

Oregon State Aviation Board Final Meeting Minutes

June 21, 2006

Salem, Oregon

Pursuant to notice made by press release to newspapers of general and local circulation throughout the state and mailed to persons on the mailing list of the Committee, a meeting of the Oregon State Aviation Board was held June 21, 2006 at Garmin, AT, in Salem, Oregon.

Board Members in attendance included: Board Chair Mike Burrill; Vice-Chair Chris Corich; Board members, Jack Loacker, and Joe Smith.

Employees in attendance included: Director Bob Hidley; State Airports Manager Larry Weber; Fiscal Manager Jennifer Kellar; Department of Justice Attorney Lynn Rosik; Board Secretary Jody Brewer.

Guests in attendance:

Columbia Helicopters Inc., Joel Scoggin; PAAM, Ted Millar; Independence Airport's Ken Hardwick; Representing OAMA were Newport Airport Manager Dennis Reno; Klamath Falls Airport Manager Ann Crook; Eugene Airport Manager Bob Noble. John Matylonek, Oregon Hang Gliding School

1. Call to Order

Chair Burrill called the meeting to order at 9:00 a.m.

Chair Burrill reminded Board and audience members the meeting is being recorded and in recognition of this to please:

- slow things down at times that require clarification (for example; voting)
- state your name before making a statement

Chair Burrill received a request from Senator Johnson to schedule time in the agenda for public comment. Chair Burrill reviewed the current procedure set forth in prior agenda procedure discussions.

The following was agreed upon and has been practiced:

- Time at the beginning and end of the meeting for public comment
- Sign up sheets at the door for audience members to schedule their presentation
- Notice to public regarding the meeting
- Agenda posted on the ODA website

Agenda format was revised to include an additional public comment section.

2. Information Item – Public Comments

Dennis Reno referenced and distributed a memo from Oregon Airport Management Association (OAMA) President, Larry Dalrymple, reviewing four areas for future Board discussion.

- ❖ Memo from OAMA written by Larry Dalrymple, dated June 19, 2006, addressing OAMA Policy and Priorities.

Chair Burrill stated the Board would comment once they've reviewed the memo.

Bob Noble stated the priorities were processed through Larry Dalrymple and meant to engage the Board in dialogue in advance of issues and set priorities.

The letter was meant to address the following:

- Encouraging the installation of AWOS
- Future *Connect* Oregon Grants
- Fuel tax revenues directed toward FAM Grants
- ODA sponsoring of public airports

Bob Noble then distributed the following memo:

- ❖ Memo from OAMA written by Larry Dalrymple, dated June 19, 2006 addressing ADS-B

Bob Noble summarized the memo, detailed suggestions on managing issues for the future and to promote general aviation.

Joel Scoggin of Columbia Helicopters thanked the ODA for work on SB 680.

Mr. Scoggin recommended OAR 738-014-0020 definition of "private" should be rewritten as it is specific to commercial and industrial users, and is limiting to private property.

Chair Burrill commented on OAMA's position letter relative to ADS-B sent to the Consensus Committee during the *Connect*Oregon process.

Ann Crook stated her concern relative to the amount of FAM grant money available for 2007 versus previous years.

3. Action Item - Agenda Adjustment

Additional agenda item requested by Chair Burrill. New item to be marked:

Agenda Item #7a. The Sky Highway, Inc.

4. Information Item – Board Member Activity Update

Chair Burrill's activities: *ConnectOregon* Consensus Committee in Portland, Oregon, SkyHighway project, and Planning Evaluation Committee member.

Board Member Smith's activities: *ConnectOregon* Consensus Committee in Portland and Planning Evaluation Committee member.

5. Action Item - Approval of Minutes

Board Member Loacker referred to first motion of Agenda item 16, he was incorrectly noted as the Board Member to second the motion. Board Member Corich stated *Steve Beckham* was the Board Member to second the motion. ***The minutes shall reflect this suggested amendment.***

Board Member Smith: The *ConnectOregon* ranking, was depicted on a screen and was referred to in the minutes. ***The minutes shall reflect a hard copy was attached.***

- **Board Member Corich moved and Board Member Smith seconded the motion to adopt the minutes with suggested amendments. The motion passed unanimously.**

6. Information Item – Review of Pending List

Director Hidley discussed the Pending List.

- ❖ Updated pending list

Support documents distributed:

- ❖ Board Ground Rules. Board agrees we have the rules and can modify in the future if needed.
- ❖ AAAE salary survey distributed to salary committee members

Clarification was requested regarding procedure for solicitation of information from ODA staff. It was decided that all requests should go through the Director.

Board Member Smith asked Ken Hardwick to comment on the completed Independence water line project. Ken Hardwick stated the homeowners were happy with the job performed by the contractors and ODA funding the project.

Chair Burrill thanked the Board for working on extra issues: ie: *ConnectOregon*.

7. Information Item – Paragliding Presentation

John Matylonek, Certified Instructor of Oregon Hang Gliding School, gave a presentation on the history of paragliding

Mr. Matylonek stated he would like support from the Board in the following manner:

1. A letter from the ODA confirming support of paragliding as a part of aviation.
2. A link on our website to provide information regarding paragliding, the Oregon statute which protects land owners whom allow paragliders to land.
3. Brochures for general aviation.

Aviation Board's concern is their involvement would include regulations for safety. Chair Burrill encouraged continued dialogue with the department.

ODA's Action: Article in *FlightLine* and link from ODA's website to Paragliding website.

7a. Action Item - Connect Oregon project – Sky Highway, Inc.

