

Carol Williamson, Sawyer County Clerk
Sawyer County Courthouse
10610 Main Street, Suite 10; Hayward, Wisconsin 54843
email address – cwilliamson@sawyercountygov.org
telephone numbers 715.634.4866 and toll free 877.699.4110



Agenda
Public Works Committee meeting
July 13, 2016; 6:30 p.m.
Assembly Room, Sawyer County Courthouse

01. Meeting agenda
02. Minutes of June 8, 2016 meeting
03. Audience recognition
04. Maintenance Department report, including:
 - Project report
05. Highway Department report, including:
 - Highway Commissioner's report
 - Flood Damage Aids Petition
 - Request for two temporary ATV routes on CTH H and CTH CC
 - ATV Route request on CTH B
 - ATV Route extension request on CTH GG
06. Sawyer County Airport report, including:
 - Airport Improvement Program Sponsor Certification
 - a. Real Property Acquisition
 - b. Selection of Consultants
 - c. Certification and Disclosure Regarding Potential Conflicts of Interest
 - d. Construction Project Final Acceptance
 - e. Drug-Free Workplace
 - f. Equipment and Construction Contracts
 - g. Project Plans and Specifications
 - Use of Airport Hangars
 - L & L Aviation (contracted Airport management) report
 - Airport improvement projects (including nearly completed instrument landing system, expanded aprons, and parallel taxiway project and perimeter fencing project)
07. Other matters for discussion only

CW
Carol Williamson
Sawyer County Clerk

Emailed to: Sawyer County Record, Sawyer County Gazette, WRLS, WHSM, AND WOJB, Hayward Library, and Village Of Winter for posting on Tuesday, July 12, 2016, 11:15 a.m. by Carol Williamson

Draft

Minutes of the meeting of the Public Works Committee

Sawyer County Board of Supervisors

June 8, 2016; 6:30 p.m.; Assembly Room; Sawyer County Courthouse

Members present: Kathy McCoy, Ron Buckholtz, Tweed Shuman, Marc Helwig

Others present: Tim Hagberg, Patty Leslie, Tom Hoff, Gary Gedart, Matt Malicki, John Welter, Carol Williamson

Supervisor Kathy McCoy called the meeting to order.

Motion by Shuman, 2nd by Buckholtz, to approve the agenda.

Motion by Shuman, 2nd by Buckholtz, to approve the minutes of the May 11, 2016 meeting.

Maintenance Supervisor Tim Hagberg reviewed his report with the Committee.

Airport Manager Patty Leslie provided a report to the Committee. The Sawyer County Airport Open House will be held July 10.

Patty Leslie introduced Matt Malicki to the Committee. Matt Malicki oversees airport projects for the State of Wisconsin. Matt explained how the airport projects are funded, 90% federal, 5% state match, and 5% county match. The current airport projects have overruns on the parallel taxiway and moving Airport Road. Additional costs to Sawyer County will be between \$25,000 and \$45,000. Additional work is needed on the Glide Slope before the ILS System can be utilized. Airport management is working with resident engineers Becker Hoppe and the equipment manufacturers. A mock flight check will be performed and the results will be presented to FAA for approval. The state is committed to getting ILS up and running. Any additional costs will be covered by the State of Wisconsin. ILS system should be completed in 2017. The cost of the additional work needed on the Class 1 Trout Stream is covered by the state. Any costs ineligible for federal funding are covered 50/50 by the State of Wisconsin and Sawyer County. Airport fencing should be completed by July 1, 2016.

Motion by Shuman, 2nd by Helwig, to forward the Federal Aviation Administration Memorandum of Agreement No. DTFACN-16-L-00053 to the County Board for approval. Motion carried.

Highway Commissioner Gary Gedart presented the Highway Department Report.

Motion by Shuman, 2nd by Buckholtz, to recommend County Board approval of the Sustainable Transportation Funding Resolution. Motion carried.

President of the Nelson Lake Resort Association John Welter addressed the Committee regarding extension of the ATV route from County Road T to Eytcheson Road. By extending the ATV trail, riders will be able to ride to the park on County Road T. Motion by Shuman, 2nd by Buckholtz, to approve extending the ATV trail 1.2 miles on County Road T contingent on Town of Lenroot approval and posting of 25 mph signs. Motion carried.

Members should bring ideas on a mission statement for the Committee to the July committee meeting.

Motion by Shuman, 2nd by Buckholtz to adjourn the meeting. Motion carried.

Minutes prepared by Sawyer County Clerk Carol Williamson

Maintenance Report
July 2016

Along with routine maintenance, the following maintenance projects were completed or started in June:

I. Courthouse:

- Built and installed three new work stations for Health & Human Services.
- Built and installed form racks for Real Living information.
- Installed new handicap parking signs at the courthouse.
- Built an exit platform by the exterior of the District Attorney's Office.
- Installed a mini-split air conditioning/heat pump for the Administrator's office.

II. Hail Damage Update:

- Work to complete the remaining metal work will begin Monday, July 11th and should be completed by Friday the 15th.
- The only project that will be left to complete will be the installation of a new 5 ton rooftop condensing unit on the jail roof.

III. Zoning:

- Repaired pump at Hatchery Creek Pavilion to eliminate a shocking hazard.

IV. Ambulance:

- All vehicle registrations are now current.



Budget Performance Report

Fiscal Year to Date 07/01/16

Include Rollup Account and Rollup to Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 100 - General Fund										
EXPENSE										
Department 31 - Building Maintenance										
State Account 51600 - Maint./Custodial Expenses										
50111	Regular Salaries	199,754.00	2,380.00	202,134.00	5,481.61	.00	73,685.89	128,448.11	36	186,067.57
50112	Salaries Overtime	1,500.00	.00	1,500.00	.00	.00	217.92	1,282.08	15	710.05
50124	Temporary Help	3,000.00	.00	3,000.00	.00	.00	128.00	2,872.00	4	3,061.11
50144	Term Life Ins./Employer's Share	96.00	.00	96.00	.00	.00	41.26	54.74	43	83.44
50147	Workers Comp	7,556.00	.00	7,556.00	240.64	.00	3,250.72	4,305.28	43	4,715.90
50151	FICA-Employer's Share	15,396.00	.00	15,396.00	383.30	.00	5,205.32	10,190.68	34	13,564.40
50152	Retirement-Employer's Share	13,283.00	.00	13,283.00	350.56	.00	4,841.20	8,441.80	36	12,538.63
50154	Hospital and Health Insurance	82,704.00	.00	82,704.00	4,367.46	.00	39,172.23	43,531.77	47	70,202.69
50155	Flex Administration Fees	240.00	.00	240.00	.00	.00	105.80	134.20	44	256.75
50157	Employee Education and Training	.00	.00	.00	.00	.00	.00	.00	+++	50.00
50217	Water/Sewer-Vets & Maintenance.									
50217-322	Water/Sewer-Vets & Maintenance.	950.00	.00	950.00	.00	.00	330.18	619.82	35	736.49
	50217 - Water/Sewer-Vets & Maintenance. Totals	\$950.00	\$0.00	\$950.00	\$0.00	\$0.00	\$330.18	\$619.82	35%	\$736.49
50218	Garbage									
50218-323	Garbage	2,400.00	.00	2,400.00	.00	.00	743.19	1,656.81	31	1,822.19
	50218 - Garbage Totals	\$2,400.00	\$0.00	\$2,400.00	\$0.00	\$0.00	\$743.19	\$1,656.81	31%	\$1,822.19
50221	Water and Sewer	5,000.00	.00	5,000.00	.00	.00	2,188.73	2,811.27	44	4,825.10
50222	Electric	44,000.00	.00	44,000.00	.00	.00	16,757.53	27,242.47	38	44,795.03
50223	Electric-Vets & Maint.									
50223-324	Electric-Vets & Maint.	4,500.00	.00	4,500.00	.00	.00	1,657.97	2,842.03	37	4,248.23
	50223 - Electric-Vets & Maint. Totals	\$4,500.00	\$0.00	\$4,500.00	\$0.00	\$0.00	\$1,657.97	\$2,842.03	37%	\$4,248.23
50224	Heating Fuels	12,500.00	.00	12,500.00	.00	.00	3,854.61	8,645.39	31	7,495.47
50225	Telephone	2,100.00	.00	2,100.00	.00	.00	636.43	1,463.57	30	1,626.63
50242	Repair & Maint.	83,000.00	.00	83,000.00	.00	.00	30,646.11	52,353.89	37	100,912.74
50245	Ground Improvements	500.00	.00	500.00	.00	.00	131.25	368.75	26	238.33
50247	Repairs-Buildings	20,000.00	.00	20,000.00	.00	.00	6,039.81	13,960.19	30	19,898.01
50270	Insurance Claim	.00	.00	.00	.00	.00	378.29	(378.29)	+++	212,366.26
50311	Postage	75.00	.00	75.00	.00	.00	.00	75.00	0	.00
50312	Office Supplies	175.00	.00	175.00	.00	.00	10.50	164.50	6	66.46
50313	Printing	100.00	.00	100.00	.00	.00	522.24	(422.24)	522	826.47
50314	Small Items of Equipment	1,200.00	.00	1,200.00	.00	.00	752.66	447.34	63	2,010.08
50325	Registration Fees	200.00	.00	200.00	.00	.00	50.00	150.00	25	.00
50335	Meal Expenses	.00	.00	.00	.00	.00	16.00	(16.00)	+++	.00
50339	Travel	100.00	.00	100.00	.00	.00	.00	100.00	0	10.02
50340	Operating Supplies	4,000.00	.00	4,000.00	.00	.00	1,210.52	2,789.48	30	3,731.54
50344	Supplies	15,000.00	.00	15,000.00	.00	.00	6,120.05	8,879.95	41	12,414.82



