

# Oregon State Aviation Board Meeting Minutes

**June 18, 2015**

**Portland, 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 on June 18, 2015, at Portland International Airport's (PDX) Conference Center in the Multnomah conference room.

**Board Members Present:** Chair, Mark Gardner; Board Members Keith Washington, Nan Garnick, Paul Hudgens, Mary Rosenblum, Vince Granato and Martha Meeker.

**ODA Members Present:** Director, Mitch Swecker; Airports Manager, Matthew Maass; Business Manager, Joy Howard; Planning Manager, Heather Peck; Airport Planner, Jeff Caines; Fiscal Analyst, Kristen Forest; Administrative Assistant, Roger Sponseller; Legal Intern, Spencer Karel.

**Presenters and guests in attendance included:** ODA Director, ODA Business Manager and ODA Projects & Planning Manager.

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## **CALL TO ORDER – INTRODUCTIONS**

The meeting started at 10:30 am

Self introductions were made.

## **Aviation Board Member Update:**

The Oregon State Aviation Board welcomed its newest member, Keith Washington, to the group. Mr. Washington, a Portland, OR native, has been involved in the aviation industry for many years and is now the Senior Director of Aviation at NIKE, Inc. In addition to Mr. Washington, newest board member Martha Meeker introduced herself to the group. Ms. Meeker, who retired as a Brigadier General in 2015 after 28 years in the Air Force, is now a city manager for the McMinnville.

Another Oregon State Aviation Board member, Nan Garnick, was attending her last meeting. Ms. Garnick, the board's representative from central Oregon, has finished her second term on the board and wanted to thank all of the other board members for such a great experience.

***ACTION ITEM – Approval of Minutes from May 12, 2015 meeting.***

**Motion** to approve by: Nan Garnick

**Motion** 2<sup>nd</sup> by: Vince Granato

**Motion** passed unanimously

**Public Comments:**

**Jake Jacobs:** Mr. Jake Jacobs, Executive Director of the Oregon Aviation Industry Cluster (ORAVI), gave a brief update of ORAVI’s recent progress. The organization, which has four meetings a year, has grown to about 150 members. There is an Unmanned Aerial Systems (UAS) conference at Oregon State University (OSU) coming up on the June 30<sup>th</sup> and the organization’s annual summit will be in mid-September.

**Policy Discussion: Tall Structures/Thermal Plumes/Solar Panels:**

**Mitch Swecker:** ODA’s Director, Mitch Swecker, acknowledging the board’s recent discussions on the subject in the past (Windmills in eastern Oregon, Troutdale thermal plumes, Coos Bay and Astoria LNG facilities), asked the Aviation Board to revisit the issue of tall structures, thermal plumes and solar panels around airports in Oregon. Specifically, Director Swecker asked the board to provide guidance in regards to potential statutory issues involved with the obstructions and ODA’s regulatory role in the future.

Board Chair, Mark Gardiner, asked board members Mary Rosenblum and Vince Granato, who have been exploring the issue, to brief the board on their findings. Problems persist at the federal level; FAA does not want to regulate this issue believing it’s more of a local land use issue. The state needs to establish its own rules until solid federal guidelines are in place. Mr. Gardiner asked if Director Swecker could coordinate a team to work on reconciling the statutes with what the Aviation Board and ODA’s responsibilities are on the issue. Director Swecker agreed and stated that any effort would begin with a legislative concept which would be due by November 24<sup>th</sup>.

**Director’s Update (handouts):**

**Mitch Swecker:** ODA’s Director, Mitch Swecker, briefed the board on agency business.

➤ Calendar of Events:

June June 1<sup>st</sup> – ConnectOregon Panel, House Transportation  
June 7<sup>th</sup>-10<sup>th</sup> – AAAE Conference (Philadelphia)

June 8<sup>th</sup> – ConnectOregon Oversight Committee meeting  
June 10<sup>th</sup> – OFAC Subcommittee meeting & UAS Stakeholders meeting  
June 18<sup>th</sup> – AV Board meeting  
June 22<sup>nd</sup> – AAAE Contract Tower conference (Washington D.C.)  
June 30<sup>th</sup> – UAS Conference (OSU)

