



Mark Gordon  
Governor

# WYOMING Aeronautics Commission

DEPARTMENT OF TRANSPORTATION

Sigsbee Duck, Chairman

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## MEETING MINUTES

### I. CALL TO ORDER

A meeting of the Wyoming Department of Transportation (WYDOT) Aeronautics Commission was held in the I-80 Room of the WYDOT-U Training Center, Cheyenne, on December 16, 2021. Chairman Sigsbee Duck presided, calling the meeting to order at 8:30 a.m.

### II. PLEDGE OF ALLEGIANCE

Chairman Duck 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

Bill DeVore, Commissioner, District 3

Luke Reiner, Ex Officio, WYDOT Director

Vice Chairman Bruce McCormack was 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

Phillip Hearn, Engineering & Construction  
Manager

Doug Blissit, Managing Director of Air Service  
Consulting, Mead & Hunt

Cheryl Bean, Planning & Programming Manager

Kimberly Chapman, Commission Secretary

Sheri Taylor, Unmanned Aircraft Systems (UAS)  
Manager

*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 October 19, 2021, business meeting.

### VI. UPDATES/DISCUSSIONS

#### A. CHAIRMAN'S UPDATE

Chairman Duck presented the Chairman's Update.

Chairman Duck commended the state pilots for their skill and professionalism while flying during adverse weather conditions. He also introduced Tim Bradshaw, the new airport director of the Cheyenne Regional Airport.

**B. DIRECTOR'S UPDATE**

Director Reiner presented the Director's Update.

COVID-19 Update

As an agency, WYDOT continues to have pretty stable numbers of COVID-19 cases, with the occasional outbreak. These outbreaks have not had a significant impact on operations. WYDOT does not track the vaccination status of employees, but personal protective measures are strongly encouraged. The agency is also mindful of the size of groups at in-person meetings.

Joint Appropriations Committee

Director Reiner and other members of executive staff testified before the Joint Appropriations Committee earlier in the week. He reported that WYDOT had a little over 25 exception requests for the JAC, most requests relating to the Wyoming Highway Patrol (WHP) or WyoLink. None of the requests required an increase in general funds; the requests seek permission to spend available WYDOT resources on critical needs. Most of the requests for the WHP were for upgrades to outdated equipment, but one major request was for an investment in a bodycam system for the troopers.

Employee compensation remains at the forefront of discussions with legislative committees. WYDOT supports the Governor's proposed budget, which includes salary increases for state employees. The negative impact of employee compensation rates is adversely affecting operational capability. Director Reiner shared that he is cautiously optimistic that the increase in pay will be approved.

Governor's Recommendation on American Rescue Plan Act (ARPA) Funds

Governor Gordon is expected to announce his recommendations for spending Wyoming's ARPA funds today. The director anticipates that some of the funds will be allocated to WYDOT for the new Revenue Information System and WyoLink.

Bipartisan Infrastructure Law (BIL)

The director provided an update to the commission on the BIL, formerly known as the Infrastructure Investment and Jobs Act. He shared a handout that contained a summation of all currently-known information about BIL. The total anticipated allotment of formula funding that Wyoming will receive over a period of five years is \$2,017,993,079, including \$250,000,000 for aeronautics. BIL will provide an additional \$100,000,000 in funding per year, but it will require a yearly state match of about \$10,000,000 to \$12,000,000.

Discretionary grants are also available under BIL and these grants create new funding opportunities in addition to increasing existing funds. Funding is available for several programs, but these grants would also require a state and/or local match.

The federal government is still operating under a continuing resolution that will expire February 18, 2022. The continuing resolution holds government agencies to prior funding caps that does not provide the money to fund BIL. There is a lot of uncertainty regarding Congress' plan for

funding the bill and the longer that process takes, the less time WYDOT will have to spend the additional funding.

Director Reiner shared that WYDOT has established guiding principles to determine the best use of funds to achieve the maximum benefit for Wyoming. The additional \$100 million in funding will be very useful, but difficult decisions will need to be made as it does not cover all of WYDOT's unfunded operating needs. The Wyoming legislature will also need to pass legislation to ensure there are matching funds available.

#### Personnel

Following a request from Commissioner Blann, Director Reiner promised the commission that they would be provided with information and talking points on WYDOT employment statistics, turnover, and raises.

### **C. ADMINISTRATOR'S UPDATE**

Administrator Olsen presented the Administrator's Update.