Budget Performance Report

Fiscal Year to Date 07/01/16

Include Rollup Account and Rollup to Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 100 - General Fund										
EXPENSE										
Department 31 - Building Maintenance										
State Account 51600 - Maint./Custodial Expenses										
50351	Fuel-Vets Bldg.									
50351-325	Fuel-Vets Bldg.	2,000.00	.00	2,000.00	.00	.00	639.30	1,360.70	32	1,128.78
50351 - Fuel-Vets Bldg. Totals		\$2,000.00	\$0.00	\$2,000.00	\$0.00	\$0.00	\$639.30	\$1,360.70	32%	\$1,128.78
50815	Hard Surface Flooring Continuati									
50815-183	Hard Surface Flooring Continuati	1,500.00	.00	1,500.00	.00	.00	1,307.93	192.07	87	.00
50815 - Hard Surface Flooring Continuati Totals		\$1,500.00	\$0.00	\$1,500.00	\$0.00	\$0.00	\$1,307.93	\$192.07	87%	\$0.00
State Account 51600 - Maint./Custodial Expenses Totals		\$522,829.00	\$2,380.00	\$525,209.00	\$10,823.57	\$0.00	\$200,641.64	\$324,567.36	38%	\$710,403.19
Department 31 - Building Maintenance Totals		\$522,829.00	\$2,380.00	\$525,209.00	\$10,823.57	\$0.00	\$200,641.64	\$324,567.36	38%	\$710,403.19
EXPENSE TOTALS		\$522,829.00	\$2,380.00	\$525,209.00	\$10,823.57	\$0.00	\$200,641.64	\$324,567.36	38%	\$710,403.19
Fund 100 - General Fund Totals										
REVENUE TOTALS		.00	.00	.00	.00	.00	.00	.00	+++	.00
EXPENSE TOTALS		522,829.00	2,380.00	525,209.00	10,823.57	.00	200,641.64	324,567.36	38	710,403.19
Fund 100 - General Fund Totals		(\$522,829.00)	(\$2,380.00)	(\$525,209.00)	(\$10,823.57)	\$0.00	(\$200,641.64)	(\$324,567.36)		(\$710,403.19)
Grand Totals										
REVENUE TOTALS		.00	.00	.00	.00	.00	.00	.00	+++	.00
EXPENSE TOTALS		522,829.00	2,380.00	525,209.00	10,823.57	.00	200,641.64	324,567.36	38	710,403.19
Grand Totals		(\$522,829.00)	(\$2,380.00)	(\$525,209.00)	(\$10,823.57)	\$0.00	(\$200,641.64)	(\$324,567.36)		(\$710,403.19)

July 13, 2016

Highway Department Report

Highway Commissioner

- Crews have crack sealed County Road K and County Road E.
- Storm damage has been keeping the crew busy and disrupting our construction season. To date, we have had 4 storms totaling 4" or more of rain and one wind storm that resulted in extensive tree cleanup.
- Crews have been replacing many culverts and still have several more to do as a result of flood damage. Two of the culverts will qualify for flood damage reimbursement.
- STH 27 North was shut down for several hours on July 12, 2016 due to flooding. There were three culverts that were undermined and failed and water overtopped the bridge at the Ounce River. Multiple areas of shoulder were washed out and will require much work to repair.
- Paving on the majority of the bicycle/pedestrian trail is complete. The only remaining portion is that which runs down 2nd Street and Hall of Fame Drive. Concrete aprons and pavement marking will be completed after the paving is complete.
- There is currently one employee off on workers compensation. He will be returning to light duty on August 1, 2016.
- Work on both of the County's portions of County Road F will begin once work on the bicycle/pedestrian trail is complete. One portion of County Road F will have minor ditch work while the other portion will only consist of a pulverize/relay.
- The state bid portion of County Road F was supposed to be started after July 4, 2016 but there has been no notification from the contractor that he intends to start work. The blacktop plant will be in the area for paving around the end of August and the contractor indicated that he intends to keep that schedule.
- Reconstruction on County Road S is scheduled to begin in August. The project will consist of pulverizing and repaving the majority of the roadway with some construction work at the intersection of Pine Point Road.

Sawyer County Highway Department
County and State Overtime Report

2015 Hours			
Month	County	State	Total
January	19.00	185.00	204.00
February	39.75	124.50	164.25
March	26.25	53.25	79.50
April	41.00	92.75	133.75
May	8.00	7.50	15.50
June	86.50	6.00	92.50
July	137.75	130.00	267.75
August	89.00	6.00	95.00
September	179.75	8.50	188.25
October	129.75	14.50	144.25
November	57.50	56.00	113.50
December	222.25	218.00	440.25
Grand Total	1,036.50	902.00	1,938.50

2016 Hours			
Month	County	State	Total
January	84.75	245.50	330.25
February	127.75	229.00	356.75
March	64.50	92.50	157.00
April	94.00	102.00	196.00
May	33.00	20.50	53.50
June	79.00	179.50	258.50
Grand Total	483.00	869.00	1,352.00

2015 Wages			
Month	County	State	Total
January	621.38	5,876.22	6,497.60
February	1,264.87	3,959.06	5,223.93
March	840.68	1,696.91	2,537.59
April	1,317.01	2,955.81	4,272.82
May	264.20	241.90	506.10
June	2,620.27	192.45	2,812.72
July	3,782.14	4,138.19	7,920.33
August	2,501.33	191.70	2,693.03
September	5,712.21	276.18	5,988.39
October	4,164.06	463.86	4,627.92
November	1,849.88	1,784.14	3,634.02
December	7,099.11	6,900.62	13,999.73
Grand Total	\$32,037.14	\$28,677.04	\$60,714.18

2016 Wages			
Month	County	State	Total
January	2,737.12	7,777.10	10,514.22
February	4,104.74	7,261.73	11,366.47
March	2,089.36	2,901.11	4,990.47
April	2,994.93	3,258.20	6,253.13
May	1,085.88	661.13	1,747.01
June	2,687.59	5,403.83	8,091.42
Grand Total	\$15,699.62	\$27,263.10	\$42,962.72

OT thru June 2016 \$6,928.41 \$14,922.35 21,850.76

OT thru June 2016 \$15,699.62 \$27,263.10 42,962.72

**SAWYER COUNTY HIGHWAY DEPARTMENT
MAY FUNDS BALANCE**

<u>COMPONENTS</u>	<u>May 2016</u>		<u>May 2015</u>	
	<u>Debits</u>	<u>Credits</u>	<u>Debits</u>	<u>Credits</u>
	<u>Expenses</u>	<u>Revenue</u>	<u>Expenses</u>	<u>Revenue</u>
TREASURERS CASH	\$ 2,971,314.52		\$ 2,275,499.31	
PETTY CASH	\$ 50.00		\$ 50.00	
ACCOUNTS RECEIVABLE	\$ 25,641.05		\$ 27,211.81	
ACCOUNTS RECEIVABLE OTHER	\$ -		\$ 6.92	
DUE FROM STATE	\$ 214,999.67		\$ 337,291.69	
ACCOUNTS PAYABLE	\$ (413,892.57)		\$ (171,317.75)	
TRANSFER FROM GENERAL FUND	\$ (13,250.00)			
	<u>\$ 2,784,862.67</u>		<u>\$ 2,468,741.98</u>	
 <u>FUNDS</u>				
ADMINISTRATION	\$ 93,075.99		\$ 113,992.10	
MATERIALS AND SUPPLIES	\$ (291,209.37)		\$ (410,754.16)	
MACHINERY	\$ 350,896.64		\$ 488,197.31	
CTH GENERAL MAINTENANCE	\$ 580,481.74	\$ -	\$ 274,355.43	\$ -
CTH WINTER MAINTENANCE	\$ (292,991.03)		\$ (321,936.03)	
CTH ROAD CONSTRUCTION	\$ 1,688,642.57		\$ 2,034,450.05	
CTH BRIDGES	\$ 281,905.09		\$ (155,071.37)	
COUNTY AID FOR BRIDGES	\$ 346,967.41		\$ 420,962.01	
WORK FOR OTHERS	\$ (8,861.30)		\$ 18,077.11	
WORK FOR STATE	\$ 42,487.40		\$ 21,604.07	
INCIDENTAL LABOR	\$ (6,532.47)		\$ (15,134.54)	
	<u>\$ 2,784,862.67</u>		<u>\$ 2,468,741.98</u>	
 <u>ADMINISTRATION</u>				
BALANCE 1/1/2016	\$ -	\$ 19,078.04	\$ -	\$ 46,814.37
PROPERTY TAX		\$ 130,442.00		\$ 135,392.00
STATE REVENUE (RECORDS/REPORTS)		\$ 25,202.54		\$ 23,585.79
BUILDINGS/GROUNDS (10%)	\$ 4,867.44		\$ 4,347.74	
ADMINISTRATION	\$ 81,635.88	\$ 4,856.73	\$ 90,850.87	\$ 3,398.55
	<u>\$ 86,503.32</u>	<u>\$ 179,579.31</u>	<u>\$ 95,198.61</u>	<u>\$ 209,190.71</u>
BALANCE 5/31/2016		<u>\$ 93,075.99</u>		<u>\$ 113,992.10</u>
 <u>MATERIALS AND SUPPLIES</u>				
BALANCE 1/1/2016	\$ 343,252.74		\$ 393,848.69	\$ -
MATERIAL AND SUPPLIES INV 1/1/2016		\$ 318,181.36		\$ 368,777.31
MATERIALS AND SUPPLIES - CURRENT	\$ 266,137.99		\$ 385,682.78	
	<u>\$ 609,390.73</u>	<u>\$ 318,181.36</u>	<u>\$ 779,531.47</u>	<u>\$ 368,777.31</u>
BALANCE 5/31/2016		<u>\$ (291,209.37)</u>		<u>\$ (410,754.16)</u>

