

Michelle (Shelley) Humble  
City of Creswell Airport Manager  
83501 Melton Rd.  
Creswell, OR 97426

November 24, 2025

Daniel Pacheco/Investigator  
Sussan V. Myers/OGEC Executive Director  
Oregon Government Ethics Commission  
3218 Pringle Road SE, Suite 220  
Salem, OR 97302

RE: FORMAL COMPLAINT FROM BJORN DAHLEN DATED NOVEMBER 5, 2025

SUBJECT: Formal Complaint Alleging Violations of ORS Chapter 244 by Ms. Shelley  
(Michelle) Humble

Mr. Pacheco and Ms. Myers,

First, please update your records, I did not receive a written copy of this complaint. The mailing address, 525 Spruce Court, is not an address I use. Fortunately, I was copied on an email from your officer, David Hunter and received the complaint – otherwise I would not have been aware of this complaint. The mailing address you should have on file is PO Box 1000, Creswell, OR, 97426, and has been for 29 years. In addition, my physical address is listed as 83501 Melton Rd, Creswell, OR 97426, and has been this address for over 15 years. I appreciate you're updating your records and I wanted to let you know because of the importance of the notification process given the consequences of failure to respond.

It is unfortunate that we are here in this place again because a complainant (and another case in which I believe I am being harassed by the SAME person) doesn't have any "skin" in the game. This person is and has previously lodged erroneous/fictitious complaints that cost the recipients of the complaint time and money to refute.

In addition to this rebuttal letter, I am enclosing a copy of the Conflict of Interest (COI) form that I submitted to Oregon Department of Aviation (ODAV) and the OGEC advice (email) that I



received from Ms. Susan V. Meyers to which I followed regarding the COAR grants and ARC, as well as the Critical Oregon Airport Relief (COAR) Instructions for Reviewers.

I believe that it is important that you understand the following:

- I completed the Creswell Airport Grants as part of my job description.
- I am an “Other” Stakeholder for Aviation on the LaneACT (Lane Area Commission on Transportation) – NOT as Airport Manager for the City of Creswell. The current liaison for the City of Creswell is Councilor Clark Kent.
- The ARC (Aviation Review Committee) is made up of representatives from the 12 Oregon ACTs as per ORS 319.020 Sec. 3(b).
  - Section 2: Aviation Review Committee (ARC), 2.1 General - Members include City Councilors, Airport Managers, or ACT appointees.
  - 2.3 Statutory Review, 2.3.1 Conflict of Interest Disclosure. ARC members with potential conflicts of interest are allowed to participate in the evaluation process and vote on the projects. Those with actual conflicts of interest per ORS 244.120(2)(b) may not participate in discussion or debate nor may they vote.
    - The recording of the meeting is available using this link (there is no hard copy) [Aviation Review Committee Meeting\\_01.22.2025](https://www.youtube.com/watch?v=JDJpccSTm_o) ([https://www.youtube.com/watch?v=JDJpccSTm\\_o](https://www.youtube.com/watch?v=JDJpccSTm_o)). At 30.29 minutes from the meeting (after the introductions and PowerPoint presentation by ODAV staff), you can hear my statement of a Potential Conflict of Interest per Susan V. Myers instructions.
    - According to Ms. Susan V. Myers, OGEC Executive Director states in her email, “Based on the information you provided, it seems that you would not be met with a conflict of interest in your role on the ODAV grant review committee, so long as you were not reviewing grants for the Creswell Airport. If you were reviewing grants for the Creswell Airport, you would need to disclose a potential conflict of interest if the grant could have a financial impact on your husband’s business.
    - **I DID NOT PARTAKE IN ANY CRESWELL AIRPORT GRANT DISCUSSIONS AND I OBSTAINED FROM VOTING ON THE PRIORITY II.**
    - Per 2.3 Statutory Review 2.3.1, para 4 – During deliberations on projects, airport managers or staff to airport shall not vote on ranking of their project in the ARC discussion. **Again at 30.29 in the minutes, I stated my “Potential Conflict of Interest” per Susan V. Myers instructions.** I did not speak to any of the Creswell Grants and abstained from voting (minute 31.18 of the recording).
    - Per 2.3 Statutory Review 2.3.1, para 4, final sentence states, “This does not preclude them from voting on the overall slate of projects”.



For organization and hopefully ease of understanding, I will respond in the body of the complainant letter to each alleged violation after the stated violation.

This complaint alleges that Ms. Shelley Humble, in her capacities as both the Chair of the state-level Aviation Review Committee (ARC) and as the Airport Manager for the City of Creswell, has violated Oregon Government Ethics law, including ORS 244.040(1) (Prohibited Use of Position) and ORS 244.120(b) (Failure to Manage an Actual Conflict of Interest).

These violations stem from Ms. Humble's participation in ranking and recommending state grant funds for the Creswell Airport, an action that provides a direct and disproportionate pecuniary benefit to her husband's associated business.

- This statement is incorrect/false. As per direction stated in the COAR Instructions for Reviewers operating rules established in OAR 738-124-0060 and as per advice from Susan V. Myers, OGEC Executive Director (email attached), I do not have an Actual Conflict of Interest. I may, however, have a Potential Conflict of Interest:
  - According to Ms. Susan V. Myers, OGEC Executive Director states in her email, "Based on the information you provided, it seems that you would not be met with a conflict of interest in your role on the ODAV grant review committee, so long as you were not reviewing grants for the Creswell Airport. If you were reviewing grants for the Creswell Airport, you would need to disclose a potential conflict of interest if the grant could have a financial impact on your husband's business.

These are knowing and willful violations. Ms. Humble was recently sanctioned by this Commission in April 2025 (Case No. 24-318EDP) for violating the exact same statutes in relation to the exact same associated business, and she received a "letter of education" on this specific conflict of interest.

The above statement is a willful misstatement of the facts. The meeting that Mr. Dahlen is referring to when the violations occurred happened four months BEFORE the "letter of education" was finalized.

## 1. RESPONDENT

- Name: Ms. Shelley (Michelle) Humble
- Public Position 1: Chair, Aviation Review Committee (ARC), Oregon Department of Aviation.
- Public Position 2: Airport Manager, City of Creswell (Hobby Field).

## 2. JURISDICTION

Ms. Shelley Humble is a "public official" in two distinct capacities. First, as the appointed



Chair of the state-level ARC, and second, as an employee (Airport Manager) of the City of Creswell, a political subdivision of the state. As a public official, she is subject to the jurisdiction of the Oregon Government Ethics Commission and the provisions of ORS Chapter 244.

### 3. SUMMARY OF ALLEGATIONS

1. Violation of ORS 244.040(1) (Prohibited Use of Position): Ms. Humble used her state-level position as ARC Chair to review, rank, and recommend the approval of state grant funds, which provides a direct financial benefit to her husband's associated business, Viper Aviation.

As per counsel/advice from Ms. Susan V. Myers, OGEC Executive Director, I declared a potential conflict of interest, stated that the potential is due to my husband, Darrin Humble dba Viper Aviation, operating at the Creswell Airport. Viper Aviation will not receive any direct financial benefit from the COAR grants.

COAR -2025-77S-00037 – Taxiway Rehabilitation/Reconstruction FAA AIP Airport Improvement) match. The airport has one taxiway and it is in need of rehab/reconstruction, ALL USERS, BUSINESSES, TRANSIENT Aviators will receive the same benefit when completed.

