



SAUGEEN MUNICIPAL AIRPORT

MEETING OF THE SAUGEEN MUNICIPAL AIRPORT COMMISSION

Wednesday, May 20, 2020, 2:00 p.m.

Commissioners Present: Dan Gieruszak, Chair
Rebecca Hergert, Vice Chair
Dave Hocking, Secretary (at 2:30 p.m.)
Moe Hanif
Bill Roseborough
Jack Zeinstra

Commissioners Absent: With Regrets – Kelani Stam

Others Present: Rob Olds, Airport Manager
David Rumsey, Tech360
Catherine McKay, Recording Secretary

The meeting was conducted by videoconference in light of the COVID-19 pandemic.

1. Call to Order

The Chair called the meeting to order at 2:05 p.m. Dave Hocking was having difficulty connecting to the meeting and was able to join the meeting at 2:30.

2. Approval of the Agenda

Motion Moved by J. Zeinstra

Seconded by M. Hanif

That the agenda for May 20, 2020 be amended to include item 7 d. Correspondence, and that the agenda be accepted as so amended.

Carried

3. Disclosure of Pecuniary Interest and Declaration of Conflict of Interest

None declared.

4. Delegations

There were no delegations.

5. Minutes of the April 22, 2020 Meeting of the Commission

In the discussion of the minutes, the following points were made:

- Rebecca Hergert asked whether a process should be adopted for amending the minutes and issuing the agenda a week in advance. The Chair proposed that a process be put forward at the next meeting to cover these issues.
- Rebecca Hergert raised the question of how to bring forward to a meeting emails circulated between meetings, such as those on the issue of seeding and hay and whether they should come to the Commission as a report. This issue will be addressed as part of the process mentioned above.
- The Airport Manager explained that the COVID-19 situation interfered with obtaining quotes regarding hay, and due to a short timeline, the work was done following an email from the Chair to the Commissioners. The Airport Manager provided information showing that the cost was \$ 8,470.50. Rebecca Hergert noted that emails such as this would not be available to members of the public at a Commission meeting.

- The Airport Manager added that Hanover Stock Farms is interested in the hay for its cattle, which would bring \$0.04 - \$0.05/lb and generate \$13,000 - \$15,000 next year, and the first cut will bring in \$18,000 in revenue. Rebecca Hergert noted that the Airport Manager invested in the seed with no expectation of a return as the point was to get the hay in. She raised the issue of whether the investment in seed could be considered as a donation.
- Moe Hanif noted that the Chair sent a very clear email and the money should be returned, as it should be treated like a loan and repaid as a goodwill gesture. The Airport Manager said that he sent \$4,850 to keep the budget going and one possibility would be to relax access fees for three years.
- The Chair stated that there is no urgency to this issue at today's meeting and it needs more consideration. He noted that the details were not on the agenda for discussion at this meeting.

Action The APM will provide a full report reviewing the decision process giving direction to proceed with seed to get the hay in.

Motion Moved by B. Roseborough

Seconded by R. Hergert

That the minutes of the April 22, 2020 meeting of the Commission be approved as circulated.

Carried

6. Items Requiring Action

a. Confirmation of Minutes January 8, 2019 – April 15, 2020

The Chair noted that this item was added to the agenda because in 2019 there were meetings outside of the usual monthly schedule. Minutes of the regular monthly meetings were approved at the subsequent monthly meeting, but minutes from other meetings were not necessarily approved. Discussion on this item covered the following points:

- Rebecca Hergert said that she looks forward to having organized minutes circulated in a timely way.
- The Airport Manager said that the minutes of Commission meetings could be made available in a book at the airport for public viewing.
- David Rumsey informed the Commission that minutes in PDF format could easily be posted on the airport's web site.

Action David Rumsey will confirm with Catherine McKay the requirements for posting minutes on the web site.

Motion Moved by R. Hergert

Seconded by M. Hanif

That the minutes of the meetings from January 8, 2019 to April 15, 2020 be reconfirmed and that they be circulated to the municipalities.

