

MICHIGAN AERONAUTICS COMMISSION

Minutes of Meeting
Bellaire, Michigan
September 15, 2010

Pursuant to Section 31 of Act 327 of the Public Acts of 1945, the Commissioners of the Michigan Aeronautics Commission (MAC), created by said act, met at the Shanty Creek Resort, One Shanty Creek Road, Bellaire, Michigan 49615, on Wednesday, September 15, 2010, commencing at the hour of approximately 10:00 a.m.

Members Present

Terry Everman, Chair
James Collins, Vice Chair
Sidney Adams, Commissioner
Dan Atkinson, Designee – MSP
Dennis Fedewa, Designee – MDNRE
Leon Hank, Designee – MDOT
Robert Johnston, Designee – DMVA
Dave Brickey, Legal Counsel
Rob Abent, MAC Director

Members Absent

Russ Kavalhuna, Commissioner

Staff Present

Carol Aldrich, Airports Division
Dave Baker, Airports Division
Roxi Burnham, Airports Division
Randy Coller, Airports Division
Kelly Crannell, Airports Division
Gerry Edwards, Aviation Services
Jennifer Forbes, Aviation Services
Mark Grennell, Airports Division
Chip Kraus, Airports Division
Jim Nestell, Aviation Services
Mark Noel, Airports Division
John Pierce, Airports Division
Shelly Rathbun, Airports Division
Linn Smith, Airports Division
Rick Hammond, Airports Division
Betsy Steudle, Airports Division
Laura Wise, Airports Division

Also Present

Dick Aker, Clare Municipal Airport
Kelley Atkins, Pellston Regional Airport
Bill Blake, AOPA
Gordy Bogner, RW Armstrong and Associates
Mike Borta, RW Armstrong and Associates
Larry Bowron, W.K. Kellogg Airport
Stephen Cassens, Cherry Capital Airport
Jason Clark, Mead and Hunt
Jim Cook, Prein and Newoff
Katy Delaney, FAA
David DiMaria, Willow Run Airport
Ron Engel, Mead and Hunt
Del Fairbanks
Pat Frame, RS&H
Ernest Gubry, FAA
Lyn Johnson, Pellston Regional Airport
Kelly Jost, C&S Engineers
Keith Kaspari, Sawyer International Airport
Gary Kellan, Oscoda Wurtsmith Airport Authority
Chris Kindsvatter, Indian River Airport
Kevin Klein, Cherry Capital Airport
Jim Koslosky, Gerald R. Ford International Airport
Mike Lafferty, Big Rapids
James LeMay, MDOT Photographer



Also Present (continued)

Ron Ludema, Tulip City Airport
Roger Marks, C2AE
Kent Maurer, Jackson County Airport
John Mayfield, FAA
Billi McRoberts, Alpena County Regional Airport
Cliff Moshoginis, Kalamazoo/Battle Creek International Airport
Jeff Nagel, MBS International Airport
Clint Nemeth, RW Armstrong and Associates
Connie Ness, Delta County Airport
Darien Neveu, Sault Ste. Marie
Kathy Noel, Chippewa County International Airport
Daniel Otto, RS&H
Brian Picardat, Kent County Department of Aeronautics
Kyle Potvin, Applied Pavement Technology
Larry Putnam, Sanderson Field, Soo Air, Inc.
Fred Rakunas
Karl Randall, Oakland County International Airport
David Reid, Kalamazoo/Battle Creek International Airport
Jim Rice, Bishop International Airport
Casey Ries, TW Armstrong and Associates
Tom Rockne, Tom Rockne Travel Resources
Lee Scherwitz, Southwest Michigan Regional Airport
Don Seelye
Ann Simmons, Kalamazoo/Battle Creek International Airport
John Strehl, Antrim County Airport
Dawnmarie Strehl, Antrim County Airport
Frank Thorman, DuPont Lapeer Airport
David Welhouse, FAA
Steve Wellman, Jackson County Airport

I. OPENING REMARKS

The September 15, 2010, Michigan Aeronautics Commission meeting was called to order by Chairman Terry Everman at 10:00 a.m.