	<u>May 2016</u>		<u>May 2015</u>	
	<u>Debits</u> <u>Expenses</u>	<u>Credits</u> <u>Revenue</u>	<u>Debits</u> <u>Expenses</u>	<u>Credits</u> <u>Revenue</u>
MACHINERY				
BALANCE 1/1/2016		\$ 552,195.35		\$ 603,087.33
PROPERTY TAX		\$ -		\$ -
FIELD SMALL TOOLS	\$ 1,487.57	\$ 2,602.12	\$ 2,026.71	\$ 2,145.37
SHOP OPERATIONS	\$ 30,919.19		\$ 32,983.74	
OPERATION OF EQUIPMENT		\$ 204,773.85		\$ 163,436.76
SALE OF EQUIPMENT		\$ -		\$ -
FUEL HANDLING		\$ 2,635.71		\$ 1,214.82
FUEL TAX REFUND		\$ 3,199.38		\$ 3,130.48
INSURANCE RECOVERIES		\$ 1,804.17		\$ -
MISCELLANEOUS REVENUE		\$ 107.22		\$ -
PURCHASE OF EQUIPMENT	\$ 384,014.40		\$ 249,807.00	
	<u>\$ 416,421.16</u>	<u>\$ 767,317.80</u>	<u>\$ 284,817.45</u>	<u>\$ 773,014.76</u>
BALANCE 5/31/2016		<u>\$ 350,896.64</u>		<u>\$ 488,197.31</u>

CTH GENERAL MAINTENANCE				
BALANCE 1/1/2016		\$ 450,447.42		\$ 112,040.07
PROPERTY TAX		\$ 192,034.00		\$ 193,173.00
TRANSPORTATION AIDS		\$ 188,027.97		\$ 195,431.40
STATE REVENUE-OTHER		\$ 36,481.36		\$ 37,126.38
EQUIPMENT STORAGE REIMBURSEMENT		\$ 40,746.49		\$ 35,202.32
PATROL SUPERVISION	\$ 38,871.53		\$ 42,877.32	
RADIO EXPENSE	\$ 1,793.66		\$ 1,179.89	
GPL INSURANCE	\$ 33,788.00		\$ -	
SALT REIMBURSEMENT		\$ 1,794.16		\$ 570.91
LRIP REIMBURSEMENT		\$ 4,289.89		\$ -
BUILDINGS/GROUNDS (90%)	\$ 43,806.93		\$ 39,129.63	
CTH GENERAL MAINTENANCE	\$ 215,079.43		\$ 231,777.64	
FLOOD DAMAGE AID		\$ -		\$ 11,466.83
MISCELLANEOUS REVENUE		\$ -		\$ 4,309.00
	<u>\$ 333,339.55</u>	<u>\$ 913,821.29</u>	<u>\$ 314,964.48</u>	<u>\$ 589,319.91</u>
BALANCE 5/31/2016		<u>\$ 580,481.74</u>		<u>\$ 274,355.43</u>

CTH WINTER MAINTENANCE				
BALANCE 1/1/2016	\$ 432,152.22		\$ 598,769.60	
PROPERTY TAX		\$ 575,000.00		\$ 560,000.00
CTH WINTER MAINTENANCE	\$ 435,838.81		\$ 283,166.43	
	<u>\$ 867,991.03</u>	<u>\$ 575,000.00</u>	<u>\$ 881,936.03</u>	<u>\$ 560,000.00</u>
BALANCE 5/31/2016		<u>\$ (292,991.03)</u>		<u>\$ (321,936.03)</u>

CTH ROAD CONSTRUCTION				
BALANCE 1/1/2016	\$ -	\$ 182,861.78	\$ -	\$ 702,987.56
PROPERTY TAX		\$ 1,565,100.00		\$ 1,325,203.00
CHIP REIMBURSEMENT		\$ -		\$ -
LFA		\$ -		\$ 7,111.28
FUTURE PROJECTS	\$ -		\$ 140.00	
CTH ROAD CONSTRUCTION	\$ 59,319.21		\$ 711.79	
	<u>\$ 59,319.21</u>	<u>\$ 1,747,961.78</u>	<u>\$ 851.79</u>	<u>\$ 2,035,301.84</u>
BALANCE 5/31/2016		<u>\$ 1,688,642.57</u>		<u>\$ 2,034,450.05</u>

	<u>May 2016</u>		<u>May 2015</u>	
	<u>Debits</u> <u>Expenses</u>	<u>Credits</u> <u>Revenue</u>	<u>Debits</u> <u>Expenses</u>	<u>Credits</u> <u>Revenue</u>
CTH BRIDGES				
BALANCE 1/1/2016	\$ -	\$ 291,901.21	\$ 420,106.55	
PROPERTY TAX		\$ -		\$ 272,570.00
CTH BRIDGE INSPECTIONS	\$ 9,996.12		\$ 7,534.82	
BRIDGE MAINTENANCE	\$ -		\$ -	
	<u>\$ 9,996.12</u>	<u>\$ 291,901.21</u>	<u>\$ 427,641.37</u>	<u>\$ 272,570.00</u>
BALANCE 5/31/2016		<u>\$ 281,905.09</u>		<u>\$ (155,071.37)</u>

COUNTY AID ON BRIDGES				
BALANCE 1/1/2016		\$ 393,609.45		\$ 372,891.41
BRIDGE AID REVENUE		\$ 71,746.00		\$ 61,807.00
COUNTY BRIDGE AID				
DEFERRED REVENUE - TOWNSHIPS				
BRIDGE AID EXPENSE	\$ 118,388.04		\$ 13,736.40	
	<u>\$ 118,388.04</u>	<u>\$ 465,355.45</u>	<u>\$ 13,736.40</u>	<u>\$ 434,698.41</u>
BALANCE 5/31/2016		<u>\$ 346,967.41</u>		<u>\$ 420,962.01</u>

WORK FOR OTHERS				
BALANCE 1/1/2016	\$ 1,228.84		\$ 2,435.23	
REVENUE FROM OTHERS		\$ 171,866.33		\$ 166,608.77
WORK FOR OTHERS	\$ 179,498.79		\$ 146,096.43	
	<u>\$ 180,727.63</u>	<u>\$ 171,866.33</u>	<u>\$ 148,531.66</u>	<u>\$ 166,608.77</u>
BALANCE 5/31/2016		<u>\$ (8,861.30)</u>		<u>\$ 18,077.11</u>

WORK FOR STATE				
BALANCE 1/1/2016	\$ 2,565.76	\$ -	\$ 2,314.76	\$ -
REVENUE FROM STATE		\$ 510,910.26		\$ 485,385.94
STATE MAINTENANCE	\$ 465,857.10		\$ 461,467.11	
	<u>\$ 468,422.86</u>	<u>\$ 510,910.26</u>	<u>\$ 463,781.87</u>	<u>\$ 485,385.94</u>
BALANCE 5/31/2016		<u>\$ 42,487.40</u>		<u>\$ 21,604.07</u>

INCIDENTAL LABOR				
BALANCE 1/1/2016		\$ -		\$ -
EXPENSES	\$ 332,807.97		\$ 342,805.56	
REVENUES		\$ 326,275.50		\$ 327,671.02
	<u>\$ 332,807.97</u>	<u>\$ 326,275.50</u>	<u>\$ 342,805.56</u>	<u>\$ 327,671.02</u>
BALANCE 5/31/2016		<u>\$ (6,532.47)</u>		<u>\$ (15,134.54)</u>

GENERAL PROPERTY TAXES	\$ 2,534,322.00	\$ 2,548,145.00
------------------------	-----------------	-----------------

DISASTER DAMAGE AIDS PETITION

Wisconsin Department of Transportation
DT2067 10/2013

Office Use Only

Claim No. _____

The Local Government must submit this petition within **60 days** of the disaster event to the appropriate Wisconsin Department of Transportation (WisDOT) Regional Office.