Carried

7. Reports

a. Financial Reports

The following points arose in the discussion of this item:

- Rebecca Hergert raised the question of what is needed for the auditors to begin and noted that normally a letter of engagement is entered into. Dave Hocking said that this has been done through Christine Walker of the Town of Hanover, and Rhys Thomas, an accountant with BDO in Hanover, is working with Jennifer Terstege of the Town of Hanover and the Airport Manager, and since the work is being done electronically, it is taking longer. The Chair said that he signed the letter of engagement last year.
- The Chair noted that revenue usually lags in the summer and asked if there is merit in having a mid-year budget meeting. The Airport Manager felt this might be useful and the Commission could have Christine Walker attend a meeting to review a variance report and develop a plan to address last

year's deficit. He added that the goals for this year may not be achievable and the municipalities should be given as much information as possible.

- Moe Hanif noted that the Board gets monthly financial reports and questioned the purpose of a mid-year meeting. If there are financial issues, the Airport Manager should be on top of them.
- Dave Hocking pointed out that there may not be very much Christine Walker could say that is not in the financial reports (i.e. the general ledger) but a budget vs. actual or year-over-year comparisons could be done.
- The Airport Manager noted that financially, the airport is doing better than last year and a lot of money has been recouped for taxes, hydro and gas. It remains to be seen what the summer will bring.
- In response to a question from Moe Hanif, the Airport Manager reported that there is only the one obvious outstanding account from 2019. He believes people are using the airport.
- The Airport Manager noted that the access and leasing agreements need to be moved along. Dave Hocking noted that the agreements have been put on Airport letterhead. Moe Hanif suggested that all agreements should be out by March each year in order to get the funds in. Dave Hocking agreed that in a perfect world, this would be the case, but it didn't happen this year for a variety of reasons. The Chair proposed that the access agreements should go out in December for the 2021 year.
- Bill Roseborough asked if it would be possible to rent or borrow a tanker to get fuel now at a low price and store it. The Airport Manager noted that he has contact in London but has not yet spoken to him due to COVID-19. It was noted that there were a lot of planes in and out on the weekend. The Airport Manager is to investigate the issue and he mentioned Ornge, the O.P.P., and Ontario Hydro, and noted that fuel was at \$1.78, and jet fuel has gone from \$1.55 to \$1.19 +HST. The Chair noted that this would be more favourable for jets and helicopters and that storage capacity should be considered as an investment, especially due to the current low price of fuel. Rebecca Hergert noted that the minutes from June 2019 referenced bulk buying and she looks forward to a report from the manager as there is plenty of opportunity in this area.
- The Chair noted that M.P.P. Lisa Thompson will be involved in the COVID-19 recovery process, and perhaps she should be approached for support of storage capacity which would contribute to the airport standing on its own. The Airport Manager is tracking fuel prices so that a purchase can be made at less than previous prices. Bill Roseborough asked about the potential hazards and the insurance issues if a fuel tanker were to be sitting around. The Airport Manager does not yet know as there have been delays in his pursuing the issue with his contact. He is trying to work something out and expects to be able to discuss it at the Commission's June meeting.

Action APM will provide an update on additional fuel storage capacity for the June Commissioner's meeting.

Action Dave Hocking will invite Christine to the June 17, 2020 meeting and then a decision will be made on how to report back to the municipalities. Christine will be placed at the beginning of the June agenda.

Motion Moved by D. Hocking

Seconded by J. Zeinstra

That the financial reports be accepted as presented at the May 20, 2020 meeting.

Carried

b. APM's Report

The Airport Manager reported on the following items:

- With respect to the MPAC report, he has requested more detail about a re-assessment for property tax purposes, and noted that he needs to speak to Jennifer Tersteege or Christine Walker at the Town of Hanover. Rebecca Hergert asked if there has been a request to have the property assessment readjusted for 2019. The Manager noted that he has been trying to do this as soon as possible, although the request can be late if there is a legitimate reason. The deadline was August 2019 for 2020.