Chair Everman welcomed everyone attending and thanked Shanty Creek for the accommodations.

II. PRESENTATIONS – Awards of Excellence

Chairman Everman asked Director Abent to make the presentations.

Director Abent welcomed everyone, and thanked the MAAE for their accommodations. He started with two off-agenda items. He thanked Chairman Everman for his gifts to the Commissioners. Chairman Everman thanked everyone for their hard work and time given to the Commission; this was his way of showing his appreciation.



Director Abent mentioned the staff present. He recognized Roxie Burnham who is an invaluable member of our staff, with 35 years of service. He briefly mentioned her responsibilities, adding that she will be retiring at the end of the year.

Director Abent then moved to the MAC Awards of Excellence. He gave a brief background of the awards and the process involved in selection recipients – one to an individual and one to an organization. Starting with the individual award, he indicated that this person has been a friend and an advocate to aviation, particularly this year he has spent countless hours working with the Aeronautics Commission to help us work through the difficult funding issues. He is also an expert in finance and aviation. On behalf of the Commission he is pleased to award the individual award to Mr. Brian Picardat.

He asked Brian Picardat to join him at the podium for the presentation of the individual award.

Brian thanked the Commission for having the meeting during the conference. He thanked Director Abent and the staff for their continued work. He spoke of funding for the aviation industry. He thanked the MAAE Board for allowing him to be their president for the year. He also thanked James Koslosky, manager of the Gerald R. Ford International Airport for the opportunity to represent the Board and to work with the legislature.

Director Abent awarded the organization award to the Antrim County Airport, John Strehl, Manager. Mr. Strehl joined him at the podium. Mr. Strehl thanked everyone; he mentioned the difficulties in running an airport and thanked the Board and Antrim County.

Chairman Everman recognized John Mayfield and his staff with the FAA, adding that we are very thankful of their support.

Chairman Everman asked for a roll call, Commissioner Russ Kavalhuna was absent.

III. COMMISSION BUSINESS

- A. Chairman Everman asked if there were any changes to the minutes of the July 28, 2010 meeting. Director Abent indicated a change is needed to amend one word on page 3, the word “airport” should read “Air Force”. Chairman Everman entertained a motion to support the change. Moved by Commissioner Adams that the change in the minutes be made. Motion supported by Commissioner Collins. The motion carried unanimously. Chairman Everman then entertained a motion to approve the minutes of the July 28 meeting with the mentioned change. Moved by Commissioner Adams and supported by Commissioner Hank; the motion carried unanimously.
- B. Chairman Everman asked Mr. Dave Baker to present the airport grants. Mr. Baker gave an overview of the 19 projects for funding approval.
 1. Southwest Michigan Regional Airport, Benton Harbor
 2. Charlevoix Municipal Airport, Charlevoix



3. Detroit Metropolitan Wayne County International Airport, Detroit
4. Ewart Municipal Airport, Ewart
5. Dow Memorial Airport, Frankfort
6. Grand Haven Memorial Airport, Grand Haven
7. Gerald R. Ford International Airport, Grand Rapids
8. Houghton County Memorial Airport, Hancock
9. Roscommon County – Blodgett Memorial Airport, Houghton Lake
10. Kalamazoo/Battle Creek International Airport, Kalamazoo
11. Capital Region International Airport, Lansing
12. Dupont-Lapeer Airport, Lapeer
13. Oscoda County Airport, Mio
14. Muskegon County Airport, Muskegon
15. Oakland County International Airport, Pontiac
16. MBS International Airport, Saginaw
17. Sandusky City Airport, Sandusky
18. Sault Ste. Marie – Sanderson Field, Sault Ste. Marie
19. Meyers-Diver's Airport, Tecumseh

Mr. Baker mentioned an off-agenda item, Pellston Regional Airport in Pellston. This project is construction of an ARRF/SRE building; it was a late arriving grant from the FAA.