COAR -2025-77S-00042 – AWOS (Automated Weather Observing System) Components and Electric Gate. The AWOS is an important aviation tool used by ALL aviators who utilize the Creswell Airport. The electric gate will be located on the north end of the field, which is a security enhancement for the airport. This grant a Priority II grant for Airport Resiliency. The City of Creswell owns a hangar on the north end of the field that is designed as an EOC (Emergency Operation Command Center) should a Cascadia Earthquake happen; this gate will provide access to the emergency personnel responding to such an emergency. ALL USERS, BUSINESSES, TRANSIENT Aviators will receive the same benefit when completed.

COAR -2025-77S-00047 – Starlink, Drone and Electric Gate. This grant a Priority II grant for Airport Resiliency. The City of Creswell will purchase a Starlink System, Reconnaissance Drone and install an electric gate at the south end of the airport which is a security enhancement for the airport. The City of Creswell owns a hangar on the north end of the field that is designed as an EOC (Emergency Operation Command Center) should a Cascadia Earthquake happen, Starlink will ensure that the EOC has communication capabilities should a disaster occur. The Drone will be used during an emergency for reconnaissance, possible food drops to citizens, etc. This gate will provide access to the emergency personnel



responding to such an emergency. Regarding the gate - ALL USERS, BUSINESSES, TRANSIENT Aviators will receive the same benefit when completed. Regarding the Starlink and Drone, no one will see any benefit until such a time that a natural disaster occurs and then the Citizens of Creswell will receive a positive benefit.

COAR -2025-77S-00051 – This COAR grant is to remove obstructions from the approach ends of the runways (16/34). The Creswell Airport is currently updating the Master Plan as per FAA requirements, during this project, obstructions (trees) will be identified as obstructions penetrating the air space in the flight path and must be removed for continued safe Airport Operations. ALL USERS, BUSINESSES, TRANSIENT Aviators will receive the same benefit when completed.

2. Violation of ORS 244.120(b) (Failure to Manage Actual Conflict of Interest): Ms. Humble, an appointed official, was met with an "actual conflict of interest" and failed to perform the mandatory procedure of publicly announcing the nature of the conflict and refraining from all participation in the discussion, debate, and ranking of grants for Creswell Airport.

According to Ms. Susan Myers, OGECE Executive Director, as an ARC member/chair, "it seems that you would not be met with a conflict of interest in your role on the ODAV grant review committee, so long as you were not reviewing grants for the Creswell Airport. If you were reviewing grants for the Creswell Airport, you would need to disclose a potential conflict of interest if the grant could have a financial impact on your husband's business.

Publicly announcing an Actual Conflict of Interest: N/A per Susan V. Myer's advice.

Publicly announcing a Potential Conflict of Interest: The recording of the meeting is available using this link (there is no hard copy) [Aviation Review Committee Meeting\\_01.22.2025](#). At 30.29 minutes of the meeting (after the introductions and PowerPoint presentation by ODAV staff), you can hear my statement of a Potential Conflict of Interest due to my husband having a Maintenance Shop at the airport.

Discussion and Debate: At 31.18 minutes I stated that I would not participate during any conversation regarding the Creswell Grants. I also abstained from voting on the Priority II grants of which Creswell Airport applied for three grants.

Ranking: Per 2.3 Statutory Review 2.3.1, para 4 – During deliberations on projects, airport managers or staff to airport shall not vote on ranking of their project in the ARC discussion. **Again at 30.29 in the minutes, I stated my "Potential Conflict of Interest" per Susan V. Myers instructions.** I did not speak to any of the Creswell Grants and



abstained from voting (minute 31.18 of the recording). AND final sentence states, “This does not preclude them from voting on the overall slate of projects”.

3. Irreconcilable Dual-Role Conflict: Ms. Humble holds the roles of both the applicant for COAR grants (as Creswell Airport Manager) and the reviewer/chair of the committee that approves those same grants (as ARC Chair).

I am an “Other” Stakeholder for Aviation on the LaneACT Lane Area Commission on Transportation – NOT as Airport Manager for the City of Creswell. The current liaison for the City of Creswell is Councilor Clark Kent.

As ARC member, I do not review or score any Creswell Airport Grants and operate under the rules established in OAR 738-124-0060 which states that under 2.3.1 Statutory Review, last paragraph states: “During deliberation on projects, airport managers or staff to airports shall not vote on ranking of their project in the ARC discussion. **This does not preclude them from voting on the overall slate of projects.**”

The ARC (Aviation Review Committee) is made up of representatives from the 12 Oregon ACTs as per ORS 319.020 Sec. 3(b).

- Section 2: Aviation Review Committee (ARC), 2.1 General - Members include City Councilors, Airport Managers, or ACT appointees.
- 2.3 Statutory Review, 2.3.1 Conflict of Interest Disclosure. ARC members with potential conflicts of interest are allowed to participate in the evaluation process and vote on the projects. Those with actual conflicts of interest per ORS 244.120(2)(b) may not participate in discussion or debate nor may they vote.

Application scoring of the Grants are first completed by the ODAV staff and then reviewed and scored by a COHORT group - no COHORT group will review/score their own grants. ODAV staff will then compile the grant applications into a spreadsheet, ranking highest score to the lowest. At the ARC meeting, staff presents this spreadsheet with totals tallied from previous scoring (ODAV staff and the COHORT group review). The spreadsheet is split into the three priorities (Priority I, AIP match; Priority II, Resiliency; and Priority III, Economic Development). The ARC members will then review the scoring, break ties, if necessary, have discussion regarding the grants, grant amount asked for, etc. ARC members could adjust the placement so long as a lower statutory priority is not ranked above a higher statutory priority. The ARC membership will approve the grant scoring by motion, normally first by priority and then overall.



4. Knowing and Willful Violation: Ms. Humble's actions constitute a repeat offense, demonstrating a knowing disregard for the law. In April 2025, the OGEC issued a Stipulated Final Order (Case No. 24-318EDP) sanctioning Ms. Humble for violating ORS 244.040(1) and ORS 244.120(1)(c) regarding this same financial conflict with her husband's business.

This statement is completely false, just another attempt at defaming my character.

- First, he states that OGEC sanctioning, which was completed with a letter of education in April of 2025 should have been known to me at a January 2025 meeting (not a mind reader).
- Second, if I "knowingly and willfully" repeated the same violation, then why would I seek council from Ms. Susan V. Myers and I believe, followed her OGEC advice during this ARC meeting.

#### 4. FACTUAL BASIS FOR COMPLAINT

##### A. The Act: The January 22, 2025, ARC Meeting

On January 22, 2025, the Aviation Review Committee (ARC) held a virtual meeting. The official agenda for this meeting lists "ARC Chair Shelley Humble" as the lead for "Call to Order and Introductions," "Finalize Project Ranking and Approval of Recommendations," "Election of new ARC Chair," and "Adjourn".

The central purpose of this meeting, as led by Ms. Humble, was to "Finalize Project Ranking and Approval of Recommendations" for the COAR Grant Program (Cycle 9: 2024-2025).

The official "COAR 2024-25 Applications ARC recommendation to the Board" document, which was the subject of the meeting, lists four separate applications from the "City of Creswell" that were reviewed and recommended for funding by Ms. Humble's committee:

I am one of 12 members of the ARC review committee, each of the members have one vote. As ARC chair, I am not given any special powers, I only call the meeting to order and see that the meeting is run efficiently. Most members of the ARC are tied to the aviation grants, either by position (Airport manager, City Councilor, ACT member); many are authors of their City's/County's grants.

No ARC members review or score their specific aviation (City/County) grants; a COHORT group, usually 1-3 persons from another ACT will review and score those grants.