Chair Burrill explained that during deliberations at the *ConnectOregon* meeting the Board voted "No" for this project as the application did not meet the *ConnectOregon* requirements. In the Consensus Committee level ranking process, this project was added to the Region 5 for funding.

Definition of the Sky Highway application:

- The application is a plan to take a Beechcraft Baron and start a charter operation to provide transportation opportunities.

The Concerns:

- Operator doesn't have a FAR part 135 certification. One to two years to receive a FAR part 135 certificate.
- Application from Sky Highway is flawed.
- Operator intends to use the money from *ConnectOregon* to bring the airplane to FAA standards by mandatory replacement of parts.

The Board felt a responsibility to go on record as being opposed to approving this project for funding.

Chair Burrill has followed through regarding this application in the following manner:

- Emails to county officials to inform them that Sky Highway would be on the Board's agenda.
- Present information to the Oregon Transportation Commission next week explaining the Board's concern regarding this application.

MOTION: Board Member Smith moved and Board member Loacker seconded the motion to authorize the Chair to inform the Oregon Transportation Commission the Board supports the position taken by the Chair in his communication to the Aviation Board and the County Judges regarding Sky Highway application. The vote passed unanimously.

8. Action Item – Adoption of SB 680 Rules (OAR 738-014-0010 thru 738-014-0060)

Public hearings were held May 26th and continued on June 12th.

The following documents were distributed:

- ❖ OAR 738-014-0010 thru 738-014-0060
- ❖ Presiding Officers Report to Agency on Rulemaking Hearing

Dept of Justice Attorney Lynn Rosik described the process of the rulemaking meetings. The testimony was summarized in a report by Coordinator and Presiding Officer Jennifer Kellar.

Discussion arose regarding Joel Scoggins comment relative to the use of the word private. As found under section 738-014-0020 (6)(a).

Attorney Lynn Rosik, presented several options

1. Keep Mr. Noble's suggestion to insert the word "private" as it relates to property within the airport boundary.
2. Revert to the exact language of the bill
3. Or to remove the word "private" and insert property "not owned by the airport sponsor".

Motion: Board Member Corich moved and Board Member Loacker seconded the motion to approve to adopt Division 14 section 738-014-0010 through 738-014-0060 to be effective July 1, 2006 as presented at the board meeting for the through the fence program as footnoted, "ODA final rules SB680 06-12-06", with the changes as proposed by Board Member Loacker, which are; section 0020(6)(a) to read "is conducted by commercial and industrial users of property not owned by the airport sponsor within the airport boundary.

Vote by role call: Board Member Loacker: Yes, Board Member Smith: Yes, Board Member Corich: Yes, Board Member Burrill: Yes. Unanimously passed.

9. Information Item – Management Control Program

Director Hidley presented the Management Control Program

10. Action Item – Sponsorship

Discussion arose regarding contributions and the State's policy. Jennifer Kellar explained the Secretary of State's position regarding sponsorship. Chair Burrill discussed the history of ODA's role in sponsorships. No action was taken.

11. Action Item – Amendment of Language ORS 837.020

Board Member Smith discussed the statute language which appears as though anyone flying and landing on an Oregon airport must register as an Oregon pilot

*Discussion arose regarding this statute being revised by the legislature.

- **Chair determined there would not be a motion made regarding this matter at this time. Board Members Smith and Loacker will work on the subject and bring forth at another legislative session.**

12. Break – Working Lunch

13. Action Item – Mulino Airport Management Contract

ODA has met with Port of Portland regarding taking over sponsorship and managing the Mulino Airport.

Supporting documents were distributed and discussed:

- ❖ Meeting Minutes of June 7, 2006 and May 16, 2006
- ❖ Example of Proposal from developer for T-Hangars
- ❖ Letter from Port of Portland dated June 7, 2006 listing options

Director Hidley stated the goal is to negotiate a management contract and become the sponsor when the airport is self supporting. The Director is requesting a motion to authorize completion of a management contract with the Port of Portland.

Vice Chair Corich's employment with the Port of Portland was acknowledged by the Board Chair. Attorney Rosik stated that as the Port of Portland is another public entity, and accordingly no conflict of interest exists.

Board Member Corich motioned and Board member Loacker seconded the motion to authorize staff to enter into a contract with the Port of Portland for management of the Mulino airport, with eventual sponsorship. Motion passed unanimously.

14. Action Item – Planning Consultant Approval

ODA recently solicited Request for Proposals (RFP) for a new planning consultant. Proposals submitted by:

- Century West Engineering Corp
- Bucher, Willis, & Ratliff Corp
- W&H Pacific

Selection Committee Members included: Aviation Board Members, ODA staff, and others involved in the aviation industry.

Supporting Documents distributed:

- ❖ Planning Consultant Evaluation Committee minutes
- ❖ Official Evaluation Committee Scoring Matrix

The Selection Committee recommended W & H Pacific.

Board Member Loacker moved and Board Member Corich seconded a motion to grant W&H Pacific the contract. The vote passed unanimously.

15. Information Item – Public comments

Board Member Smith asked we add ODA website maintenance to the Boards next agenda. Chair Burrill stated this will be taken into consideration.

Ken Hardwick stated Mulino was a thriving airport and is looking forward to the State owning the airport.

Ann Crook amplified her support of the letters previously submitted on behalf of OAMA. She recommended each of the points be addressed at future board meetings.

16. Adjournment The meeting was adjourned at 2:20 p.m.

❖ Refers to documents distributed

P:/board/minutes/sent to board members