Chairman Everman thanked Mr. Baker for his presentation and entertained a motion to approve the 19 transfers as given. Moved by Commissioner Adams and supported by Commissioner Hank to approve the transfers. The motion carried.

C. Oscoda Wurtsmith Airport Authority, Oscoda, Michigan Update

Director Abent gave an update on the report on the Oscoda Wurtsmith Airport, from the July 29, 2010 meeting. He gave a synopsis from the July meeting that led to this point. He indicated that we did send a letter to the Michigan Department of Natural Resources and Environment (DNRE) and the U.S. Air Force, and received a reply from both. The DNRE reply indicated that this issue isn't within their purview to approve or disapprove the project in concept. The Air Force thanked us for our input indicating that they would be moving forward with the project, and will be diligent in the management of the system. Since then, we have scheduled meetings with the DNRE, to talk through this process with them, in order to insure in the future that the Commission and the Department/Bureau might be included in the front-end of the discussions on projects of this nature.

Chairman Everman echoed that we should give them our input. Commissioner Fedewa indicated that in response to Director Abent's last point, he feels this is an excellent idea being on the front-end of discussions, he suggested this be formalized to be better adhered to instead of a verbal agreement.

D. Unimproved Airstrip Licenses



Chairman Everman asked Mr. Rick Hammond to give this report.

Mr. Hammond indicated that this issue was also discussed at the past two meetings. At those prior meetings representatives from the Michigan Private Airport Owners Association were present; there are other groups in Michigan that have expressed concerns with the operation of privately owned airports and public use airports, as well as the potential of some airports on public lands that could be available for emergency and recreational purposes. He reported on a reinstatement of a new class of airport licenses that addresses some concerns, however he didn't guarantee that this will be a fix to all concerns. Several years ago, the State of Michigan had a "Class D Public Use Airport License." It was called "substandard public use airport." One of the provisions of the license was that you would fly at your own risk. These were simple, grass-strip types of airports that met the (what we now call) basic utility length and width standards that had no pilot services available. The last time the Aeronautics Code was amended, we couldn't see how that fit into the scheme of things; as a result we eliminated that class of public use airport license. We now see that there was a group of airports that could benefit by this, particularly emergency-type strips. There are places where there are airstrips that might welcome the public to the airport, but may not offer pilot services. Those owners (as stated before) are concerned with liability.

Mr. Hammond showed diagrams outlining the standards of this particular class if license. We are proposing that this be named "Unimproved Airstrip License." This would be a public use facility. He outlined the dimensional requirements, which mirrors the basic utility airport licensing standard now. However these are strips where the grass can be mowed and delineated by some means, as particular type of marking isn't required. He showed a diagram showing this type of airport.

Right now our licensing standards reside in the administrative rules for the State of Michigan, under the General Rules of the Michigan Aeronautics Commission. This would be an addendum to the rules. The dimensional requirements would be the same but there would be not requirements for pilot services, and you would fly in and out of these airports at your own risk.

The slide presented reads as follows:

- 1) An unimproved airstrip public airport license shall be granted if all of the following minimum services and facilities are provided and maintained:
 - a. A licensed airport manager.
 - b. At least 1 runway equipped with a 1,200-foot landing length in each direction of a clear approach slope of 20:1 and a 50-foot usable width with an additional 25-foot minimum width on each side which is free of obstructions.
 - c. An approach slope at a ratio of 20:1 with a width of not less than 100 feet. The approach slope shall be based on a clearance of all

objects within the approach area, including a roadway clearance of 15 feet or 17 feet over an interstate highway and a railway clearance of 23 feet. Runway lights shall not be considered obstructions in the runway width required to be free of obstructions.

- d. A permanent monument established on the centerline at or beyond each end of the runway.
 - e. A runway that is well defined by mowing, use of markers, or low peripheral farming with clearly marked displaced thresholds.
 - f. A wind cone.
- 2) A person using an unimproved airstrip shall do so at his or her own risk.