1. COAR-2025-77S-00037 (Priority 1): "Taxiway Rehab/Reco" - \$29,700.00



Taxiway Rehabilitation/Reconstruction FAA AIP Airport Improvement) match. The airport has one taxiway and it is in need of rehab/reconstruction, ALL USERS, BUSINESSES, TRANSIENT Aviators will receive the same benefit when completed.

2. COAR-2025-77S-00051 (Priority 2): "Obstruction Removal" - \$45,000.00

This COAR grant is to remove obstructions from the approach ends of the runways (16/34). The Creswell Airport is currently updating the Master Plan as per FAA requirements, during this project, obstructions (trees) will be identified as obstructions when penetrating the flight path and must be removed for continued safe Airport Operations. ALL USERS, BUSINESSES, TRANSIENT Aviators will receive the same benefit when completed.

3. COAR-2025-77S-00042 (Priority 2): "Critical Airport Suppo" - \$112,500.00

AWOS (Automated Weather Observing System) Components and Electric Gate. The AWOS is an important aviation tool used by ALL aviators who utilize the Creswell Airport. The electric gate will be located on the north end of the field, while it is a security enhancement for the airport, this grant is a Priority II grant for Airport Resiliency. The City of Creswell owns a hangar on the north end of the field that is designed as an EOC (Emergency Operation Command Center) should a Cascadia Earthquake happen. This gate will provide access to the emergency personnel responding to such an emergency. ALL USERS, BUSINESSES, TRANSIENT Aviators will receive the same benefit when completed.

4. COAR-2025-77S-00047 (Priority 2): "EOC Essential Equipm" - \$99,000.00

Starlink, Drone and Electric Gate. This grant a Priority II grant for Airport Resiliency. The City of Creswell will purchase a Starlink System, Reconnaissance Drone and install an electric gate at the south end of the airport. While the electric gate is a security enhancement for the airport, this grant is a Priority II grant for the airport. The City of Creswell owns a hangar on the north end of the field that is designed as an EOC (Emergency Operation Command Center) should a Cascadia Earthquake happen. Starlink will ensure that the EOC has communication capabilities should a disaster occur. The Drone will be used during an emergency for reconnaissance, possible food drops to citizens, etc. This gate will provide access to the emergency personnel responding to such an emergency. Regarding the gate - ALL USERS, BUSINESSES, TRANSIENT Aviators will receive the same benefit when completed. Regarding the Starlink and Drone, no one will see any benefit until such a time that a natural disaster occurs and then the Citizens of Creswell will receive a positive benefit.

In this single meeting, Ms. Humble, acting as ARC Chair, presided over the deliberation, ranking, and final recommendation of \$286,200.00 in state funds to be awarded to the City of Creswell.



This act is a per se conflict of interest, as Ms. Humble is also the "Airport Manager" for the City of Creswell—the very entity applying for the grants. She is, in effect, the applicant sitting as the judge.

At no point during this meeting, which was recorded, did Ms. Humble publicly announce this conflict or refrain from participation, as required by ORS 244.120(b). This failure occurred despite the Oregon Department of Aviation providing explicit "COAR Instructions to Reviewers" and Ms. Humble's recent, personal "letter of education" from the OGEC on this exact matter.

**True, I did not state a Conflict of Interest because according to Ms. Susan Myers, OGEC Executive Director's advice (email attached), I could have a potential Conflict of Interest – NOT AN ACTUAL CONFLICT OF INTEREST.** See all attached information (below) **And even though,** I did not score or review of the Creswell Airport grants, I may have a Potential Conflict of Interest to which I stated in the recorded minutes at the 30.29 mark. This statement may or may not have been required, but I erred on the side of caution and stated the potential.

As per The COAR (Critical Oregon Airport Relief) Reviewers Policy and ORS 319.020 Sec. 3 (b), 2.3 Statutory Review, 2.3.1 Conflict of Interest Disclosure. ARC members with potential conflicts of interest are allowed to participate in the evaluation process and vote on the projects. Those with actual conflicts of interest per ORS 244.120(2)(b) may not participate in discussion or debate nor may they vote.

- The recording of the meeting is available using this link (there is no hard copy) Aviation Review Committee Meeting\_01.22.2025. At **30.29 minutes** of the meeting (after the introductions and PowerPoint presentation by ODAV staff), you can hear my statement of a Potential Conflict of Interest per Susan V. Myers instructions.
  - According to Ms. Susan V. Myers, OGEC Executive Director states in her email, “Based on the information you provided, it seems that you would not be met with a conflict of interest in your role on the ODAV grant review committee, so long as you were not review grants for the Creswell Airport. If you were reviewing grants for the Creswell Airport, you would need to disclose a potential conflict of interest if the grant could have a financial impact on your husband’s business.
- Per 2.3 Statutory Review 2.3.1, para 4 – During deliberations on projects, airport managers or staff to airport shall not vote on ranking of their project in the ARC discussion. **Again at 30.29 in the minutes, I stated my “Potential Conflict of Interest” per Susan V. Myers instructions.** I did not speak to any of the Creswell Grants and abstained from voting (minute **31.18** of the recording). AND final sentence states, “This does not preclude them from voting on the overall slate of projects”.

## B. The Financial Gain: Viper Aviation



The "actual conflict of interest" is defined by the direct pecuniary benefit that flows to Ms. Humble's family from these grants.

1. The Relative: Ms. Humble's husband is Darrin Humble. A spouse is a "relative" per ORS 244.020(16).
2. The Associated Business: Darrin Humble is the owner and operator of "Viper Aviation," a business located on-site at Creswell Airport. Viper Aviation is therefore a "business with which... a relative... is associated" per ORS 244.020(18)(a).
3. The Disproportionate Benefit: Viper Aviation is not just a business at Creswell Airport; it is the sole privately owned aircraft maintenance facility on the field. Other businesses are flight schools (e.g., About Time Aviation, TakeWING Aviation) or skydiving operations and a niche aircraft restoration business Bushman Built which is far removed from the main FBO building/terminal. None of these businesses are "similarly situated" with Viper Aviation.

Again false or more smoke and mirrors by Mr. Dahlen. Viper Aviation will not receive any disproportionate benefit from the grants applied for during the 2025 cycle. And for the record, there are 12 businesses located on the field, 3 flight schools (FlyingD, Viking Air, and ATA (About Time Aviation), 4 Maintenance Shops (Viper Aviation, Cub Works, Specialty Aero and Ragwood Refactory (aka Bushman Build), an EAA (Experimental Aircraft Association) Chapter 31, G-Force Aerobatics, Eugene Skydivers, Firehound, LLC and Statewide Contracting. None of the above businesses will realize a positive or negative disproportionate benefit from the grants applied for – it will have the same effect on all businesses, users, tenants, transients and visitors to the airport.

The COAR grants that Ms. Humble's committee reviewed and recommended provide a direct, foreseeable, and disproportionate financial benefit to Viper Aviation.

- "Taxiway Rehab/Reco" (COAR-2025-77S-00037) : This project is a direct material and financial enhancement to the sole maintenance FBO on the field, improving access for the high-value client aircraft that Viper services.

COAR -2025-77S-00037 – Taxiway Rehabilitation/Reconstruction FAA AIP Airport Improvement) match. The airport has one taxiway and it is in need of rehab/reconstruction, ALL USERS, BUSINESSES, TRANSIENT Aviators will receive the same benefit when completed. None of the above businesses will realize a positive or negative disproportionate benefit from the grants applied for – it will have the same effect on all businesses, users, tenants, transients and visitors to the airport.