Section 1

CHOOSE GOVERNING BODY

The Town City Village of, _____ **Or** The Highway Committee/Commissioner of,
Sawyer County,

petitions the Wisconsin Department of Transportation for aid, pursuant to [s.86.34 Wisconsin Statutes](#), for damage to public highways under its jurisdiction resulting from a disaster which occurred on 6/3/2016 (date – m/d/yyyy).

The location, nature, and extent of the damage to such highway(s) as a result of the disaster event is described below and indicated on the attached map.

Section 2

Site No.	Location (i.e. Road Name, Section Range)	Nature and Extent of Damage	Estimated Repair Cost
1	CTH C	Culvert and roadway washed out, road undermined, road closed, new culvert needed	\$ 8,270.00
2	CTH C	Culvert and roadway washed out, road undermined, road closed, new culvert needed.	\$ 9,070.00
			\$
			\$
			\$
Preliminary estimate of the total cost of the damage is			\$ 17,340.00

Section 3

I certify that the foregoing is a true and correct copy of a petition adopted by the municipality/county identified above at its meeting held on 7/13/2016 (date – m/d/yyyy).

Gary Gedart
(Authorized Representative – Please Print)

X
(Signature)

7/13/2016
(Date)

Mailing Address, City, State and ZIP Code 14688 W County Road B Hayward, WI 54843
(Area Code) Telephone Number 715-634-2691
Email Address (If available) highway@sawyercountygov.org

**Please Attach a Map Showing Site Location(s) AND
Submit At Least One (1) Photo of Damage Per Site**

DISASTER DAMAGE AIDS PETITION *(continued)*

Wisconsin Department of Transportation DT2067

INSTRUCTIONS FOR COMPLETING DISASTER DAMAGE AIDS PETITION

Section 1 – **CHOOSE GOVERNING BODY**

Select one of the options for governing body having jurisdiction over the road maintenance.

- For municipalities check Town City or Village and identify your community.

or

- For a county check The Highway Committee/Commissioner of.

Complete by putting the name of county and date of the damage for the disaster event occurred.

Section 2 – ***Site Information***

Multiple sites with damage from the same disaster event should be on one petition.

(Note: If you have more than five sites for the same disaster event use a second petition.)

Site No.: Assign a number for each site starting with one (1).

Location: Identify the location of the damage site by using the name of the road.
In addition to the name of the road, may be helpful to also identify:

- Township, Range and Section from the plat map (example: T41N, R11W, Sec. 20).
- Nearest intersection.

Nature and Extent of Damage: Give a brief description of the Type of Damage done:

(See Page 2 of DDA Guidelines and Requirements for eligibility). Example descriptions:

- Culvert and roadway washed out, road closed. New culvert needed.
- Culvert damaged, roadway undermined, road closed. New culvert needed.
- Roadway washed out, debris removal, road closed.
- Damage caused to existing highway by governmental unit.

Estimated Repair Cost: To the best of your ability, estimate the cost to repair each site.

For preliminary estimate of the total cost of the damage, add up each site's estimated repair costs.

Section 3 – ***Signature***

Petition adopted date: the date of the meeting the governing body adopted the petition.

An authorized representative of the municipality/county signs the petition.

- Please print name, sign and date.

Also complete:

- Mailing address
- Telephone number
- Email address is optional

Attach a map and mark the site location(s). Can use a copy of a plat map or create a map using Wisconsin Information System for Local Roads (WISLR). Also provide at least one photo of the damage for each site.



MONTHLY BOARD MEETING – June 8, 2016

15.6.2016 | 17:12

MONTHLY BOARD MEETING – June 8, 2016

Chair Laura Rusk called the Board of Supervisors meeting to order at 6:00 p.m.; all members present. The minutes of the May 11, 2016 Board meeting were approved as presented by Kay Ryan; 2nd Jim Dier; motion carried.

Treasurer's Report:

04/30/16 Bank Statement Balance	\$ 91,944.58
Less 2 Outstanding Checks	-\$ 168.67
Beginning 05/01/16 Check Book Balance	\$ 91,775.91

May Bank Statement Activity

Deposits	\$ 3,475.78
Interest Earned	\$ 6.09
Checks Cleared	-\$ 9,256.15

05/31/16 Bank Statement Balance	\$ 86,170.30
Less 3 Outstanding Checks	-\$ 415.59
Ending 05/31/16 Check Book Balance	\$ 85,754.71

MMDA Account Beginning Balance	\$ 42,6445.26	General Fund \$4,254.69
Deposits	\$ 0.00	Building Fund \$27,334.00
Interest Earned	\$ 5.43	Highway Fund \$11,062.00
Ending 05/31/16 Bank Statement Balance	\$ 42,650.69	

Total All Accounts \$ 128,405.40

The Treasures report was approved as presented by Kay Ryan; 2nd Jim Dier; motion carried

Upcoming Agenda...

Upcoming Agenda

Last Meeting Minutes

MONTHLY BOARD MEETING – May 11, 2016
May 22, 2016

Meeting Minutes...

Meeting Minutes...

Select Category

Town Dump Hours

Summer

(Begin 1st Sat. in May)
Sat. 8:00 a.m. to 2:00 p.m.
Mon. & Wed. 8:00 a.m. to 1:00 p.m.

Winter

(Begin 1st Sat. in Sept)
Sat. ONLY 8:00 a.m. to 2:00 p.m.

It's Constructions Season



Drive Safely!

DNR News

New this year. Upper St. Croix

ROAD REPORT – continuing to apply cold patch as needed. Put cold patch on major curves to protect the road where people drove off. Continuing to fill gravel on low shoulders. Cut up many trees do to the wet weather and high winds. Jim Dier suggested maybe putting chevrons on corners where people drive off the pavement. We will look into what we can legally do.

There were **SIX BIDS FOR THE 2008 FORD TRUCK**. The highest bid of \$12,550 was awarded to Shane Boettcher on a motion from Kay Ryan; 2nd Jim Dier; motion carried.

Due to a 'bridge out' on Blueberry Ave. the Radisson Exeland Trailblazers ATV Club has requested a **TEMPORARY ATV ROUTE** on Pine Knoll Rd. The repairs my take up to 1 ½ years to complete. Kay made a motion to accept the temporary ATV/UTV access on Pine Knoll Road from the corner of Blueberry Lake Oasis and Johnny B's to County Road CC; 2nd Jim Dier; motion carried.

Kay Ryan made a motion to **RESCIND ALTERNATIVE CLAIMS PROCEDURE ORDINANCE NO. 2009-01** because it was amended with Ordinance No. 2015-02; 2nd Jim Dier; motion carried.

The Town of Hunter now only has one ward for voting purposes. Kay Ryan made a motion to **RESCIND RESOLUTION NO. 2001-03 DIVIDING THE TOWN OF HUNTER INTO WARDS**; 2nd Jim Dier; motion carried.

A TEMPORARY CLASS "B" LICENSE FOR THE CHIPPEWA FLOWAGE AREA PROPERTY OWNERS ASSOC. for their August 7, 2016 Annual Meeting at Deer Run Resort was approved on a motion from Jim Dier; 2nd Kay Ryan; motion carried.

May Jo Jirik requested use of the hall for a **YOGA CLASS**. Jim Dier made a motion to allow the Yogo Class with a signed 'Hold Harmless' and a copy of Mary Jo's insurance at no charge; 2nd Laura Rusk; motion carried. Laura said we would take these types of requests on a case by case basis going forward.

An **AGENT CHANGE FOR DUN ROVIN LODGE** from Jackie Yeargle to Carl Schweikert was approved on a motion from Jim Dier; 2nd Laura Rusk; abstain Kay Ryan; motion carried.

LIQOUR LICENSE RENEWALS for the period of July 1, 2016 to June 30, 2017 was approved on a motion from Laura Rusk; 2nd Jim Dier; motion carried.

67 BARTENDER LICENSES were approved for the period of July 1, 2016 to June 30, 2017, 3 contingent on completing the Server Class and one denied, due to a recent arrest record, on a motion from Laura Rusk; 2nd Jim Dier; motion carried.

Kay Ryan made a motion to **APPROVE PAYMENT OF BILLS AND PAYROLL** for checks #16148 to #16156 & electronic payments from 05/12/2016 to 06/08/2016 for a total expenditure of \$11,039.37; 2nd Kay Ryan; motion carried.

The meeting was adjourned at 7:00 p.m. on a motion from Kay Ryan; 2nd Jim Dier; motion carried.

Patricia Swaffield, Clerk

Board Minutes, Uncategorized

provides Wisconsin catch and release sturgeon season
Unimin Corporation - Portage Facility recognized for participation in Green Tier
Third phase of DNR land sales parcels available for review
2015-16 Wisconsin wolf monitoring data now available

TOWN OF RADISSON
3751N County Road H
PO Box 54
Radisson, WI 54867-0054
715-945-3040

The Town of Radisson gives permission to allow ATV/UTV traffic on County Hwy CC from Pine Knoll Road to County Hwy H and County Hwy H south to the Township line. This pertains only to Town of Radisson area.