#### National Updates

##### *Federal Agency Updates*

The Transportation Security Administration has extended the mask mandate for commercial aircraft through March 18, 2022.

Congressman Peter DeFazio, the chairman of the U.S. House Transportation and Infrastructure Committee, has announced his retirement. He has been a huge advocate for aviation interests, so his retirement is a loss for the aviation community.

##### *Bipartisan Infrastructure Bill*

Mr. Olsen shared a handout containing information released by the U.S. House Transportation and Infrastructure Committee on the projected BIL allocations for Wyoming airports. The funding amounts for each airport, particularly for general aviation, were more than Mr. Olsen was anticipating. The division had anticipated receiving between \$10 and \$15 million, but the total ended up at slightly over \$15 million. While staff has worked hard to save \$500,000 in the budget to use as a match for these grants, more money will be needed due to the higher-than-anticipated total allocation.

##### *National Association of State Aviation Officials (NASAO) Legislative Affairs Committee*

As chair of NASAO's Legislative Affairs Committee, Mr. Olsen has been working with NASAO staff and committee members to draft the legislative agenda for 2022. The agenda is essentially a list of NASAO's top concerns and legislative priorities for aviation. It will be finalized in early 2022 and shared with both houses of Congress in time for the discussions on the next reauthorization bill.

#### Joint Transportation Committee

Mr. Olsen provided an air service update during WYDOT's testimony to the JTC at their November 29<sup>th</sup> meeting in Casper. He felt that it went very well and that the legislators had some good questions and discussion.

#### Division Update

The process to fill the Air Service Development Program Manager position is proceeding. Mr. Olsen is working with the Human Resources Division to ensure the classification for the position is appropriate, in order to attract the best possible candidate.

### **D. AIR SERVICE DEVELOPMENT PROGRAM UPDATE**

Mr. Olsen presented the Air Service Development Program Update.

#### General Matters

##### *Booking Trends and Capacity Purchase Agreement (CPA)*

Third quarter passenger numbers were better than expected but lower average fares and higher fuel prices had a negative impact on the CPA. The division has put in a request for leftover Coronavirus Aid, Relief, and Economic Security (CARES) Act funds, which would alleviate some of the challenges faced this past year. Additionally, the division has requested use of some of the state's ARPA funds to use to bolster the CPA, which took a hit because of the pandemic.

Overall, U.S. passenger volume for November was at 85 percent of 2019 levels. Wyoming airports are still recovering at a better rate than the national average. Wyoming's seat capacity has increased and is actually higher than pre-pandemic levels, mostly due to increased traffic in Jackson, Sheridan, and Cheyenne.

##### *Delta Service to Cody-Yellowstone Regional Airport*

Delta Airlines recently announced it will discontinue the Cody-Salt Lake City route this coming summer. The airlines have been impacted by pilot/crew shortages and the slow recovery of business travel, so many have had to cut costs by discontinuing certain routes.

##### *Discussions with SkyWest Airlines*

Mr. Olsen, along with several airport managers from Wyoming airports, travelled to St. George, Utah, last week to visit with SkyWest leadership. The purpose of the trip was to discuss operational issues and challenges with SkyWest, and to learn more about their operations. The group met with several different departments, including revenue management, dispatch, and customer service.

Another major objective was to start dialogue on the renegotiation of the CPA. The group had some high level discussions about industry and operational challenges facing airports and SkyWest. Mr. Olsen stated that he would like to begin the renegotiation process immediately so that it is completed well before the deadline on June 30, 2022.

*Air Service Trends Presentation*

Doug Blissit, Managing Director of Air Service Consulting with Mead & Hunt, presented an update on industry trends, recent air service development activity, and the effects of COVID-19 on the airline industry to the commission. U.S. air travel was decimated by COVID-19, but it has begun to recover. Wyoming's air travel recovery rate is well above the U.S. average, with several airports experiencing traffic above pre-pandemic levels. The airline industry still faces many challenges—profitability, shifting networks, and the lagging recovery of business travel—but Wyoming is managing well and has maintained scheduled service better than all other states.

Standard Reports

*Air Service Enhancement Program (ASEP) Budget Forecast Report*

Mr. Olsen reported that FY2022 now reflects the increased grant support of \$302,013.80 with the approval of the Casper/Natrona County ASEP request in September.

*CPA Budget Forecast Report*

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

*Percent of Grant Projects by City Report*

Mr. Olsen reported that the project approved in the September meeting is now reflected on the report, under Casper's section.