- Hangar Development (An eligible COAR category) : Viper's business is capital-intensive and requires hangars for maintenance. State-funded hangar development is a direct subsidy that Viper is uniquely positioned to capitalize on by increasing the number of aircraft based at the Creswell airport

In the 2026 COAR grant application round, the Creswell Airport has applied for a matching grant to build hangars on the airport. The established COAR process will have the application reviewed first by ODAV staff and then a COHORT group from another ACT Commission. During the ARC meeting, all required statements will be expressed by myself during that meeting, whether it be a conflict of interest or a potential and all necessary actions will be taken. Please be assured, I will be in communication with Ms. Susan Myers, prior to the time of the event for advice and outline of the necessary declarations needed.

- Security Gates (Prior Creswell Application COAR-2024-77S-00045): As the custodian of client aircraft, enhanced security (a project Ms. Humble previously applied for) is a direct business asset to Viper, reducing its risk, potentially lowering insurance costs, and making it more attractive to clients.

In this grant funding cycle, the Airport applied for two electric gates, one located at the south end of the airport and the second on the north end. These gates are part of the City's resiliency effort to ensure that the airport is functional and accessible should a natural disaster occur, such as the Cascadia Subduction Zone event. Viper Aviation will not realize any disproportionate benefit from either of these gates.

This is not a theoretical "potential" conflict. Ms. Humble's action as ARC Chair to recommend state funding for a "Taxiway Rehab" at Creswell Airport would be to the "private pecuniary benefit" of her husband's associated business. This is an "actual conflict of interest" under ORS 244.020(1).

### C. Refutation of "Class Exception" Defense

The "class exception" under ORS 244.020(13)(b) does not apply. This exception requires that the benefit affect all members of a class "to the same degree". The class of "businesses at Creswell Airport" is heterogeneous. A taxiway rehabilitation or new hangar provides a unique and disproportionate benefit to the sole maintenance provider (Viper Aviation) that it does not provide "to the same degree" to a flight school or skydiving company.

Per OGE's own guidance, this is analogous to the "drive-thru espresso stand" example: the grant (like re-routing a highway) affects the maintenance FBO "to a greater degree than other... businesses," and therefore "the class exception does not apply". In OGE case 24318EDP



## 5. AGGRAVATING FACTOR: REPEAT OFFENSE (CASE NO. 24-318EDP)

Ms. Humble's violations on the ARC are not a matter of ignorance; they are a direct repeat of offenses for which she was formally sanctioned by this Commission.

In Stipulated Final Order, Case No. 24-318EDP, finalized in April 2025, the OGEC and Ms. Michelle (Shelley) Humble settled charges that she violated Oregon Ethics Law as Creswell Airport Manager.

The stipulated facts of that case are:

- Conflict: Ms. Humble, as Airport Manager, worked on a "tie-down policy."
- Financial Gain: This policy "would specifically exclude Airport tenants from paying tie-down fees," providing a "financial benefit" to tenants including Viper Aviation, her husband's "associated business."
- Violations: The Commission contended Ms. Humble's actions violated:
  1. ORS 244.040(1) (Prohibited Use of Position)
  2. ORS 244.120(1)(c) (Failure to Disclose Conflict)
- Sanction: In lieu of civil penalties, Ms. Humble received a "letter of education".

This SFO, and prior OGEC training held at the City of Creswell, demonstrates that Ms. Humble was formally educated by the OGEC on her statutory duty to disclose and manage her specific conflict of interest regarding Viper Aviation. Her defense in that case—that "everyone... were aware" of her husband's business—was noted as insufficient to meet the law's requirements.

Despite this formal education, just nine months later, Ms. Humble chaired the January 22, 2025, ARC meeting and knowingly repeated the exact same violations on a grander scale: failing to disclose her conflict with Viper Aviation (violating ORS 244.120) and using her state-level position to channel state funds to the airport where that business operates (violating ORS 244.040(1)).

False, he states that OGEC sanctioning which was completed with a letter of education in April of 2025 should have been known to me at a January 2025 meeting. With knowledge received from the formal training, provided me the information to seek OGEC advice from Ms. Susan V. Myers; the advice that I followed while chairing the January 2025 ARC meeting to ensure that I was in compliance of OGEC and OAR guidance.

## 6. REQUEST FOR ACTION



Ms. Shelley Humble's conduct demonstrates a pattern of leveraging her public positions to benefit her family's private business. She has violated the plain language of Oregon's ethics laws, first as a city employee and now as the chair of a state committee, despite being formally sanctioned and educated by this Commission.

I respectfully request that the Oregon Government Ethics Commission initiate a formal investigation into these allegations, find that Ms. Humble has committed knowing and willful violations of ORS 244.040(1) and ORS 244.120(b), and impose all appropriate sanctions, including the maximum civil penalties, for this repeated breach of the public trust.

Given the severity and clarity of these statutory violations, the following actions are necessary:

1. Immediate Recusal: Ms. Shelley Humble must immediately and fully recuse herself from all future ARC proceedings—including, but not limited to, all discussion, debate, ranking, and voting—related to any and all grant applications submitted by the City of Creswell or Creswell Airport. She must make a public announcement of the nature of her conflict as required by ORS 244.120.

As per The COAR (Critical Oregon Airport Relief) Reviewers Policy and ORS 319.020 Sec. 3 (b), 2.3 Statutory Review, 2.3.1 Conflict of Interest Disclosure. ARC members with potential conflicts of interest are allowed to participate in the evaluation process and vote on the projects. Those with actual conflicts of interest per ORS 244.120(2)(b) may not participate in discussion or debate or may they vote.

- The recording of the meeting is available using this link (there is no hard copy) [Aviation Review Committee Meeting\\_01.22.2025](#). At **30.29 minutes** of the meeting (after the introductions and PowerPoint presentation by ODAV staff), you can hear my statement of a Potential Conflict of Interest per Susan V. Myers instructions.
  - According to Ms. Susan V. Myers, OGEC Executive Director, she states in her email, “Based on the information you provided, it seems that you would not be met with a conflict of interest in your role on the ODAV grant review committee, so long as you were not reviewing grants for the Creswell Airport. If you were reviewing grants for the Creswell Airport, you would need to disclose a potential conflict of interest if the grant could have a financial impact on your husband’s business.
- Per 2.3 Statutory Review 2.3.1, para 4 – During deliberations on projects, airport managers or staff to airport shall not vote on ranking of their project in the ARC discussion. **Again at 30.29 in the minutes, I stated my “Potential Conflict of Interest” per Susan V. Myers instructions.** I did not speak to any of the Creswell Grants and abstained from voting (minute **31.18** of the recording). AND final sentence states, “This does not preclude them from voting on the overall slate of projects”.



2. Formal OGEC Advisory Opinion: The State Aviation Board, as the ARC's parent body and the entity that relies on its recommendations, must immediately request a formal Commission Advisory Opinion from the Oregon Government Ethics Commission (OGEC) to confirm the existence of this actual conflict of interest and receive binding advice on its management.

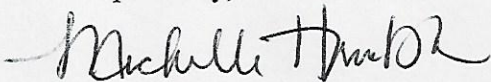
As per The COAR (Critical Oregon Airport Relief) Reviewers Policy and ORS 319.020 Sec. 3 (b), 2.3 Statutory Review, 2.3.1 Conflict of Interest Disclosure. ARC members with potential conflicts of interest are allowed to participate in the evaluation process and vote on the projects. Those with actual conflicts of interest per ORS 244.120(2)(b) may not participate in discussion or debate nor may they vote. According to Ms. Myers, I may have a Potential Conflict of Interest, a statement that I made during the meeting at 30.29 minutes.