Mr. Hammond outlined the Administrative Rules process. Today we are seeking approval to advance the rule for this new public use standard. The next step is to submit this to the SOA, then to the Joint Committee on Administrative Rules. It does not have to be passed by the legislature, but it does have to go to the committee and be accepted. It then becomes a rule.

He added that this may not address all the concerns of the private airport owners, but does address some. These airports would be inspected.

Mr. Hammond requested that the Commission approve the support for the establishment of an unimproved airstrip license.

Commissioner Fedewa asked if this would be for public and private entities; it was confirmed by Mr. Hammond.

Commissioner Hank supports this and thanked Director Abent and Mr. Hammond and staff for their efforts. He said we need to look at the current statutes to limit further any liability that owners may incur, unintentional on their behalf. He feels this is a great first step, he feels this does address many of the concerns.

Mr. Hammond mentioned that a new bill was introduced that would amend a recreational trespass act to include private non-commercial aircraft operating on private airports; to exclude the amount of private airport liability under the recreational trespass act.

Commissioner Collins asked about the inspection process to insure that these airports are maintained. Mr. Hammond indicated this would be the same process for all licensed airports. By law, when we receive an application for a new airport that is intended for public use, an inspector would be sent to the site for a detailed inspection. They will be inspected every three years, but often times it is done every year to make sure standards are maintained. This class of airports will require particular attention, as they may not be manned all the time, but the same standards and inspections will be followed.

Commissioner Collins asked if they would require mowing on a regular basis. Mr. Hammond said for grass strips we don't have a length requirement, it is subjective.

Commissioner Fedewa asked there is an inspection fee. Mr. Hammond responded saying it is \$25.

Chairman Everman entertained a motion to accept the proposal as presented. Moved by Commissioner Adams and Supported by Commissioner Collins to accept the Unimproved Airstrip License proposal. All voted in favor.

Chairman Everman added that this is an issue near and dear to his heart, and as a pilot will improve the safety in these fields. He feels this is a good move for aviation.

E. Approach Plan Protection Plan – Flugplatz Airport in Lexington.

Chairman Everman called on Linn Smith, Airports Division, to give the report. An issue statement for the Flugplatz Airport in Lexington was included in the Commissioner's books. This airport was recently licensed for public use as a basic utility airport; it doesn't have a VOR or AWOS system. The lane use guidelines and height restrictions are the same as other public use airports. We are requesting that the Commission adopt the airport approach plan for the recently licensed airport, Flugplatz Airport near Lexington, Michigan. The next process is for the airport manager to file that plan with the local zone entity so they have protection against encroachments, land use and heights.

Chairman Everman asked if there were questions on the plan. Hearing none, he entertained a motion to approve. Moved by Commissioner Adams and supported by Commissioner Collins to approve the Airport Approach Plans for the Flugplatz Airport near Lexington Michigan. All voted in favor.

IV. REPORTS

Commissioner Everman asked Director Abent to give the Director's Report.

Director Abent began his report by showing a new Fly Michigan license plate, developed by Rick Hammond and his staff. They will soon be available to the public via the e-Michigan site. He thanked Mr. Hammond and his staff.

- C. He gave a brief budget update. The aviation fuel tax revenue, through July, is up 4.92%. This is still down almost 13% over a five-year period and 50% over the past ten years.

Recent events were discussed. Pauline Misjak, Administrator for the Airport Services Division is attending the 79th NASAO Annual Convention and Trade Show in Wichita, Kansas.



He spoke of his recent airport visits to Clare, Bellaire and Gaylord, and thanked everyone for their hospitality.

Director Abent announced that Mr. Jonathan Freye has been appointed to replace Commissioner J. William Prochazka. He hopes that he can join us for the November meeting.

Rob thanked the MAAE for allowing us to participate in their conference, thanking Brian Picardat and all members of the MAAE board.

