT have leveled off, following the trend in the rest of the state. While employee vaccination status is not tracked, the department has requested people to continue to follow the Centers for Disease Control and Prevention (CDC) guidance on social distancing and handwashing. Masks are not required, but are recommended, especially when people are in close quarters.

The executive order on vaccinations has impacted a project in Wyoming. The Office of Federal Lands is letting a road construction project in Alcova, and because a federal entity is administering federal funds for this project, any bidders must comply with the vaccination mandate. When WYDOT administers funds, even federal funds, for these type of projects, contractors do not have to comply with the mandate.

Broadband in the Right of Way

WYDOT continues to work with internet service providers to develop a fair and workable policy for broadband in the right of way. While expanding broadband access to rural Wyoming is a priority, there is only so much available space in the right of way. WYDOT has a recommendation for how to proceed, but other officials, agencies, and businesses will need to weigh in. Broadband in the right of way is also critical for WYDOT operations, for such uses as Next Generation 911 and emergency communications, WyoLink, connected and autonomous vehicles, variable speed limit signs, and so on.

Budget

The Transportation Commission passed the FY2022 Operating Budget at their September meeting. A noticeable change to the budget is an increased focus on maintaining operational assets (more so than in years past). Money has been allocated for the procurement of snowplows, patrol vehicles for the Wyoming Highway Patrol (WHP), and rotary snowplows.

Discussions on how to capitalize on American Rescue Plan Act (ARPA) funds continue at the state level. WYDOT has submitted several requests for ARPA funding, but those will be handled through the traditional budgeting process. The director will provide more updates on these discussions as he has them.

Infrastructure Investment and Jobs Act (IIJA)

The infrastructure bill is still being debated in Congress and there is uncertainty about when the bill will come up for a vote. The current continuing resolution providing FY2022 appropriations to federal agencies will expire December 3, 2021. There is pressure on Congress to pass the legislation.

Most funding in IIJA will require state match. Based on current state revenues, WYDOT does not have the ability to adequately match these funds. A new revenue source, like a fuel tax, would help WYDOT and the state fully capitalize on these opportunities.

Personnel

The director continues to focus on personnel issues, namely recruiting and retaining employees. Senior elected officials are working on compensation issues, but Director Reiner does not know what their proposed solution will be. He thinks a proposed solution might appear in the Governor's budget when it is released soon.

In addition to compensation, WYDOT continues to work with the Human Resources Division (HRD) on advancing other ideas to increase employee satisfaction. Employee advisory teams are working to prioritize a list of 25 different ideas for HRD to consider. The director will update the commission on this in the future.

Snowstorm

A significant snowstorm affected northeast Wyoming last week with more than a foot of snowfall in some areas. WYDOT is about 15 percent down on both highways maintainers (snowplow operators) and WHP troopers, and this affects the agency's ability to respond to major weather events. Employees have been asked to take on responsibilities outside of their job description to handle these situations. The director feels that events like these underscore the need for improved recruitment and retention.

Electric Vehicle Working Group

Following a question from Commissioner Bendel, the director updated the commission on the work of an intra-governmental working group to support the development of electric and zero-emission vehicle infrastructure across the state. The group's current focus is encouraging private enterprise to develop the necessary infrastructure along the major transportation corridors: I-80, I-90, I-25, and the four main routes to Yellowstone National Park. The working group is planning to issue a Request for Information (RFI) in the near future to solicit ideas and proposals from contractors on building up the necessary infrastructure to support the traveling public. Wyoming

currently has two charging stations (one in Jackson and one in Cheyenne), which is the lowest number in the United States.

C. ADMINISTRATOR’S UPDATE

Administrator Olsen presented the Administrator’s Update.

TSA Agreements

Following up on earlier comments about the vaccine mandate, Mr. Olsen clarified that Jackson is the only airport in the state to handle Transportation Security Administration (TSA) staffing. The other airports have agreements with TSA to lease space in their terminals. While Mr. Olsen was not clear on whether each airport’s TSA staffing levels would meet the vaccine mandate threshold, he did feel that it would be included as each agreement is renegotiated.

Federal Updates

Legislative Updates

The continuing resolution that was passed at the end of September will provide funding for the federal government, including the TSA and Federal Aviation Administration (FAA), through December 3, 2021. Additionally, the Senate released a list of appropriations bills for 2022. Among the transportation related bills, there is approximately \$603,000,000 of supplemental discretionary funds for aviation. Mr. Olsen reminded the commission that WYDOT has competed quite well for that funding over the past three to four years.

Federal Partners

Mr. Olsen recently visited with John Bauer, manager of the FAA Denver Airports District Office (ADO), and FAA personnel continue to telework. The agency’s leadership has taken a more conservative approach to COVID-19 personal protective measures, so employees will likely telework for an undetermined duration. While the passage of the infrastructure package would significantly increase the Denver ADO’s workload, Mr. Olsen was confident that Mr. Bauer and his team will seamlessly handle the administrative work associated with the bill remotely.