The permission is only given until the Blueberry Bridge is repaired.



Phil Quade, Chairman

June 8, 2016

Search Results for "Pine Knoll Road Couderay, WI"

page 1 of 1

- 1. [11100 - 11399] W Pine Knoll Rd
[11100 - 11399] W Pine Knoll Rd,
Couderay, WI 54828



Current trail
Proposed temporary re-route

Approved by Hunter
Town Board at

10/20/13 mtg.



Blue shaded area is the portion of Pine Knoll Road

approved for ATV/UTV traffic at the 6-8-16 Hunter Town Board

meeting

THIS SECTION OF ROAD
IS NOT OPEN FOR ATVS

NO
ATV
SIGNS

PINE KNOLL ROAD

Signs provided by
Kavanaugh's Cyclery
ATV Club

CITY OF HUNTER C.C.

6-NEW ATV SIGNS
RECOMMENDED BY PAT RETZOFF
OF SOUTHERN COAST SHERIFF DEPT. 9-13-13
SKETCH BY JEFF WILMSEN

ATV
ROUTE
SIGN

ATV
ROUTE
SIGN

READ
HEAD

ATV
ROUTE
SIGN

LANE
HEAD
SIGN
POST

DREW K 2011 ROAD

KORIN K 2011 DRIVE

POLE

ATV
ROUTE
SIGNS

FASTEN
TO
POLE
BY
KORIN
2011
DRIVE

STONER LAW OFFICE

Quality Legal Representation in Real Estate Matters Since 1960



Clifford E. Stoner
Attorney At Law

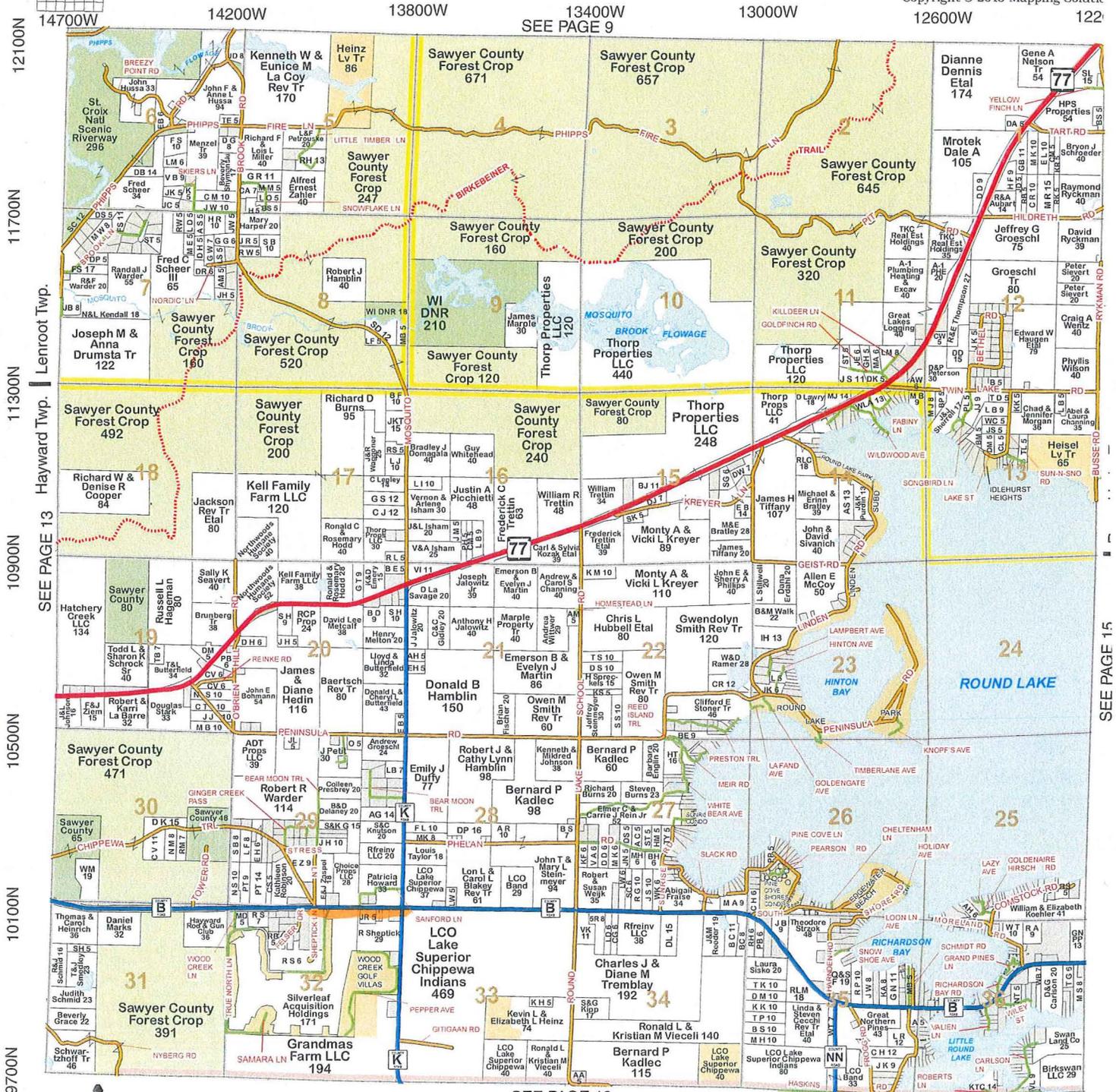
715-634-6960

10637 Hayward Court • Hayward, Wisconsin 54843



Hayward, Lenroot & Round Lake Township 41N - Range 8V

Copyright © 2015 Mapping Solutic



12100N
11700N
11300N
10900N
10500N
10100N
9700N



14700W
14200W
13800W
13400W
13000W
12600W
12200W

Lenroot Twp.
Hayward Twp.
SEE PAGE 13

SEE PAGE 19

SEE PAGE 18

SEE PAGE 15

Sawyer County Airport Report July 2010

- Fence erected and awaiting final punch list for this part of the project.
- Mowing going slowly.
- New window in terminal building to replace broken one.
- Airport Open House July 10th.
- Neighbors upset about noise. See attached letter. We will explain the counties responsibility.
- Airport has been very busy.
- Update fuel flowage for month at meeting.
- Thank you to the Sheriff's department for providing extra patrols when the ramp was full.
- Young Eagles program was run out of terminal and was a huge success. That's free airplane rides for kids.

Frequently Asked Questions & Answers
On FAA Policy on Use of Hangars at Obligated Airports
June 2016

An Airport operator who accepts Federal airport grants agrees to the conditions and assurances in those grant agreements. These assurances include the obligation to use hangars and other designated aeronautical facilities on the airport exclusively for aeronautical purposes.

On June 9, 2016, the FAA issued a notice of final policy regarding the storage of non-aeronautical items in airport facilities designated for aeronautical use. In conjunction with that notice of policy, the FAA is posting a series of frequently asked Questions and Answers (Q&A's) to the FAA Airport Compliance website. These Q&As, intended to assist airport sponsors and users, will be periodically updated and may be included in the next update to FAA Order 5190.6B, Airport Compliance Handbook.

Question 1. Why are hangars limited to certain kinds of use?

FAA Response. Airport sponsors that have accepted FAA grants or deeds of Federal surplus property are obligated to use dedicated aviation facilities for aeronautical use. If hangars are not reserved for aeronautical use, Federal airport grant funds could inadvertently subsidize non-aeronautical users, and aeronautical users could be denied access to needed airport facilities.

Conditions in AIP grant assurances that can apply to hangar use include:

- preserving rights and powers (Grant Assurance 5);
- making the airport available for aviation use on certain terms (Grant Assurance 22);
- not granting exclusive rights (Grant Assurance 23);
- ensuring safe operations (Grant Assurance 19); and
- complying with the ALP (Airport Layout Plan) process and requirements (Grant Assurance 29).

Question 2. What is an airport sponsor's responsibility for hangar use?

FAA Response. To assure appropriate use of hangars, an airport sponsor should:

- manage the use of hangars through an airport leasing program that requires a written lease agreement or permit;
- monitor the use of hangars on the airport and take steps to prevent unapproved non-aeronautical use;
- ensure that the length of time on a waiting list of those in need of a hangar for aircraft storage is minimized; and
- in cases where temporary non-aeronautical use of a vacant hangar is permitted, ensure that non-aviation users pay a fair market rental for the use of the hangar, and that the hangar can be returned to aviation use when needed.

Question 3. What is the primary purpose of an aircraft hangar?

FAA Response. The primary purpose of an aircraft hangar is aircraft storage. If a hangar is serving its primary purpose – the storage of aircraft, then storage of non-aeronautical items in the hangar does not violate the airport sponsor's federal obligations.

Question 4. Why is the FAA issuing a separate policy statement on hangar use?