3. Review of Past Awards and Recommendations: The State Aviation Board must void all prior ARC rankings and recommendations for Creswell Airport applications in which Ms. Humble participated in the discussion, ranking, or vote. The Board's statutory decision-making process has been tainted by recommendations that are void ab initio due to the undisclosed actual conflict of interest of the ARC Chair. The Board should review all such applications without the influence of the compromised ARC applications and recommendations.

I disagree with his statement, at no time during any of the ARC meetings, have I reviewed or ranked the City of Creswell grant applications. The ARC meetings were conducted in accordance with OAR-738-124-005.

This complaint should be summarily dismissed due to a NO CAUSE finding. All actions from myself during the January 2025 ARC meeting were completed as directed via the advice received by Ms. Susan Myers, OGEC Executive Director (email attached).

Respectfully,



Michelle Humble

Cc: Vincent Martorello

Enclosures: Susan V. Myers, OGEC Executive Director Email  
COAR ARC Conflict of Interest form dated 1-15-2025  
Critical Oregon Airport Relief (COAR) Instructions for Reviewers



## Shelley Humble

**From:** MYERS Susan \* OGEC <Susan.MYERS@ogec.oregon.gov>  
**Sent:** Monday, January 13, 2025 10:11 AM  
**To:** Shelley Humble  
**Subject:** OGEC advice

30:29 Potential  
conflict of  
Interest  
Stated by  
myself

[EXTERNAL]  
Shelly –

As a follow-up to our telephone call on Friday, I wanted to send you this email summarizing and explaining the different conflict of interest disclosure requirements.

First, a conflict of interest occurs when a public official makes a decision or recommendation, or takes action, in their official capacity, and that decision, recommendation, or action would (actual conflict of interest) or could (potential conflict of interest) have a financial impact (positive or negative) on the public official, their relative, or any business with which they are associated. [ORS 244.020(1) and (13)].

Second, how you disclose a conflict of interest depends on your position. For example:

- when you are met with a conflict of interest in your position as an airport employee, you would disclose your conflict of interest in writing to your appointing authority (airport board; city council; whoever you report to). In the disclosure, you need to describe the nature of your conflict of interest (i.e., my husband operates a business at the airport and may be financially impacted by this), and then ask the appointing authority to address the conflict (by assigning the matter to another employee or by directing you to handle the matter in a specified manner). [ORS 244.120(1)(c)].
- when you are met with a conflict of interest in your position on the ODAV grant review committee, you would need to disclose your conflict of interest by making a public announcement at the committee meeting each time the matter for which you have a conflict comes up. The disclosure needs to describe the nature of your conflict of interest. If it is a potential conflict of interest, you can continue to participate and vote after making the public announcement. If it is an actual conflict of interest, you would need to refrain from participation after making the announcement. [ORS 244.020(2)].

Based on the information you provided, it seems that you would not be met with a conflict of interest in your role on the ODAV grant review committee, so long as you were not reviewing grants for the Cresswell Airport. If you were reviewing grants for the Cresswell Airport, you would need to disclose a potential conflict of interest if the grant could have a financial impact on your husband's business.

I hope this information helps.

Susan V. Myers  
Executive Director  
Oregon Government Ethics Commission  
susan.myers@ogec.oregon.gov  
(503) 378-6808

**\*\*Disclaimer\*\***

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**Review Committee Member Conflict of Interest  
COAR Request for Funding Application**

**Oregon Revised Statute (ORS) 244.010 Policy:**

- (1) The Legislative Assembly declares that service as a public official is a public trust and that, as one safeguard for that trust, the people require all public officials to comply with the applicable provisions of this chapter.
- (4) The Legislative Assembly recognizes that it is the policy of the state to have serving on many state and local boards and commissions state and local officials who may have potentially conflicting public responsibilities by virtue of their positions as public officials and also as members of the boards and commissions, and declares it to be the policy of the state that the holding of such offices does not constitute the holding of incompatible offices unless expressly stated in the enabling legislation. [1974 c.72 §1,1a; 1987 c.566 §7; 2005 c.22 §185; 2007 c.865 §28]

**ORS 244.020 Definitions.** As used in this chapter, unless the context requires otherwise:

- (1) **"Actual conflict of interest"** means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or the person's relative or any business with which the person or a relative of the person is associated unless the pecuniary benefit or detriment arises out of circumstances described in subsection (11) of this section.
- (12) **"Potential conflict of interest"** means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private pecuniary benefit or detriment of the person or the person's relative, or a business with which the person or the person's relative is associated, unless the pecuniary benefit or detriment arises out of the following:
  - (a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.
  - (b) Any action in the person's official capacity which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged.
  - (c) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.
- (14) **"Public official"** means any person who, when an alleged violation of this chapter occurs, is serving the State of Oregon or any of its political subdivisions or any other public body as defined in ORS 174.109 as an elected official, appointed official, employee, agent or otherwise, irrespective of whether the person is compensated for the services.

Evaluation Committee Members are encouraged to review the statutes referred in their entirety prior to executing this Certification. **Please sign below, BEFORE you begin your evaluation, and return to the assigned Program Coordinator your scheduled Cohort Grant Review Meeting.**

I hereby certify that:

I have read and understand the excerpts of Oregon Revised Statutes 244.010 and 244.020 provided herein;

- ☐ A conflict of interest does exist, and I have identified it on the Attachment to COI Certification.
- ☒ A potential conflict of interest may exist, and I have identified it on the Attachment to COI Certification.
- ☐ No actual or potential conflict of interest exists as defined therein; and

If such a conflict should arise, I will immediately notify the Program Coordinator(s) and disqualify myself from the evaluation process for this application.

Shelley Humble Airport Manager & Land Use 1-15-2025  
SIGNATURE Evaluation Committee Member Title Representative Date

Shelley Humble 541-895-2913  
Printed Name Office Telephone Number



(To be completed only if there is a potential or actual conflict of interest)

Application # \_\_\_\_\_

Project Name \_\_\_\_\_

**ATTACHMENT TO  
EVALUATION COMMITTEE MEMBER  
CONFLICT OF INTEREST CERTIFICATION**

This disclosure statement outlines potential conflicts of interest, either real or apparent, as a result of a direct or indirect financial interest on my part or that of any member of my immediate family, or of my employer, partner(s), or joint venturers, in any firm under consideration for the above referenced grant application. Section I of this disclosure statement describes the potential conflicts of interest. Section II of this disclosure statement describes the management plan for dealing with the potential conflicts of interests as described in Section I of this disclosure statement. I acknowledge that ODA may require revisions to the management plan described in Section II of this disclosure statement prior to approving it and that ODA has the right, in its sole discretion, to limit or prohibit my involvement in the Evaluation Committee as a result of the potential conflicts of interest described in Section I of this disclosure statement. Attach additional pages as necessary.

**SECTION I – DESCRIPTION OF POTENTIAL CONFLICTS OF INTEREST**

Per discussions with the State Ethics Staff, I would need to declare a potential conflict of interest should a discussion at the ARC meeting need to take place for the Creswell Grant Applications (i.e. tie breaking, moving up or down in the list). The potential conflict is due to Viper Aviation, an Aircraft Maintenance business owned by my husband, Darrin Humble and located on the Creswell Airport.

**SECTION II – PLAN FOR MANAGING POTENTIAL CONFLICT OF INTEREST**

This potential conflict is only for the above stated scenario. Once I declare the potential conflict, I am still ethically able to discuss and vote regarding the discussion.