Lastly, he spoke of outgoing Chairman Terry Everman. At today's meeting, the gavel will be passed to the new Chairman. He said that Chairman Everman has been extremely active and successful; he added that they have had many conversations after hours about important issues. He mentioned the behind-the-scenes work done by Chairman Everman. Director Abent asked Chairman Everman to join him at the podium to present him with an honorary gavel and plaque.

Chairman Everman thanked everyone. He mentioned the caring and support from the commission, the staff, and the FAA; it makes things all come together to help Michigan and the airports.

V. ELECTIONS

Commissioner Everman asked Commissioner Adams for the recommendations for the office of Chairman and Vice Chairman for 2011. Commissioner Adams gave the procedure for the recommendations and nominations involved. The nominating committee was comprised of Commissioners Adams and Kavalhuna. He nominated Chairman James Collins for the office of Chairman, and Commissioner Kavalhuna for the office of Vice Chairman. Chairman Everman entertained a motion to approve the recommendations. Moved by Commissioner Hank and supported by Commissioner Fedewa to approve the recommendation. All voted in favor.

Chairman Everman again thanked everyone for the opportunity to serve, and announced that the next meeting will be held November 17, 2010 in Lansing.

VI. PUBLIC COMMENT

Darien Neveu, Sault Ste. Marie, networked with the Aeronautics Commission for many years. They have a great staff, and are helpful in returning calls which make his job a lot easier.

Frank Thorman from DuPont Lapeer Airport thanked the Commission for the continued support of their airports.

Don Seelye from Charlevoix, a pilot since 1966 and an aircraft owner from the same time. He thanked the Commission for giving him the chance to speak at the meeting. He spoke about the runway at North Fox Island, owned by the state and controlled by the DNRE. He gave an update on his voluntary involvement with the airport. In 2010, the DNRE requested that they remove the mowers and stop maintaining. He mentioned an emergency landing instance. He said it is a



valuable asset and should be maintained. His presentation continued with information as to the gift of the airport to the State of Michigan. The safest way to travel to the island is by air. He described the island and airport, and how it would fit into the new Unimproved Airport category. He discussed the information given to the commissioners and spoke of his ongoing effort to open the airport. The AOPA has given them their full support. He thanked the commission for allowing him to present his report.

Commissioner Fedewa, who represents the DNRE, understands the issue. In terms of safety, the primary and fiduciary responsibility falls on Commission, as well as advancement of the industry. He knows that this was an internal decision by DNRE; he personally was not involved, but understands there was a letter of denial that was recently issued. He stated that he believes there is an appeal process through the DNRE Commission. He urged Mr. Seelye to see if this would be a viable option to pursue.

Mr. Seelye introduced Mr. Fred Rakunas, who is a former Commissioner. Mr. Rakunas echoed Mr. Seelye's comments. He mentioned the issues involved with the island in the issues with airstrips. He is aware of the concern of liability; he compared the liability with that of snowmobile trails in the area. He would like to see the Commission work with the DNR to get this airport opened.

Chairman Everman responded saying we would look into this request. He hopes this new Unimproved Airstrip License will help with the issue.

Commissioner Hank indicated he worked with this volunteer group of people for the past year to help open the airport. They have a dedicated group of volunteers that are working on the effort. He feels the Commission needs to stay involved on the issue and to work with the DNRE to get a reasonable compromise.

Director Abent mentioned that Mr. Rakunas also was Commission Chair.

Chairman Everman indicated that we are looking forward to moving ahead in Michigan in helping the airports and improving aviation. It is a great pleasure to work on this commission, and appreciates the support. He again commended the staff on their efforts.

Chairman Everman turned the gavel over to newly elected Chairman, James Collins.

Chairman Collins is honored to be the Chair for the next year; he will do his best to follow the footsteps of his predecessor. The meeting was adjourned at 10:57 a.m.

Director

Chairman

Dated _____