July July 11<sup>th</sup> – Legislative Session Sine Die target June 26<sup>th</sup> / must do by July 11<sup>th</sup>.  
July 20<sup>th</sup> – AAAE General Aviation conference (Portland, OR)  
July 23<sup>rd</sup> – PAAM  
July 28<sup>th</sup> – All Agency Directors meeting  
July 28<sup>th</sup> – UAS Traffic Management conference (Moffett Field, CA)

➤ Strategic Vision:

As per the last session, Director Swecker discussed with the Aviation Board the Strategic Vision for aviation, and ODA, in the state of Oregon and creating a “Right Size” airport system. Director Swecker remarked that Oregon has an aviation system that predates (1921) the FAA; much of the property used for state airports today was acquired due to the efforts of early Aeronautical Board members to get land donations and individuals to plow/grade the land into useable airports.

Director Swecker stated that the time has come to do a truly systematic look at the airport system in Oregon and go forward with a cohesive plan that is amicable to the legislature, to local communities and local commerce.

➤ Legislative Update:

- HB 2038 – Recreational Aircraft Liability bill was legislatively approved and is to be signed by the Governor.
- HB 2075 – Fuel Tax Increase bill passed out of Revenue and is currently in ways and means. Public Hearing will be held on June 15<sup>th</sup>.

(Board member Mary Rosenblum expanded the discussion of this bill highlighting the support and difficulties encountered in getting the bill through the legislature. Ms. Rosenblum reminded the board that there is a 6-year sunset provision included in this bill and that the Aviation Board is going to be the primary entity responsible for justifying the continuation of the tax increase to the legislature. The board discussed options moving forward)

- HB 2254 – Drone bill was legislatively approved and is to be signed by the Governor.
- HB 2534 – Bill prohibiting drones from being used for hunting or angling, and also prohibiting hunters and anglers from being harassed by drones, was legislatively approved and is to be signed by the Governor.

- HB 5004 – Aviation Budget bill was legislatively approved and signed by the Governor.
- HB 5006 – Capital Construction. Condon and McDermitt are in Ways & Means Capital Construction committee. Awaiting work session in Ways & Means.
- SB 269 – Bill relating to increase of aircraft and pilot registration fees was legislatively approved and is to be signed by the Governor.
- SB 534 – Bill extending sewage and water outside the urban growth boundaries was referred by House to Rules Committee.

### **Fiscal Statement (handout):**

**Mitch Swecker:** ODA’s Director, Mitch Swecker, presented to the board the current fiscal status of the agency. Topics covered included:

- Revenues/Expenditures by Program
- AV/Jet Fuel Revenue
- Annual Jet Fuel and AV Gas in Gallons
- Jet Fuel and AV Gas Net Revenue to ODA
- Limitation and Cash Balances
- Operations Cumulative Totals
- ODA Operations Cash Balance
- State Owned Airport Profit / Loss Summary
- Search & Rescue Cumulative Totals
- Search & Rescue Cash Balance
- Search & Rescue – Revenue form Pilot Registrations (Actual vs. Projected)
- Aircraft Registration Cumulative Totals
- Aircraft Registration Cash Balance
- Aircraft Registration Revenue (Actual Revenue vs. Renewals due)
- Pavement Maintenance Program Cumulative Totals
- Pavement Maintenance Program Cash Balance

### **Administration Updates (handouts):**

**Joy Howard:** ODA Business Manager, Joy Howard, briefed the board on recent administrative matters. These matters included:

- Oregon Administrative Rules (OAR) – Two rules were presented to the public for comment. (see handouts for details)
  1. The Dept. of Aviation is updating and streamlining its public contracting and procurement rules by adopting the DOJ model rules of procedure in OAR 137.
  2. Rules are being adopted to establish the procedures to be used by the Dept. of Aviation in implementing the provisions of its State Agency Coordination Program and to provide guidance to assure that Department land use programs are carried out in compliance with the statewide planning goals and in a manner compatible with acknowledged comprehensive plans.

Ms. Howard remarked that ODA had received no comments from the public regarding the two proposed rule changes and requested the Aviation Board take a vote to approve the rule changes “as is.” Board Chair, Mark Gardiner, asked if there was a motion from the board to approve.