**E. ENGINEERING & CONSTRUCTION PROGRAM UPDATE**

Mr. Hearn presented the Engineering and Construction Program Update.

General Matters

*Pavement Condition Index (PCI) Inspection Update*

Mr. Hearn reported that the division should receive the reports from the field PCI inspections in early 2022. This is slightly later date to receive the results than normal, but there were delays due to COVID-19.

*Current Focus of Engineering and Construction Program*

Mr. Hearn shared that the Engineering and Construction Program is currently focusing on scoping for projects and early design reviews for the next construction season. Once this phase of work is complete, the projects can be put out for bid and the division can obtain FAA funding earlier.

Following a question from Chairman Duck, Mr. Hearn reported that the division's bid process timeline follows the FAA funding schedule, which can vary from year to year.

Standard Reports

*Change Orders Report*

Mr. Hearn reported that while five new change orders appear on the report, there are a number of change orders using local-only funds. Only change orders using state and federal funds were included in the report.

*Statewide Line Items Report*

Mr. Hearn reported 17 new line items, most for NAVAID maintenance projects at the start of the new fiscal year.

*Bid Summary Report*

Mr. Hearn reported no 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 she and Mr. Hearn have almost concluded the programming phase for the FY 2023 budget and the FY 2024-27 plan. Both documents will be presented to the commission at the January 2022 meeting to consider for approval as a draft. Following commission approval, there will be a 30-day comment period on the draft budget and plan. Once all comments have been reviewed and handled by staff, the budget and plan will be presented to the commission for final approval in April 2022.

Standard Reports

*Administrative Approvals Report*

Ms. Bean reported that administrative approvals were given on 6 amendments to federal CRRSA Operations grants for a total of \$286 in federal funds and no state funds.

*Recovered State Funds Report*

Ms. Bean reported recovered funds totaling \$2,500 for one project. The yearly total is \$2,500.

**G. UAS PROGRAM UPDATE**

Ms. Taylor presented the UAS Program Update.

General Matters

*Drone Procurement Status*

Ms. Taylor updated the commission on the drone procurement process. WYDOT is working to procure five drones for construction, and the drones will be delivered after the first of the year. The Aeronautics Division has completed the procurement process for one drone, and Ms. Taylor hopes to take delivery of the unit next week. Public Affairs received their drone, and Wyoming Highway Patrol has received a grant from the Department of Homeland Security to purchase a tether and upgraded camera for their Acecore Zoe drone. Once the drone is repaired, and WHP has taken delivery, the new components will be installed. Photogrammetry and Surveying was planning to purchase a couple of drones, but budget realities have forced the division to postpone purchase to FY 2023.

WYDOT now owns a total of 17 drones across the agency. The next step is to ensure that each division that purchased drones has someone qualified with a Part 107 Remote Pilot Certificate (license) to fly the drone. Once employees have obtained a license, they must also prove proficiency by flying test flights on WYDOT's training course before being allowed to fly missions for WYDOT. Courses are located in Jackson and Sheridan, with new courses are being built in Cheyenne and Laramie.

## **VII. REGULAR BUSINESS**

### **A. FY22 WACIP BUDGET MODIFICATIONS**

Ms. Bean reported that new allocations were made to several projects due to available funding from end of year transfers. These funds came from unused 2021 line items and reserves. A number of projects were also carried over from FY21 to FY22. The remaining balance in state funds in FY22 is \$1,021,222. The larger than typical reserve is to allow \$400,000 for higher than estimated bids, emergency projects, etc., with an additional amount to help airports with the anticipated match to the federal infrastructure package funding.

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

## **VIII. EXECUTIVE SESSION**

There was no need for an executive session.

## **IX. ANNOUNCEMENTS/REMINDERS**

### Commission Activities

Ms. Chapman announced that the commission's next business meeting would be held via videoconference on Tuesday, January 18, 2022, at 1:30 p.m.

### Commissioner Comments

Commission Maier brought to the commission's attention that Sheridan County Airport Manager John Stopka recently celebrated 45 years of employment with the airport. Commissioner Maier and Chairman Duck commended Stopka on this milestone and thanked him for his dedication to air service in Wyoming.

## **X. ADJOURNMENT**

It was moved by Commissioner DeVore and seconded by Commissioner Maier to adjourn. Chairman Duck adjourned the meeting at 9:55 a.m. on December 19, 2021.