National Association of State Aviation Officials (NASAO) Conference

Mr. Olsen and several other division employees attended the NASAO Conference in mid-September. He gleaned two main concerns from dialogue with the FAA and other state aviation officials during the conference—one, there is concern about the increased workload for consultants and contractors upon passage of the infrastructure bill, and two, aviation officials and industry experts are concerned with attracting talent to the aviation industry. There is a particular need to recruit quality mechanics, pilots, and engineers. Mr. Olsen felt it likely that other national aviation associations would begin to address this issue in the next year.

WYDOT’s Operating Budget

The FY2022 Operating Budget that was approved by the Transportation Commission contained no changes to the Aeronautics Division’s budget.

Division Update

Mr. Olsen announced that Shawn Burke, Air Service Development Program manager, has accepted a position with Denver International Airport and will be leaving WYDOT. Mr. Burke's last day will be November 4, 2021. The division has a consultant from Mead and Hunt on retainer, and the consultant will help the division with technical matters until a replacement can be found.

In addition to Mr. Olsen, Commissioners Bendel, Maier, and McCormack; Devon Brubaker, airport director at Southwest Wyoming Regional Airport; and Wendy Volk, president of the Cheyenne Regional Air Focus Team, congratulated Mr. Burke and thanked him for all he has done to further Wyoming's aviation interests during his tenure at WYDOT.

D. AIR SERVICE DEVELOPMENT PROGRAM UPDATE

Mr. Burke presented the Air Service Development Program Update.

General Matters

SkyWest Leadership Changes

Mr. Burke reported that with the departure of the director of market development, SkyWest's attitude towards "at risk" or pro rata flying has changed. The majority of SkyWest's flights in Wyoming are considered "at risk," meaning that SkyWest assumes all financial liability for the United and Delta flights into and out of Wyoming. This leadership change has shifted SkyWest's focus from market development to more immediate profitability. The smaller planes used for the Wyoming market are less economical and less lucrative from SkyWest's point-of-view.

SkyWest flights under the Capacity Purchase Agreement (CPA) are safe for now since it is guaranteed revenue for the airlines. However, negotiations for the next three-year period of the CPA, for service starting July 1, 2022, will begin within the next few months. SkyWest's strategic and network plans could impact these negotiations.

Future Bookings

Mr. Burke reported that as anticipated, fall bookings have decreased following the summer boom. While a decrease in tourist traffic is normal for this time of year, the continued slump in business traffic. Average fares across the state have suffered as a result; the average published fare is down about 20-30 percent, depending on the market. Lower fares are usually a good thing, but the lack of demand for those fares is problematic.

Vice Chairman McCormack shared his concerns over the changes in leadership and focus at SkyWest, and he felt the commission should pay close attention to this issue in the future. In his opinion, building and strengthening relationships will be crucial going forward.

Standard Reports

Air Service Enhancement Program (ASEP) Budget Forecast Report

Mr. Burke reported no changes to the ASEP Budget Forecast Report. He noted that should the commission approve Casper/Natrona County's application later in the meeting, it would reduce the FY22 budget by \$302,000.

CPA Budget Forecast Report

Mr. Burke reported no changes to the CPA Budget Forecast Report.

Percent of Grant Projects by City Report

Mr. Burke reported no changes to the Percent of Grant Projects by City Report.

E. ENGINEERING & CONSTRUCTION PROGRAM UPDATE

Mr. Hearn presented the Engineering and Construction Program Update.

General Matters

General Construction Update

Mr. Hearn reported that all construction projects are wrapping up for the conclusion of the construction season. Any projects not currently completed will be finished next spring or summer.

Mr. Hearn also provided the commission with an update on the Cheyenne Airport runway reconstruction project. Paving is complete, including hand-pours to fix damaged panels. Markings are being completed, not just for the reconstructed portion, but for the entire runway. Grooving will be completed later this month once the concrete has reached its 28-day strength. Flight checks for NAVAID and the runway lights will occur around the same time.

Pavement Condition Index (PCI) Inspection Update

Mr. Hearn reported that the field PCI inspections were finalized within the previous weeks, and WYDOT should receive the results from the consultant in next few months. This is an annual study that is conducted in rotating quadrants of the state.

Standard Reports

Change Orders Report

Mr. Hearn reported six new change orders, but the change order from the fuel farm appeared in the report only because of an update to records in BlackCat Aviation Data Management System.

Statewide Line Items Report

Mr. Hearn reported one new line item for an aviation encouragement grant.

Bid Summary Report

Mr. Hearn reported two new bid results.

F. PLANNING & PROGRAMMING PROGRAM REPORT

Ms. Bean presented the Planning and Programming Program Update

General Matters

Wyoming Aviation Capital Improvement Program (WACIP) Annual Update Status

Ms. Bean reported that through October, WYDOT Aeronautics staff will be reviewing new and updated projects submitted by airports. Ms. Bean and Mr. Hearn will meet with the FAA Denver Airports District Office to coordinate funding and will program projects in December.