FAA Response. The FAA had received a number of questions from airport sponsors and airport tenants about the possible uses of hangars, and about how rigidly the aeronautical use requirement should be applied. In developing the policy statement, the FAA focused on giving discretion to the local airport sponsor and allowing reasonable accommodation of activities that do not impact other aeronautical uses and do not create unjustly discriminatory conditions at the airport.

Question 5. To what airport facilities does the policy apply?

FAA Response. Policy applies to all aircraft storage areas or facilities on a federally obligated airport that are designated for aeronautical use on an FAA-approved Airport Layout Plan. The policy does not apply to property designated for non-aeronautical use on an approved Airport Layout Plan or otherwise approved for non-aeronautical use by the FAA.

Question 6. Does the policy apply to airports that have never received federal assistance in the form of AIP grants or Federal Surplus or Non-Surplus Property conveyances?

FAA Response. No, it does not. An airport operator-owner of a non-federally obligated airport may impose any restrictions the owner-operator deems necessary. FAA standards and policies is acceptable guidance for non-obligated airports.

Question 7. Does the policy apply to privately owned hangars on private property?

FAA Response. The policy does not apply to privately-owned facilities located off the airport.

Question 8. What aeronautical uses of a hangar are permissible?

FAA Response.

- ✓ Storage of active aircraft;
- ✓ Shelter for maintenance, repair, or refurbishment of aircraft, but not the indefinite storage of non-operational aircraft;
- ✓ Construction of amateur-built or kit-built aircraft provided that activities are conducted safely;
- ✓ Storage of aircraft handling equipment, e.g., tow bar, glider tow equipment, workbenches, and tools and materials used to service, maintain, repair or outfit aircraft; items related to ancillary or incidental uses that do not affect the hangars' primary use;
- ✓ Storage of materials related to an aeronautical activity, e.g., balloon and skydiving equipment, office equipment, teaching tools, and materials related to ancillary or incidental uses that do not affect the hangars' primary use;
- ✓ Storage of non-aeronautical items that do not interfere with the primary aeronautical purpose of the hangar (for example, televisions, furniture); or
- ✓ A vehicle parked at the hangar while the aircraft usually stored in that hangar is flying, subject to local airport rules and regulations.

Question 9. What uses are *not* permissible under the policy?

FAA Response.

- ✓ Use as a residence;
- ✓ Operation of a non-aeronautical business, e.g., limo service, car and motorcycle storage, storage of inventory, non-aeronautical business office;
- ✓ Activities which impede the movement of the aircraft in and out of the hangar or other aeronautical contents of the hangar;
- ✓ Activities which displace the aeronautical contents of the hangar or impede access to aircraft or other aeronautical contents of the hangar;
- ✓ Storage of household items that could be stored in commercial storage facilities;
- ✓ Long-term storage of derelict aircraft and parts;
- ✓ Storage of items or activities prohibited by local or state law;
- ✓ Fuel, and other dangerous and Hazmat materials; or
- ✓ Storage of inventory or equipment supporting a municipal agency function unrelated to the aeronautical use.

Question 10. What discretion does the policy allow the airport sponsor?

FAA Response. The policy:

- ✓ Preserves the airport sponsor's discretion to manage or address issues including:
 - (1) adopting rules covering the different uses of hangars;
 - (2) mitigating related safety concerns (e.g., emergency access, fire codes, insurance, and the impact of vehicular traffic);
 - (3) airport planning;
 - (4) preserving airport efficiency; and
 - (5) managing funding aspects of airport management;
- ✓ Provides protection against claims of discrimination by imposing consistent rules for incidental storage in all similar facilities at the airport;
- ✓ Provides airport sponsors with the ability to permit certain non-aeronautical items to be stored in hangars provided the items do not interfere with the aeronautical use of the hangar;
- ✓ Allows an airport sponsor to request FAA approval of an interim use of a hangar for non-aeronautical purposes for a period of 3 to 5 years; and
- ✓ Allows an airport sponsor to request FAA approval of a leasing plan for the lease of vacant hangars for non-aeronautical use on a month-to-month basis.

Question 11. What are the policy changes for homebuilders?

FAA Response. The FAA understands the substantial convenience to aircraft builders of locating the entire aircraft construction process at the same location, specifically in an airport hangar. The new policy offers protections that never existed in the FAA's prior policy. First, the FAA recognizes amateur-built aircraft construction as an aeronautical activity to be accommodated at airports on reasonable terms, without unjust discrimination and without granting an exclusive right. Second, the new policy provides for the safe construction of amateur-built aircraft in hangars (see Question 8). As an airport asset management tool, an airport sponsor leasing a vacant hangar for amateur-built aircraft construction may incorporate progress benchmarks in the lease to ensure the construction project proceeds to completion in a reasonable time.

Question 12. Is it possible that some aspects of aircraft construction may not be permissible in all hangars?

FAA Response. Some hangars may not have been designed to accommodate aircraft construction or all phases of aircraft construction. Airport sponsors have an obligation to mitigate inherent hazards in the operation, and to prevent unsafe conditions or practices. For example, a sponsor could prohibit painting or other use of volatile or highly flammable materials in a hangar.

Question 13. Does the policy apply to privately constructed hangars on federally obligated airports?

FAA Response. An airport sponsor's permission to lease aeronautical land on the airport for construction of a hangar accepts the sponsor's conditions that come with that land, in return for the special benefits of the location. The fact that the tenant uses the land through a ground lease with the airport sponsor and constructs the hangar using tenant funds does not affect the airport sponsor's agreement with the FAA. That agreement requires the airport land and facilities, including aircraft hangars, to be used for aeronautical purposes.

Question 14. May hangars be used for aviation museums or non-profit organizations activities encouraging aviation?

FAA Response. An airport sponsor, at its discretion, may provide access to airport property at less than fair market rent to aviation museums and other non-profit, aviation-related organizations (including aviation-focused community-based organizations). However, there is no reason for such activities to displace aircraft owners seeking hangar space for storage of operating aircraft, unless the non-profit or community activity itself involves use and storage of operating aircraft. Accordingly, aviation museums and non-profit organizations

have the same access to vacant hangar space as other activities that do not actually require a hangar for aviation use.

Question 15. How does the use of a hangar affect the rent charged?

FAA Response. If a hangar is being used for an aeronautical use, the airport sponsor will generally charge the tenant the airport's standard rate for aeronautical leases, which should recover the airport's costs but which may be less than fair market rent. If the hangar is used for an interim non-aeronautical purpose, the sponsor must charge a fair market rent for the hangar.

Please consult the Airport Compliance Handbook for the application of below-market rent for aviation museums and other aviation related non-profit organizations.

Question 16. If there is no unsatisfied aviation demand for hangars, can they be leased to generate revenue from non-aeronautical uses?

FAA Response. If a sponsor has empty aeronautical use hangars for which it has no current aeronautical demand, it may seek FAA approval to lease those hangars to non-aeronautical tenants in one of two ways.

- ✓ Option 1. When a sponsor wants to lease aeronautical hangars to a tenant for an extended time period (usually 3 to 5 years), it can request FAA approval for interim non-aeronautical use of a hangar until there is demand for an aeronautical purpose. The sponsor must charge a fair market commercial rental rate for any hangar rental or use for non-aeronautical purposes.
- ✓ Option 2. A sponsor may also request FAA approval of a leasing plan for the lease of vacant hangars for non-aeronautical use on a month-to-month basis. Once the sponsor receives initial FAA approval, it may lease the open space for consecutive 30-day periods without further approval. The sponsor must charge a fair market commercial rental rate for any hangar rental or use for non-aeronautical purposes.

Aeronautical use must receive priority and accommodation over non-aeronautical use, even if the rental rate would be higher for the non-aeronautical use.

06/09/2016

Carol Williamson

From: Patty Leslie <dleslie@cheqnet.net>
Sent: Wednesday, July 06, 2016 1:21 PM
To: Carol Williamson
Subject: Fwd: airport noise at 11073 N Airport Rd.

Sent from my iPad

Begin forwarded message:

From: Edward Reinbold <ereinbold60@att.net>
Date: July 5, 2016 at 10:04:42 AM CDT
To: Derek Leslie <dleslie@cheqnet.net>
Subject: airport noise at 11073 N Airport Rd.
Reply-To: Edward Reinbold <ereinbold60@att.net>

I am letting you know that the noise problem is getting worse. Despite the denials by Matt Malicki, there is a noise problem. Most recently I was again woke up by a jet take off today, at about 4:30 am. This also happened June 27 and 23 and several other times but today was exceptionally loud. We close our windows at night because of the noise. We also have noise interruptions at night that interfere with TV, the noise drowns out the TV. Even some of the larger small aircraft are loud enough to interfere with TV watching. When we have friend at our house our outside conversations are always stopped when a jet takes off. During the day the small aircraft still do their run ups at the end of the taxi way, behind our house. This type of single event noise that causes activity interference is discussed by the FAA as I pointed out to Matt, which he did not acknowledge. Even now as I write this several jets have taken off and even with the windows closed the radio is drowned out. I am getting legal advice for this problem. I don't expect any reply to this, it is for the record and future reference.

Ed Reinbold

in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Saab AB, Saab Aeronautics' EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(m) Related Information

Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency Airworthiness Directive 2014-0255, dated November 25, 2014, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-7524.