Signed: Shelley Humble

Date: 1-15-2025

Name and Title: Shelley Humble

Representing: City of Creswell Airport & Lane Airt

Approved by the Authorized Official, Oregon Department of Aviation

Signed: Andria Abrahamson

Date: 01/15/2025

Name and Title: Andria Abrahamson, Policy and Programs Coordinator





# **Critical Oregon Airport Relief (COAR)**

## **Instructions for Reviewers**





AVIATION SYSTEM ACTION PROGRAM FUND  
**INSTRUCTIONS TO REVIEWERS FOR COAR GRANTS**

To receive the latest news and updates from the Department of Aviation, subscribe to  
GovDelivery <https://public.govdelivery.com/accounts/ORAVIATION/subscriber/new>  
Or visit [www.oregon.gov/aviation](http://www.oregon.gov/aviation)

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# INTRODUCTION

The purpose of this document is to provide instructional guidance on the review and recommendation processes required by agency staff, the Aviation Review Committee (ARC), and the State Aviation Board. The ARC is established as per ORS 319.023 (3)(b) and operates under the rules established in OAR 738-124-0060.

The applications are for consideration of grant funding from the Critical Oregon Airport Relief grant program (COAR) which is funded through monies from the Aviation System Action Program (ASAP) Fund. COAR is a **funding-program** available to eligible public-use airports in Oregon.

The application review process includes the following steps:

**1. APPLICATION SUBMITTAL PERIOD**

Submittal Period for Grant Applications: Annually October - November

**2. AGENCY STAFF REVIEW**

Completeness Review: Annually, finalized in November

**3. AVIATION REVIEW COMMITTEE**

Statutory Considerations Review by the ARC members: Annually November - December  
Aviation Review Committee Meeting: January/February after the application cycle has closed

**4. STATE AVIATION BOARD**

Final Public Meeting and Selection of projects to fund: Annually in February

\*The exact dates, time, and locations of public meetings will be posted on the Oregon Department of Aviation (ODAV) website once they are available.

The State Aviation Board and ODAV reserve the right to modify review dates. ODAV will provide accurate and up-to-date information on the Department's website. For more information about the State Aviation Board, please visit:

<https://www.oregon.gov/aviation/AVB/Pages/AVB.aspx>



## **SECTION 1: AGENCY STAFF REVIEW**

### ***1.1 Completeness Review:***

Applications will be screened by internal ODAV program staff to ensure that each application is complete. This review is conducted per OAR-738-124-0050.

If an application is determined to be incomplete or that the Applicant is ineligible, the ODAV staff is required to notify the Applicant within 15 days of making that determination. The Applicant must respond within 5 days of receiving notification for the application to be re-evaluated for completeness. This includes cases in which an Applicant submits a protest of determination of ineligibility, to which the Director of the Department of Aviation shall respond within 45 days; the Director's decision is considered final.

After the Completeness Review is done for all the submitted applications, the ones that are deemed complete are then forwarded to the members of the ARC.



## SECTION 2: AVIATION REVIEW COMMITTEE (ARC)

### 2.1 General

ORS 319.020 Sec. 3 (b) The State Aviation Board shall establish a review committee composed of one member from each of the Area Commissions on Transportation chartered by the Oregon Transportation Commission.

It is each Applicant's responsibility to be as precise and well-documented as possible in showing how the application responds to each of the statutory considerations. It is the responsibility of each ARC member to review project applications and provide comments which support their decisions while considering the benefits of the project and the statutory considerations.

ODAVV staff will provide the ARC members each an electronic application package for each project that they will evaluate. The ARC member will complete their evaluations and submit to ODAVV.

Please direct all questions to [grants@ODAVV.oregon.gov](mailto:grants@ODAVV.oregon.gov) or contact ODAVV Program Coordinators.

### 2.2 Area Commissions on Transportation

#### 2.2.1 Regions

The following table provides an outline of the Oregon ACTs, the areas covered by the ACTs, and their corresponding Oregon Department of Transportation (ODOT) region:

**Table 1: Oregon ACTs**

Oregon ACTs	ACTs Area	ODOT Region
Region 1 ACT	ODOT Region 1, including most of Washington, Hood River, Multnomah and Clackamas counties	Region 1
Northwest Oregon ACT	Clatsop, Tillamook, Columbia and western rural Washington counties	Region 2
Mid-Willamette Valley ACT	Marion, Polk and Yamhill counties	Region 2
Cascades West ACT	Benton, Linn and Lincoln counties	Region 2
Lane County ACT	Lane county	Region 2
South West ACT	Coos, Curry and Douglas counties	Region 3
Rogue Valley ACT	Jackson and Josephine counties	Region 3
Lower John Day ACT	Gilliam, Sherman, Wheeler and Wasco counties	Region 4
Central Oregon ACT	Crook, Deschutes and Jefferson counties	Region 4
South Central Oregon ACT	Klamath and Lake counties	Region 4



North East ACT	Morrow, Baker, Union, Umatilla and Wallowa counties and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR)	Region 5
South East ACT	Grant, Harney and Malheur counties and the Burns Paiute Tribe	Region 5

For more information about the Oregon ACTs, please visit the Oregon Department of Transportation Area Commissions on Transportation website:

[https://www.oregon.gov/ODOT/COMM/Pages/act\\_main.aspx](https://www.oregon.gov/ODOT/COMM/Pages/act_main.aspx)

To view a map of the ODOT regions, please visit:

<https://www.oregon.gov/ODOT/Programs/TDD%20Documents/ConnectOregon-Regions-Map.pdf>

### **2.2.2 Review, Discuss and Comment on Projects**

ARC members may collaborate with other members of their ACTs to complete the evaluation.

ARC members may present information regarding projects, the condition of the state's transportation network, or other relevant information to their whole ACT.

## **2.3 Statutory Review**

### **2.3.1 Conflict of Interest Disclosure**

Upon starting the review process, the ARC representative will be required to sign and submit a conflict of interest form. Members are required to disclose all conflicts of interest regarding any projects being discussed. A conflict of interest means the member has an actual or potential financial benefit in the project. Any conflict of interest disclosures will be recorded in the Final Review Committee meeting minutes.

ARC members with potential conflicts of interest are allowed to participate in the evaluation process and vote on the projects. Those with actual conflicts of interest per ORS 244.120(2)(b) may not participate in discussion or debate nor may they vote.

This disclosure requirement applies to all ARC members.

During deliberation on projects, airport managers or staff to airports shall not vote on ranking of their project in the ARC discussion. This does not preclude them from voting on the overall slate of projects.

### **2.3.2 Statutory Considerations**

**The ARC must evaluate grant applications following statutory considerations for Statewide Impacts [ORS 319.023(3)(b) and (OAR 738-124-0060(3)(b))]:**

The review committee shall meet as necessary to review applications for distributions of



amounts pursuant to this section. In reviewing applications, the review committee shall consider:

**(A) Whether a proposed project:**

- (i) Reduces transportation costs for Oregon businesses or improves access to jobs and sources of labor in Oregon;
- (ii) Results in an economic benefit to Oregon;
- (iii) Connects elements of Oregon's aviation system in a way that will measurably improve utilization and efficiency of the system;
- (iv) Is ready for construction or implementation, including whether the project has any unique construction-readiness, project implementation issues, or possible delays; and
- (v) Has a useful life expectancy that offers maximum benefit to this state.

AND

**(B) How much of the cost of the proposed project can be borne by the applicant from sources other than Oregon Department of Aviation funds or the Connect Oregon Fund.**

In addition, for grant applications for amounts over \$150,000, the ARC may review and make recommendation to the Board for project funding based on a detailed statement of how the grant amount in excess of the maximum listed in OAR-738-124-0040(1)(a) would serve the purposes of the program as described in OAR 738-124-0010 [OAR 738-124-0040(1)(b)].