Standard Reports

Administrative Approvals Report

Ms. Bean reported there were no administrative approvals this period.

Recovered State Funds Report

Ms. Bean reported no funds recovered during this period.

G. UAS PROGRAM UPDATE

Ms. Taylor presented the UAS Program Update.

General Matters

Sherman Hill Proof of Concept Demonstration

Ms. Taylor reported on a demonstration of a SkyDio drone, which was scheduled for the previous week. The proof of concept was supposed to be an inspection of Sherman tower, but it was too windy on the day, so it will be rescheduled. Ms. Taylor will include information on this demonstration in her presentation at the December commission meeting.

Ms. Taylor also updated the commission on upcoming activities including a UAS task force meeting on October 21, 2021, and a Safety Management Committee meeting the following week.

Several WYDOT divisions have identified funding to purchase drones and are working through the procurement process. WYDOT is working with the Attorney General's Office to add SkyDio as a trusted vendor. Ms. Taylor estimates the process should be concluded in a few weeks and then more WYDOT divisions can purchase a drone.

VII. REGULAR BUSINESS

A. FY21 FINAL WACIP

This report was submitted for informational purposes only. Ms. Bean reported that a final balance of \$688,689 will be carried over to the FY22 budget.

B. FY22 WACIP BUDGET MODIFICATIONS

Ms. Bean reported that the remaining balance shown in FY22 is \$193,688. Remaining funds from FY21 will be carried over to the FY22 balance for a total of \$882,377. Ms. Bean also highlighted three projects for the commissioners: Riverton's taxiway rehabilitation, Laramie's de-icing material distributor, and Douglas' backup generator.

The match amount for equipment, such as requested by Laramie for distributing de-icing material, is 60/40 since the truck would be considered Enhancement in the Priority Rating Model. Laramie has submitted a deviation request. Division staff concurred with their request and programmed the project at the 80/20 match.

After a question from Vice Chairman McCormack, Ms. Bean explained that Laramie's request fell under a precedent that had already been set by the commission when allowing for the purchase of similar equipment in the past. Mr. Olsen clarified that this equipment will be used solely for snow removal, and he explained that division staff would only increase an airport's request by one match level. Airports requesting a larger match would be expected to come before the commission with their request.

Action: It was recommended by Ms. Bean, moved by Commissioner Harrop, seconded by Commissioner Maier, and unanimously carried to approve the FY22 WACIP Budget Modifications as presented.

VIII. NEW BUSINESS

A. RE-APPROVAL OF CHEYENNE REGIONAL AIR FOCUS TEAM (CRAFT) ASEP APPLICATION

The Cheyenne Regional Air Focus Team is requesting a re-approval of their request for a state match of 60 percent, not to exceed \$860,000 for service on United Express operated by SkyWest Airlines to Denver International Airport that was previously approved May 19, 2021. Delays stemming from weather, supply, and contractor issues had delayed the reopening of the airport for commercial service from July to November. This service fits five of the six statutorily intended benefits of the ASEP, and staff regards the grant as a good use of state funds.

Ms. Volk and Mr. Barth added statements of support for the application. Vice Chairman commended Ms. Volk and CRAFT for their efforts to market Cheyenne's air service.

Action: It was recommended by Mr. Burke, moved by Commissioner Blann, seconded by Commissioner Bendel, and unanimously carried to re-approve CRAFT's grant request from the ASEP for a state match of 60 percent not to exceed \$860,000 for service on United Express operated by SkyWest to Denver International Airport.

B. APPROVAL OF CASPER/NATRONA COUNTY INTERNATIONAL AIRPORT ASEP APPLICATION

The Natrona County Board of Commissioners is requesting a state match of 40 percent not to exceed \$302,012.80 to retain service on Delta Connection operated by SkyWest Airlines. Currently, it is anticipated that this request would cover the lower than expected revenue due to the resurgence of COVID-19 cases over the slower travel periods from November 2021 through

April 2022. This service fits five of the six of the statutorily intend benefits of the ASEP, and staff regards the grant as a good use of state funds.

Mr. Januska expanded upon Mr. Burke's comments on the criticality of this request and the importance of this service to the Casper/Natrona County International Airport. Vice Chairman McCormack commended Commissioner DeVore for the assistance he provided to Mr. Januska's team in advocating to the Natrona County Commission.

Action: It was recommended by Mr. Burke, moved by Commissioner Harrop, seconded by Commissioner Blann, and unanimously carried to approve Natrona County's request for a state match of 40 percent not to exceed \$302,012.80 for service on Delta Connection operated by SkyWest Airlines to Salt Lake City Intl. Airport.

IX. EXECUTIVE SESSION

There was no need for an executive session.

X. ANNOUNCEMENTS/REMINDERS

Commission Activities

Ms. Chapman announced that the commission's next business meeting would be held via videoconference on Tuesday, November 16, 2021, at 1:30 p.m.

XI. ADJOURNMENT

It was moved by Commissioner Blann to adjourn. Vice Chairman McCormack adjourned the meeting at 3:09 p.m. on October 19, 2021.