- Geese are a problem and Moe Hanif stated that the airport cannot have geese around as they cause damage. Rebecca Hergert asked if the airport has a wildlife management plan, and is there cause for concern about hay attracting geese. The Airport manager noted that hay attracts deer and corn attracts turkeys, but corn is now finished. He added that there is a group that can come to eradicate the geese.

Motion Moved by B. Roseborough

Seconded by M. Hanif

That the Airport Manager's report be accepted as presented at the May 20, 2020 meeting.

Carried

c. COPA 54 Update

- Jack Zeinstra reported that there is no news from COPA 54.
- In response to a question from Dave Hocking about fliers for Canada Day, Jack Zeinstra said that it depends on how things go regarding COVID-19, but something could be organized quite quickly. The Chair noted that Brockton is considering the issue of Canada Day and mentioned the possibility of a fly-by. Moe Hanif noted the fly-by done for the Snowbirds in Kamloops and said that something similar could be organized quite quickly. The APM added that such an event needs ground participation in place, and he estimated that 5 – 10 pilots would be interested.
- For Canada Day in Walkerton, events go from noon to 1:00 p.m. or so. In Hanover, they have a staff committee to plan events, but will need a timeline as to the activities in the other municipalities. Many things are on shut down, such as Air Cadet summer activities which have been suspended to the end of summer. The Municipality of West Grey does not have anyone working on Canada Day events which are normally organized by the Durham Lions Club and due to COVID-19, there will be no events this year.
- The Chair asked if the Hanover Economic Development staff are involved in planning Canada Day activities. Dave Hocking said that in Hanover, it is Sherri Walden, Director of Parks, Recreation & Culture, who is responsible and he agreed to contact her and then get back to the Commissioners.

Action 1) The APM will contact all pilots about a fly-by to judge the level of interest.

2) Municipal representatives will contact their respective Canada Day coordinators.

Motion Moved by D. Hocking

Seconded by M. Hanif

That the COPA 54 report be accepted as presented at the May 20, 2020 meeting.

Carried

d. Correspondence

There were three pieces of correspondence circulated during the month:

- A letter from Transport Canada dated May 6, 2020 to the Airport Manager regarding an incident which led to an investigation that confirmed a contravention of Canadian Aviation Regulations was committed, and that the file is now closed.
- Two letters from a lawyer requested that the correspondence be circulated to the Commission, which has been done.
- Rebecca Hergert asked that two pieces of correspondence be included in the minutes. As the letters refer to an identifiable individual the Chair has requested confirmation from the lawyer that the intention was that the letters and discussion be shared in an open meeting.
- The May 6th correspondence is included in Appendix A to these minutes.

8. New Business

Commissioner Orientation: Role/Responsibilities of Airport Commissioners

The Manager highlighted for the Commissioners the following from the Canadian Aviation Regulations SOR/96-433 made under the Aeronautics Act:

Subpart 1 — Aerodromes

Application

301.01 This Subpart applies in respect of all aerodromes except airports, heliports and military aerodromes.

Inspection

301.02 The operator of an aerodrome shall, without charge, at the request of a Department of Transport inspector, allow the inspector access to aerodrome facilities and provide the equipment necessary to conduct an inspection of the aerodrome.

Registration

301.03 (1) Subject to subsection (2), where the operator of an aerodrome provides the Minister with information respecting the location, markings, lighting, use and operation of the aerodrome, the Minister shall register the aerodrome and publish the information in the Canada Flight Supplement or the Water Aerodrome Supplement, as applicable.

(2) The Minister may refuse to register an aerodrome where the operator of the aerodrome does not meet the requirements of sections 301.05 to 301.09 or where using the aerodrome is likely to be hazardous to aviation safety and, in such a case, shall not publish information with respect to that aerodrome.

(3) The operator of an aerodrome registered pursuant to subsection (1) shall notify the Minister immediately after any change is made to the location, marking, lighting, use or operation of the aerodrome that affects the information published by the Minister pursuant to subsection (1).

(4) An aerodrome that is listed in the Canada Flight Supplement or the Water Aerodrome Supplement on the coming into force of this Subpart is deemed to be registered pursuant to subsection (1).