(n) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(3) The following service information was approved for IBR on July 20, 2016.

(i) Saab Service Bulletin 2000-38-011, dated October 22, 2014.

(ii) Reserved.

(4) The following service information was approved for IBR on September 9, 2014 (79 FR 45337, August 5, 2014).

(i) Saab Service Bulletin 2000-38-010, dated July 12, 2013.

(ii) Saab Service Newsletter SN 2000-1304, Revision 01, dated September 10, 2013, including Attachment 1 Engineering Statement to Operator 2000PBS034334, Issue A, dated September 9, 2013.

(5) For service information identified in this AD, contact Saab AB, Saab Aeronautics, SE-581 88, Linköping, Sweden; telephone +46 13 18 5591; fax +46 13 18 4874; email saab340techsupport@saabgroup.com; Internet <http://www.saabgroup.com>.

(6) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(7) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on May 31, 2016.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2016-13740 Filed 6-14-16; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Chapter I

[Docket No. FAA 2014-0463]

Policy on the Non-Aeronautical Use of Airport Hangars

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of final policy.

SUMMARY: This action clarifies the FAA's policy regarding storage of non-aeronautical items in airport facilities designated for aeronautical use. Under Federal law, airport operators that have accepted federal grants and/or those that have obligations contained in property deeds for property transferred under various Federal laws such as the Surplus Property Act generally may use airport property only for aviation-related purposes unless otherwise approved by the FAA. In some cases, airports have allowed non-aeronautical storage or uses in some hangars intended for aeronautical use, which the FAA has found to interfere with or entirely displace aeronautical use of the hangar. At the same time, the FAA recognizes that storage of some items in a hangar that is otherwise used for aircraft storage will have no effect on the aeronautical utility of the hangar. This action also amends the definition of aeronautical use to include construction of amateur-built aircraft and provides additional guidance on permissible non-aeronautical use of a hangar."

DATES: The policy described herein is effective July 1, 2017.

FOR FURTHER INFORMATION CONTACT: Kevin C. Willis, Manager, Airport Compliance Division, ACO-100, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267-3085; facsimile: (202) 267-4629.

ADDRESSES: You can get an electronic copy of this Policy and all other documents in this docket using the Internet by:

- (1) Searching the Federal eRulemaking portal (<http://www.faa.gov/regulations/search>);
- (2) Visiting FAA's Regulations and Policies Web page at (http://www.faa.gov/regulations_policies); or
- (3) Accessing the Government Printing Office's Web page at (<http://www.gpoaccess.gov/index.html>).

You can also get a copy by sending a request to the Federal Aviation

Administration, Office of Airport Compliance and Management Analysis, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-3085. Make sure to identify the docket number, notice number, or amendment number of this proceeding.

SUPPLEMENTARY INFORMATION:

Authority for the Policy: This document is published under the authority described in Title 49 of the United States Code, Subtitle VII, part B, chapter 471, section 47122(a).

Background

Airport Sponsor Obligations

In July 2014, the FAA issued a proposed statement of policy on use of airport hangars to clarify compliance requirements for airport sponsors, airport managers, airport tenants, state aviation officials, and FAA compliance staff. (79 **Federal Register** (FR) 42483, July 22, 2014).

Airport sponsors that have accepted grants under the Airport Improvement Program (AIP) have agreed to comply with certain Federal policies included in each AIP grant agreement as sponsor assurances. The Airport and Airway Improvement Act of 1982 (AAIA) (Pub. L. 97-248), as amended and recodified at 49 United States Codes (U.S.C.) 47107(a)(1), and the contractual sponsor assurances require that the airport sponsor make the airport available for aviation use. Grant Assurance 22, *Economic Nondiscrimination*, requires the sponsor to make the airport available on reasonable terms without unjust discrimination for aeronautical activities, including aviation services. Grant Assurance 19, *Operation and Maintenance*, prohibits an airport sponsor from causing or permitting any activity that would interfere with use of airport property for airport purposes. In some cases, sponsors who have received property transfers through surplus property and nonsurplus property agreements have similar federal obligations.

The sponsor may designate some areas of the airport for non-aviation use,¹ with FAA approval, but aeronautical facilities of the airport must be dedicated to use for aviation purposes. Limiting use of aeronautical facilities to aeronautical purposes ensures that airport facilities are available to meet aviation demand at the airport. Aviation tenants and aircraft owners should not be displaced by non-

¹ The terms "non-aviation" and "non-aeronautical" are used interchangeably in this Notice.

aviation commercial uses that could be conducted off airport property.

It is the longstanding policy of the FAA that airport property be available for aeronautical use and not be available for non-aeronautical purposes unless that non-aeronautical use is approved by the FAA. Use of a designated aeronautical facility for a non-aeronautical purpose, even on a temporary basis, requires FAA approval. See FAA Order 5190.6B, *Airport Compliance Manual*, paragraph 22.6, September 30, 2009. The identification of non-aeronautical use of aeronautical areas receives special attention in FAA airport land use compliance inspections. See Order 5190.6B, paragraphs 21.6(f)(5).

Areas of the airport designated for non-aeronautical use must be shown on an airport's Airport Layout Plan (ALP). The AAlA, at 49 U.S.C. 47107(a)(16), requires that AIP grant agreements include an assurance by the sponsor to maintain an ALP in a manner prescribed by the FAA. Sponsor assurance 29, *Airport Layout Plan*, implements § 47107(a)(16) and provides that an ALP must designate non-aviation areas of the airport. The sponsor may not allow an alteration of the airport in a manner inconsistent with the ALP unless approved by the FAA. See Order 5190.6B, paragraph 7.18, and Advisory Circular 150/5070-6B, *Airport Master Plans*, Chapter 10.

Clearly identifying non-aeronautical facilities not only keeps aeronautical facilities available for aviation use, but also assures that the airport sponsor receives at least Fair Market Value (FMV) revenue from non-aviation uses of the airport. The AAlA requires that airport revenues be used for airport purposes, and that the airport maintain a fee structure that makes the airport as self-sustaining as possible. 49 U.S.C. 47107(a)(13)(A) and (b)(1). The FAA and the Department of Transportation Office of the Inspector General have interpreted these statutory provisions to require that non-aviation activities on an airport be charged a fair market rate for use of airport facilities rather than the aeronautical rate. See *FAA Policies and Procedures Concerning the Use of Airport Revenue*, (64 FR 7696, 7721, February 16, 1999) (FAA Revenue Use Policy).

If an airport tenant pays an aeronautical rate for a hangar and then uses the hangar for a non-aeronautical purpose, the tenant may be paying a below-market rate in violation of the sponsor's obligation for a self-sustaining rate structure and FAA's Revenue Use Policy. Confining non-aeronautical activity to designated non-aviation areas

of the airport helps to ensure that the non-aeronautical use of airport property is monitored and allows the airport sponsor to clearly identify non-aeronautical fair market value lease rates, in order to meet their federal obligations. Identifying non-aeronautical uses and charging appropriate rates for these uses prevents the sponsor from subsidizing non-aviation activities with aviation revenues.

FAA Oversight

A sponsor's Grant Assurance obligations require that its aeronautical facilities be used or be available for use for aeronautical activities. If the presence of non-aeronautical items in a hangar does not interfere with these obligations, then the FAA will generally not consider the presence of those items to constitute a violation of the sponsor's obligations. When an airport has unused hangars and low aviation demand, a sponsor can request the FAA approval for interim non-aeronautical use of a hangar, until demand exists for those hangars for an aeronautical purpose. Aeronautical use must take priority and be accommodated over non-aeronautical use, even if the rental rate would be higher for the non-aeronautical use. The sponsor is required to charge a fair market commercial rental rate for any hangar rental or use for non-aeronautical purposes. (64 FR 7721).

The FAA conducts land use inspections at 18 selected airports each year, at least two in each of the nine FAA regions. See Order 5190.6B, paragraph 21.1. The inspection includes consideration of whether the airport sponsor is using designated aeronautical areas of the airport exclusively for aeronautical purposes, unless otherwise approved by the FAA. See Order 5190.6B, paragraph 21.6.

The Notice of Proposed Policy

In July 2014, the FAA issued a notice of proposed policy on use of hangars and related facilities at federally obligated airports, to provide a clear and standardized guide for airport sponsors and FAA compliance staff. (79 FR 42483, July 22, 2014). The FAA received more than 2,400 comments on the proposed policy statement, the majority from persons who have built or are in the process of building an amateur-built aircraft. The FAA also received comments from aircraft owners, tenants and owners of hangars, and airport operators. The Aircraft Owners and Pilots Association (AOPA) and the Experimental Aircraft Association (EAA) also provided comments on behalf of their membership. Most of the

comments objected to some aspect the proposed policy statement. Comments objecting to the proposal tended to fall into two general categories:

- The FAA should not regulate the use of hangars at all, especially if the hangar is privately owned.
- While the FAA should have a policy limiting use of hangars on federally obligated airports to aviation uses, the proposed policy is too restrictive in defining what activities should be allowed.