**2.3.2(a) Meets, Somewhat Meets or Does not meet the Statutory Considerations [OAR 738-124-0060(4)]**

Based on the application materials, ARC members are to determine whether a project thoroughly meets each of the considerations. To thoroughly meet a consideration, a project shall demonstrate through application responses that the project will accomplish the intent.

For each applicable criterion, the ARC will rate whether the proposed project "Meets," "Somewhat Meets" or "Does not Meet" the criterion. For purposes of this process, those terms have the following meanings:

(A) "Meets" means that the Applicant explained in a thorough and specific manner how the project meets the criterion and provided thorough evidence, including specific facts, specific examples, reliable figures, or detailed citations to supporting attachments to the application to support the Applicant's explanation.

(B) "Somewhat Meets" means that the Applicant provided a general, superficial or non-specific explanation how the project meets the criterion or provided only limited or incomplete supporting evidence to support the Applicant's explanation.

(C) "Does Not Meet" means that either:

- (i) The Applicant reported that the project did not meet the criterion; or
- (ii) The Applicant provided an incomplete or implausible explanation of how the project meets the criterion or provided no evidence or only minimal, implausible or unreliable evidence to support the Applicant's explanation.



### 2.3.3 Applicant Match Requirements

Applicants are required to provide matching funds, based upon their category of airport, as listed in the current Oregon Aviation Plan. For more information, please follow the link to view chapter 4 of the Oregon Aviation Plan: <https://www.oregon.gov/aviation/plans-and-programs/Documents/OAP/2019/6OAP-Ch4-Roles.pdf>

Airport Category	Category Description	Required Match %
Category 1b	Commercial Primary	50%
Category 1a	Other Commercial Non-Primary (less than 10,000 enplanements)	35%
Category 2	Business	25%
Category 3	Regional	10%
Category 4	Community	10%
Category 5	Low Activity	5%

## 2.4 Application and Review Materials

ARC members will receive an electronic copy of the applications.

ODAV will assign the ARC members to Review Groups of 2-3 members per group. Applications will be sent to each ARC group for evaluation using the statutory review form. ARC groups are encouraged to meet either in person or virtually and score the applications. Assistance with virtual meetings is available upon request.

**Please submit scores as a group, with only one form per project.**

### 2.4.1 Review Form

Section 1 of the review form:

The ARC member will determine if the project will accomplish the intent of the area being considered, then select the corresponding radio button: meets standard, somewhat meets standard, does not meet standard.

Comment areas are provided to show your work and note information critical to your evaluation and how you arrived at your selection.



Section 1:				
	Meets Standard	Somewhat Meets Standard	Does Not Meet Standard	Comments
<b>Reduced Transportation Costs or Improved Access to Jobs</b> <ul style="list-style-type: none"> <li>Does the proposed transportation project reduce transportation costs for Oregon businesses or improve access to jobs and sources of labor?</li> </ul>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	0 of 200
<b>Economic Benefit</b> <ul style="list-style-type: none"> <li>Does the proposed transportation project result in an economic benefit to the state?</li> </ul>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	0 of 200
<b>Critical Link</b> <ul style="list-style-type: none"> <li>Is the proposed transportation project a critical link connecting elements of Oregon's transportation system that will measurably improve utilization and efficiency of the system?</li> </ul>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	0 of 200

Example 1 - Review form, section 1

### Section 2 of the review form:

The ARC member will make a selection for each question being considered in this section.

Section 2:					
<b>Project Funding</b> <ul style="list-style-type: none"> <li>How much of the cost of the proposed transportation project can be borne by the applicant for the grant?</li> </ul>	0%-25%	26%-50%	51%-75%	76%-100%	
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>Project Readiness*</b> <ul style="list-style-type: none"> <li>Is the proposed transportation project ready for construction or ready for implementation?</li> </ul>	Project's Readiness to Start (in months)				
	0-6	7-12	13-18	19-24	over 24
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>*As all projects are not construction projects, ODA will use the following definition for project readiness when scoring and ranking projects: Whether a project is ready to <b>begin elements of work necessary to commence with construction in a reasonable timeframe</b>. If the project does not involve construction, whether the project is <b>ready for implementation</b>.</p> <p>Review members may use the following information, plus other knowledge when determining project readiness: Permitting, match financing, plan inclusion where necessary, land use approval, applicant capacity</p>					
<b>Life Expectancy</b> <ul style="list-style-type: none"> <li>Does the proposed transportation project have a useful life expectancy that offers maximum benefit to the State?</li> </ul>	Expected Useful Life (in years)				
	0-5	6-10	11-15	16-20	over 20
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Example 2 - Review form, section 2

### 2.4.2 Application Scores

Applications receive a base score during the completeness review by agency staff. The base score is a technical score based on the completeness of the application and the information provided by the applicant.



The applicant's responses to the questions relating to statutory considerations require a critical review by the ARC members before making a final selection. The selections made on the review form will produce a reviewer's score, which will be combined with the base score and result in a final application score.

The scores are calculated automatically as applicants and reviewers complete their designated forms.

The final application score may be used to break ties between rankings during the ARC meeting.

## **2.5 ARC Meeting**

### **2.5.1 ODAV Staff Support and Committee Administration**

ODAV staff will provide staff support for the ARC meeting. ODAV staff will coordinate with the ARC Chair and ARC members regarding the meeting, scheduling, agenda, and necessary public notice.

ODAV staff, unless otherwise directed by the committee, will:

- Present the ARC's final scoring of projects;
- Assist the ARC with understanding the review process; and
- Record results of the ARC proceedings.

ODAV staff will provide the ARC a combined list of scored projects. The list will contain a summary of each project, the project category, the name of the applicant, the total project cost, total matching funds, the total funds requested from ODAV, and the final application score for all projects.

The agenda and meeting minutes will be posted on the ODAV website.

### **2.5.2 Input into the Decision Process**

During the ARC meeting, the ARC may hear presentations from applicants.

The ARC will discuss projects based on information provided through:

- The project application and related documents;
- Applicant written responses to questions; and
- ARC's knowledge and expertise.

The ARC may also use any identified statewide plan such as the current Oregon Aviation Plan to assist with ranking and determining where projects strategically address mODAVI needs. Committee members may contact ODAV staff for assistance with statewide planning information.

To view the current Oregon Aviation Plan, visit:

<https://www.oregon.gov/aviation/plans-and-programs/Pages/oap.aspx>

The review committee members shall **not consider** information provided through lobbying by the applicant or any other person outside of the committees' public meetings. This includes any request for preapproval by an applicant or other party.



The ARC shall not require applicants to seek prior consultation or pre-approval of any projects, nor prioritize any project negatively due to any failure to consult with the committee prior to submitting an application.

### 2.5.3 Project Prioritization

**Per ORS 319.023 (5)(a), the Review Committee shall recommend applications to the State Aviation Board, which shall select applications with the following priority:**

(a) First, to assist airports in Oregon with match requirements for Federal Aviation Administration grants.

(b) Second, to make grants for emergency preparedness and infrastructure projects, in accordance with the Oregon Resilience Plan or the Oregon Aviation Plan.

(c) Third, to make grants for:

(A) Services critical or essential to aviation, including, but not limited to, fuel, sewer, water and weather equipment;

(B) Aviation-related business development, including, but not limited to, hangars, parking for business aircraft and related facilities; **or**

(C) Airport development for local economic benefit, including, but not limited to, signs and marketing.

(D) Assist commercial air service to rural Oregon.