Prohibitions

301.08 No person shall

(a) walk, stand, drive a vehicle, park a vehicle or aircraft or cause an obstruction on the movement area of an aerodrome, except in accordance with permission given

(i) by the operator of the aerodrome, and

(ii) where applicable, by the appropriate air traffic control unit or flight service station;

(b) tow an aircraft on an active movement area at night unless the aircraft displays operating wingtip, tail and anti-collision lights or is illuminated by lights mounted on the towing vehicle and directed at the aircraft;

(c) park or otherwise leave an aircraft on an active manoeuvring area at night unless the aircraft displays operating wingtip, tail and anti-collision lights or is illuminated by lanterns suspended from the wingtips, tail and nose of the aircraft;

(d) operate any vessel, or cause any obstruction, on the surface of any part of a water area of an aerodrome that is to be kept clear of obstructions in the interest of aviation safety, when ordered, by signal or otherwise, to leave or not to approach that area by the appropriate air traffic control unit or flight service station or by the operator of the aerodrome;

(e) knowingly remove, deface, extinguish or interfere with a marker, marking, light or signal that is used at an aerodrome for the purpose of air navigation, except in accordance with permission given

(i) by the operator of the aerodrome, and

(ii) where applicable, by the appropriate air traffic control unit or flight service station;

(f) at a place other than an aerodrome, knowingly display a marker, marking, light or signal that is likely to cause a person to believe that the place is an aerodrome;

(g) knowingly display at or in the vicinity of an aerodrome a marker, marking, sign, light or signal that is likely to be hazardous to aviation safety by causing glare or by causing confusion with or preventing clear visual perception of a marker, marking, sign, light or signal that is required under this Subpart;

(h) allow a bird or other animal that is owned by the person or that is in the person's custody or control to be unrestrained within the boundaries of an aerodrome except for the purpose of controlling other birds or animals at the aerodrome as permitted by the operator; or

(i) discharge a firearm within or into an aerodrome without the permission of the operator of the aerodrome.

The Airport Manager also highlighted the following from The Aeronautics Act regarding when the owner of aircraft may be found liable:

8.4 (1) The registered owner of an aircraft may be proceeded against in respect of and found to have committed an offence under this Part in relation to the aircraft for which another person is subject to be proceeded against unless, at the time of the offence, the aircraft was in the possession of a person other than the owner without the owner's consent and, where found to have committed the offence, the owner is liable to the penalty provided as punishment therefor.

Operator of aircraft may be found liable

(2) The operator of an aircraft may be proceeded against in respect of and found to have committed an offence under this Part in relation to the aircraft for which another person is subject to be proceeded against unless, at the time of the offence, the aircraft was in the possession of a person other than the operator without the operator's consent and, where found to have committed the offence, the operator is liable to the penalty provided as punishment therefor.

(3) The pilot-in-command of an aircraft may be proceeded against in respect of and found to have committed an offence under this Part in relation to the aircraft for which another person is subject to be proceeded against unless the offence was committed without the consent of the pilot-in-command and, where found to have committed the offence, the pilot-in-command is liable to the penalty provided as punishment therefor.

(4) The operator of an aerodrome or other aviation facility may be proceeded against in respect of and found to have committed an offence under this Part in relation to the aerodrome or facility for which another person is subject to be proceeded against unless the offence was committed without the consent of the operator of the aerodrome or facility and, where found to have committed the offence, the operator of the aerodrome or facility is liable to the penalty provided as punishment therefor.

Operator of aerodrome, etc., may be found liable

8.5 No person shall be found to have contravened a provision of this Part or any regulation, notice, order, security measure or emergency direction made under this Part if the person exercised all due diligence to prevent the contravention.