***ACTION ITEM – Approval of OAR Changes as Requested.***

**Motion** to approve by: Vince Granato

**Motion 2<sup>nd</sup>** by: Paul Hudgens

**Motion** passed unanimously

- State Aviation Board Bylaws – Ms. Howard presented to the board a draft of bylaws being proposed for the board. Although they are not quite ready for a vote of acceptance, Ms. Howard wanted the board members to have a chance to look them over for consideration and input.

**Airports Update:**

**Matthew Maass:** ODA’s Airports Manager, Matthew Maass, updated the board members on current airport issues. These issues included:

- **Mulino Update** – Skydiving operations continue. There have been complaints of alcohol consumption and smoking on airport property. FAA did a compliance inspection and concluded the operation was within the guidelines of FAA regulations. Mr. Maass attend a recent hamlet meeting and many of the local residents were excited to see the skydivers at Mulino.

A new FBO will be moving in soon (June). Options are being discussed regarding the construction of additional hangars at the airport (in conjunction/cooperation with the county being able to get water/fire suppression run-out to the airport) and possibly refurbishing the pilot's lounge.

- Cottage Grove & Condon Annexations – Cottage Grove State Airport will probably be annexed by the city. This will benefit the airport in a number of ways including utilities, access to emergency services and an easier permitting process for future growth at the airport. The City of Condon is interested in annexing the Condon State Airport for the same reasons as Cottage Grove (extending sewer/water and services out to the airport). Mr. Maass remarked that it was still up in the air and wasn't sure if it was going to go forward or not. He hopes to have more information by the next Aviation Board meeting.
- Aurora Update – There were a couple of topics regarding Aurora. First, a couple of big leases are currently being negotiated. Nothing has been signed yet but Mr. Maass would keep the board informed. Second, Aurora Fire District, in coordination with airport partners and ODA, has purchased a surplus fire truck from the Port of Portland for use at the airport and surrounding district.
- Summer Season – Summer grass season is here! ODA maintenance is in full swing getting airports mowed and sprayed. Temps have been brought on to help.

### **Projects & Planning (handouts):**

**Heather Peck:** ODA's Projects & Planning Manager, Heather Peck, briefed the board on current projects.

#### **Status of Projects:**

- Aurora Tower – Construction is complete and tower will be operating in August.
- PMP 2015 Construction – Ms. Peck briefed the board on the proposed 2015 program and asked that the board vote to approve. Board Chair, Mark Gardiner, asked if there was a motion from the board to approve.

#### ***ACTION ITEM – Motion to Approve Proposed PMP 2015 Program.***

**Motion** to approve by: Vince Granato

**Motion** 2<sup>nd</sup> by: Mary Rosenblum

**Motion** passed unanimously

- PEP Update – ODA will be in Region 1 for pavement evaluations this year. Process will probably begin in August and airports that are part of the program will have their final reports by the end of September.

- Aurora Apron / Taxiway Project – Out to bid now; which are due by Tuesday. Project includes apron rehabilitation in front of Aurora Aviation’s facilities, relocation and improvement of airport taxiways and the repaving of taxiways between two rows of hangars.
- Bandon Master Plan – Currently underway. About a little over mid-way through and should be completed by late fall.
- Mulino Master Plan – Second meeting has been postponed until further information can be gathered.
- Statewide System Planning 2015 Update – System inventory is currently underway. Ms. Peck will bring it back to the board when ODA has a better idea of what the entire project is going to look like to complete the final update for the system plan, what the phases will be, what they will look like and how it will impact the Aviation Board.
- S.C.I.P. 2015 – ODA Aviation Planner, Jeff Caines, updated the board on S.C.I.P. progress. Mr. Caines stated that he had about ¾ of the airports back from three out of four of the project managers. Mr. Caines goal is to be done by the end of summer so that ODA can go back to the FAA and figure out where the funds will be used.

**Executive Session:**

At this point in the meeting the Aviation Board Chair, Mark Gardiner, citing potential litigation and real-estate issues, called for an Executive Session of the board.

Meeting ended at 3:00pm