**Projects within a lower statutory priority shall not be ranked above projects with a higher statutory priority.**

Per OAR 738-124-0035(6)(d), "Notwithstanding these priorities based on use, priority in distributing grants may be given to projects for which applicants demonstrate a commitment to contribute the greatest amounts toward the costs of the projects to which the applications relate." The level of Airport Sponsor match funds is scored automatically in the IGX completeness formula.

### 2.5.4 Additional Factors for Prioritization [OAR 738-124-0060(5)]:

In prioritizing applications submitted for COAR funds, the ARC may consider the following factors:

(a) The percentage of total project cost that the Applicant is able to bear.

(b) Projects related to safety or infrastructure.

(c) Quantity of projects applied for at an airport, within the same grant cycle.

(d) Regional significance.

Example:

Project Name	Project Priority and category	Application Score
A	Priority I - FAA Match	110
B	Priority II - Emergency Preparedness & Infrastructure Project	100
C	Priority I - FAA Grant Match	100
D	Priority II - Emergency Preparedness & Infrastructure	95



	Project	
E	Priority III - Economic Benefit	105

### **Explanation of Example**

The ARC is responsible for ranking the projects within priorities I, II, and III. The result will be a prioritized list of recommended projects which will be presented to the State Aviation Board for their vetting and final approval.

In the above example, Project A and Project C are priority I projects; Project B and Project D are priority II projects; and Project E is a priority III project.

The ARC will rank Projects A and C by deciding which project will be placed first, and which project will be placed second. The Application Score ranking may be changed using the factors from (4) listed above; an explanatory statement listing the factors considered for the final ranking must be included in the final recommendation.

The ARC will proceed to rank priority I projects, then priority II projects, followed by priority III projects. Projects are ranked within their Priority grouping.

### **2.5.5 Final Recommendation Report**

The ARC will approve a final list of prioritized projects and submit that list with comments as a recommendation to the State Aviation Board.

The ARC may also recommend that projects not be funded and must include an explanation of that recommendation to the State Aviation Board.



## **SECTION 3: STATE AVIATION BOARD**

### **3.1 General**

The State Aviation Board will review the project list recommended by the ARC. The Board will provide final approval of projects to receive COAR grants. [OAR 738-124-0035]

### **3.2 State Aviation Board Members**

The State Aviation Board, or "Board", is a seven person policy board appointed by the Governor.

### **3.3 Board Meeting – Final Project Selection**

The Board will hold a public meeting, generally as part of a regularly scheduled Board meeting, for selection of projects to receive COAR grants.

The exact dates, time, and locations for the Board meetings will be posted on the Oregon Department of Aviation website once they are available. For updates, please visit:  
<https://www.oregon.gov/aviation/AVB/Pages/AVB.aspx>

#### **3.3.1 Conflict of Interest Disclosure**

At each meeting at which the COAR project applications are presented, the Board Chair shall require Board members to disclose all conflicts of interest regarding any projects being discussed. A conflict of interest means the member has an actual or potential financial benefit in the project. Any conflict of interest disclosures will be recorded in the Board meeting minutes.

The Board members with potential conflicts of interest are allowed to participate in the ranking process and vote on the projects. Those with actual conflicts of interest per ORS 244.120(2)(b) may not participate in discussion or debate nor may they vote.

#### **3.3.2 ODAV Staff Support and Administration**

ODAV staff will provide each member of the Board a copy of the ARC's recommendations. ODAV will coordinate with the Board Chair and Board members regarding the meeting, scheduling, agenda, and necessary public notice.

The staff report and ARC recommendation, Board agenda and Board meeting minutes will be posted on the ODAV website.

ODAV staff, unless otherwise directed by the committee, will:

- Present the application and review process;
- Present the ARC's ranking of projects; and
- Record results of the Board proceedings.

#### **3.3.3 Applicant Presentations**

The Board may require any Applicant to make a presentation at the Board meeting or participate in an interview with a Board designee as part of its consideration process [OAR738-



124-0035(4)]. The Board is not required to schedule presentations of all Applicant projects.

#### **3.3.4 Project Prioritization**

The Board may modify project rankings recommended by the ARC; however, projects within a lower statutory priority **shall not** be ranked above projects with a higher statutory priority.

Per OAR 738-124-0035(6): When selecting COAR applications for approval, the Board shall prioritize them as described below:

- (a) First, to assist airports in Oregon with match requirements for FAA grants
- (b) Second, to make grants for emergency preparedness and infrastructure projects, in accordance with the Oregon Resilience Plan or the Oregon Aviation Plan.
- (c) Third, to make grants for:
  - (A) Services critical or essential to aviation, including, but not limited to, fuel, sewer, water and weather equipment; or
  - (B) Aviation-related business development, including, but not limited to, hangars, parking for business aircraft and related facilities; or
  - (C) Airport development for local economic benefit, including, but not limited to, signs and marketing.
  - (D) Assisting commercial air service to rural Oregon.

## **SECTION 4: CONTACT INFORMATION**

Please direct all questions to: [grants@odav.oregon.gov](mailto:grants@odav.oregon.gov)

Or you may contact:

#### **Andria Abrahamson**

Program Coordinator

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#### **Ermie Buncal**

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# Appendices

The Appendices in this document provide SAMPLE versions of the respective documents.

## A-1 SAMPLE REVIEW FORM

COAR Application 2020

Area Commission on Transportation (ACT) Statutory Review Form

Application Year 2020

### Instructions:

- Please read the Instructions to Reviewers prior to completing this form. The instructions are available on the Oregon Department of Aviation website.
- **Comment areas are provided to note information critical to your evaluation: How you arrived at your decision.**
- Complete, save, and submit **one** review form for each application.
- Required fields are marked with a red asterisk (\*)

Applicant Name:

Application Number:

Project Name

Airport Name

Reviewer Name \*

ACT

Please generate and complete the Conflict of Interest Form, and upload in the provided field below. \*

### Section 1:

	Meets Standard	Somewhat Meets Standard	Does Not Meet Standard	Comments
<b>Reduced Transportation Costs or Improved Access to Jobs</b> <ul style="list-style-type: none"><li>• Does the proposed transportation project reduce transportation costs for Oregon businesses or improve access to jobs and sources of labor?</li></ul>				
<b>Economic Benefit</b> <ul style="list-style-type: none"><li>• Does the proposed transportation project result in an economic benefit to the state?</li></ul>				



<b>Critical Link</b> <ul style="list-style-type: none"> <li>Is the proposed transportation project a critical link connecting elements of Oregon's transportation system that will measurably improve utilization and efficiency of the system?</li> </ul>				
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**Section 2:**

<b>Project Funding</b> <ul style="list-style-type: none"> <li>How much of the cost of the proposed transportation project can be borne by the applicant for the grant?</li> </ul>	0%-25%	26%-50%	51%-75%	76%-100%
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<b>Project Readiness*</b> <ul style="list-style-type: none"> <li>Is the proposed transportation project ready for construction or ready for implementation?</li> </ul>	0-6	7-12	13-18	19-24	Over 24
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\*As all projects are not construction projects, ODA will use the following definition for project readiness when scoring and ranking projects :  
Whether a project is ready to begin elements of work necessary to commence with construction in a reasonable timeframe.  
If the project does not involve construction, whether the project is ready for implementation.

Review members may use the following information, plus other knowledge when determining project readiness: Permitting, match financing, plan inclusion where necessary, land use approval, applicant capacity

<b>Life Expectancy</b> <ul style="list-style-type: none"> <li>Does the proposed transportation project have a useful life expectancy that offers maximum benefit to the State?</li> </ul>	0-5	6-10	11-15	16-20	Over 20
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