In the discussion of this item, the following points were made:

- Rebecca Hergert asked if the Airport Manager could forward to the Commissioners a link to the Transport Canada website.
- It is imperative to gain control of who is entering the airport due to the provisions of sub-section (4) above.
- Moe Hanif noted that Transport Canada's web site is clear about what has to be done regarding fences, etc., and since the airport is a landing site and port of entry, Customs Officers must not see breaches such as what happened in Oshawa. Jack Zeinstra stated that a lot of access and unwarranted entry will be covered by signs posted about who is allowed to be there, and if anyone is there, it would be clear that they are not acting with permission. Bill Roseborough noted that a site can lose its privileges if goods are allowed to be brought in, and this is a serious matter.
- The Chair stated that the Commissioners need to be brought up to date as soon as possible on anything relevant to their role and responsibilities and this item should be added to the next agenda.
- Rebecca Hergert asked that a closed session be held at the next meeting to conduct a year in review of the Manager's contract and reaffirm it as appropriate. Bill Roseborough added that he would like to see everyone by video during that meeting and it should be possible to accommodate everyone so that they can be seen. The Commissioners confirmed this direction and the Chair proposed that such a closed session be conducted when everyone can be seen by video, and it would be a small inconvenience if some Commissioners have to travel to ensure the right connections.
- In the discussion, it was noted that there are rules and restrictions on pyrotechnics and geese, and a matter regarding a snowplow cutting a lawn adjacent to a hangar was discussed. It was agreed that nothing needs to be done about this situation. The Airport Manager explained that he had received a verbal complaint and referred it to John Strader, Roads Supervisor, at the Municipality of Brockton who indicated that work will be done to correct the issue of the driveway in question being too high, i.e. above the height of the road. Moe Hanif questioned whether the complaint could be frivolous. There was discussion about possibly sending a letter to Mr. Strader and the Chair thought it was important to address

the matter. Rebecca Hergert noted that a letter was received from the property owner that the driveway was built to standard. It was decided to leave the issue to be documented in the minutes and handled in the normal course of business, so it is not necessary for a letter to be sent.

- In other New Business, Rebecca Hergert raised the issue of appointing signing authority. Dave Hocking said that no cheques are signed anymore and all invoices are sent to Jennifer Tersteege or Christine Walker at the Town of Hanover who process the payments.

Action The Chair will do research into the question of how the Commission can go from an open session, to a closed session and back to an open session., using the zoom meeting platform.

9. In Camera

There were no items requiring an in-camera session.

10. Direction Coming Out of In Camera

There were no items requiring direction coming out of an in-camera session.

11. Adjournment

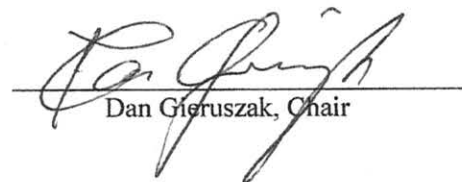
Motion Moved by B. Roseborough
That the Commission adjourn at 3:30 p.m..
Carried

Seconded by J. Zeinstra

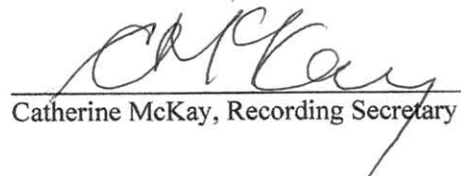
Next Meeting: Wednesday, June 17, 2020 at 2:00 p.m.

Meetings Attended by C. McKay for payment:

- May 20, 2020



Dan Gieruszak, Chair



Catherine McKay, Recording Secretary

Appendix A - Correspondence



Transport Canada Transports Canada

4900 Yonge Street
4th Floor - PI
Toronto ON M2N 6A5

Your file *Votre référence*

Our file *Notre référence*
Z 5504-103469 P/B

May 6, 2020

Robert Olds

Email: [REDACTED]

Dear Mr. Olds:

This is to advise you of the results of our investigation into your email dated August 9, 2019 regarding numerous alleged violations of an individual who drove a personal vehicle on the movement area at Saugeen Municipal Airport without permission, with the most recent incident on June 2, 2019.

We have carried out an investigation of the June 2, 2019 incident and found that a contravention of the Canadian Aviation Regulations was committed.

The file is now closed.

We thank you for your interest in promoting Aviation Safety and for having brought this matter to our attention.

Sincerely,

Marc Bélanger
Manager, Regional Enforcement Unit (PI)
Transport Canada
TC.ONInvestigation-EnqueteON.TC@tc.gc.ca