Discussion of Comments and Final Policy

The following summary of comments reflects the major issues raised and does not restate each comment received. The FAA considered all comments received even if not specifically identified and responded to in this notice. The FAA discusses revisions to the policy based on comments received. In addition, the FAA will post frequently asked Questions and Answers regarding the Hangar Use Policy on www.faa.gov/airport-compliance. These Questions and Answers will be periodically updated until FAA Order 5190.6B is revised to reflect the changes in this notice.

1. *Comment: Commenters stated that the FAA should defer to local government and leave all regulation of hangar use to the airport operator.*

Response: The FAA has a contract with the sponsor of an obligated airport, either through AIP grant agreements or a surplus property deed, to limit the use of airport property to certain aviation purposes. Each sponsor of an obligated airport has agreed to these terms. The FAA relies on each airport sponsor to comply with its obligations under this contract. To maintain a standardized national airport system and standardized practices in each of the FAA's nine regional offices, the agency issues guidance on its interpretation of the requirements of the AIP and surplus property agreements. It falls to the local airport sponsor to implement these requirements. The FAA allows airport sponsors some flexibility to adapt compliance to local conditions at each airport.

However, some airport sponsors have adopted hangar use practices that led to airport users to complain to the FAA. Some airport users have complained that sponsors are too restrictive, and fail to allow reasonable aviation-related uses of airport hangars. More commonly, aircraft owners have complained that hangar facilities are not available for aircraft storage because airport sponsors have allowed the use of hangars for purposes that are unrelated to aviation,

such as operating a non-aviation business or storing multiple vehicles. By issuing the July 2014 notice, the FAA intended to resolve both kinds of complaints by providing guidance on appropriate management of hangar use. The agency continues to believe that FAA policy guidance is appropriate and necessary to preserve reasonable access to aeronautical facilities on federally obligated airports. However, the final policy has been revised in response to comments received on the proposal.

2. *Comment: Commenters, including AOPA, stated that the FAA lacks the authority to regulate the use of privately owned hangars.*

Response: The FAA has a statutory obligation to assure that facilities on aeronautically designated land at federally obligated airports are reasonably available for aviation use. Designated aeronautical land on a federally obligated airport is a necessary part of a national system of aviation facilities. Land designated for aeronautical use offers access to the local airfield taxiway and runway system. Land designated for aeronautical use is also subject to certain conditions, including FAA policies concerning rates and charges (including rental rates) which were designed to preserve access for aeronautical users and to support aeronautical uses. A person who leases aeronautical land on the airport to build a hangar accepts conditions that come with that land in return for the special benefits of the location. The fact that the tenant pays the sponsor for use of the hangar or the land does not affect the agreement between the FAA and the sponsor that the land be used for aeronautical purposes. (In fact, most hangar owners do not have fee ownership of the property; typically airport structures revert to ownership of the airport sponsor upon expiration of the lease term). An airport sponsor may choose to apply different rules to hangars owned by the sponsor than it does to privately constructed hangars, but the obligations of the sponsor Grant Assurances and therefore the basic policies on aeronautical use stated in this notice, will apply to both.

3. *Comment: Commenters believe that a policy applying the same rules to all kinds of aeronautical structures, and to privately owned hangars as well as sponsor-owned hangars, is too general. The policy should acknowledge the differences between categories of airport facilities.*

Response: A number of commenters thought that rules for use of privately constructed and owned hangars should be less restrictive than rules for hangars

leased from the airport sponsor. The Leesburg Airport Commission commented that there are different kinds of structures on the airport, with variations in rental and ownership interests, and that the FAA's policy should reflect those differences. The FAA acknowledges that ownership or lease rights and the uses made of various aeronautical facilities at airports will vary. The agency expects that airport sponsors' agreements with tenants would reflect those differences. The form of property interest, be it a leasehold or ownership of a hangar, does not affect the obligations of the airport sponsor under the Grant Assurances. All facilities on designated aeronautical land on an obligated airport are subject to the requirement that the facilities be available for aeronautical use.

4. *Comment: Commenters agree that hangars should be used to store aircraft and not for non-aviation uses, but, they argue the proposed policy is too restrictive on the storage of non-aviation related items in a hangar along with an aircraft. A hangar with an aircraft in it still has a large amount of room for storage and other incidental uses, and that space can be used with no adverse effect on the use and storage of the aircraft.*

Response: In response to the comments, the final policy deletes the criteria of "incidental" or "de minimis" use and simply requires that non-aviation storage in a hangar not interfere with movement of aircraft in or out of the hangar, or impede access to other aeronautical contents of the hangar. The policy lists specific conditions that would be considered to interfere with aeronautical use. Stored non-aeronautical items would be considered to interfere with aviation use if they:

- Impede the movement of the aircraft in and out of the hangar;
- Displace the aeronautical contents of the hangar. (A vehicle parked at the hangar while the vehicle owner is using the aircraft will not be considered to displace the aircraft);
- Impede access to aircraft or other aeronautical contents of the hangar;
- Are used for the conduct of a non-aeronautical business or municipal agency function from the hangar (including storage of inventory); or
- Are stored in violation of airport rules and regulations, lease provisions, building codes or local ordinances.

Note: Storage of equipment associated with an aeronautical activity (e.g., skydiving, ballooning, gliding) would be considered an aeronautical use of a hangar.

5. *Comment: Commenters stated the policy should apply different rules to situations where there is no aviation demand for hangars, especially when hangars are vacant and producing no income for the sponsor.*

Response: At some airports, at some times, there will be more hangar capacity than needed to meet aeronautical demand, and as a result there will be vacant hangars. The FAA agrees that in such cases it is preferable to make use of the hangars to generate revenue for the airport, as long as the hangar capacity can be recovered on relatively short notice for aeronautical use when needed. See Order 5190.6B, paragraph 22.6. The final policy adopts a provision modeled on a leasing policy of the Los Angeles County Airport Commission, which allows month-to-month leases of vacant hangars for any purpose until a request for aeronautical use is received. The final policy requires that a sponsor request FAA approval before implementing a similar leasing plan:

- The airport sponsor may request FAA approval of a leasing plan for the lease of vacant hangars for non-aeronautical use on a month-to-month basis.
- The plan may be implemented only when there is no current aviation demand for the vacant hangars.
- Leases must require the non-aeronautical tenant to vacate the hangar on 30 days' notice, to allow aeronautical use when a request is received.
- Once the plan is approved, the sponsor may lease vacant hangars on a 30 days' notice without further FAA approval.

The agency believes this will allow airports to obtain some financial benefit from vacant hangars no, while allowing the hangars to be quickly returned to aeronautical use when needed. FAA pre-approval of a month-to-month leasing plan will minimize the burden on airport sponsors and FAA staff since it is consistent with existing interim use guidance.

6. *Comment: Commenter indicates that the terms "incidental use" and "insignificant amount of space" are too vague and restrictive.*

Response: The FAA has not used these terms in the final policy. Instead, the policy lists specific prohibited conditions that would be considered to interfere with aeronautical use of a hangar.

7. *Comment: Commenter states Glider operations require storage of items at the airport other than aircraft, such as tow vehicles and towing equipment. This should be an approved use of hangars.*

Response: Tow bars and glider tow equipment have been added to the list of examples of aeronautical equipment. Whether a vehicle is dedicated to use for glider towing is a particular fact that can be determined by the airport sponsor in each case. Otherwise the general rules for parking a vehicle in a hangar would apply.

8. *Comment:* Commenter states it should be clear that it is acceptable to park a vehicle in the hangar while the aircraft is out of the hangar being used.

Response: The final policy states that a vehicle parked in the hangar, while the vehicle owner is using the aircraft will not be considered to displace the aircraft, and therefore is not prohibited.

9. *Comment:* Commenters, including Experimental Aircraft Association (EAA), stated that aviation museums and non-profit organizations that promote aviation should not be excluded from hangars.

Response: Aviation museums and other non-profit aviation-related organizations may have access to airport property at less than fair market rent, under section VII.E of the FAA Policy and Procedures Concerning the Use of Airport Revenue. (64 FR 7710, February 16, 1999). However, there is no special reason for such activities to displace aircraft owners seeking hangar space for storage of operating aircraft, unless the activity itself involves use and storage of aircraft. Accordingly, aviation museums and non-profit organizations will continue to have the same access to vacant hangar space as other activities that do not actually require a hangar for aviation use, that is, when there is no aviation demand (aircraft storage) for those hangars and subject to the discretion of the airport operator.

10. *Comment:* Commenters suggest that the policy should allow a 'grace period' for maintaining possession of an empty hangar for a reasonable time from the sale of an aircraft to the purchase or lease of a new aircraft to be stored in the hangar.

Response: The FAA assumes that airport lease terms would include reasonable accommodation for this purpose and other reasons a hangar might be empty for some period of time, including the aircraft being in use or at another location for maintenance. The reasons for temporary hangar vacancy and appropriate "grace periods" for various events depend on local needs and lease policies, and the FAA has not included any special provision for grace periods in the final policy.

11. *Comment:* Commenters believe that the policy should allow some leisure spaces in a hangar, such as a lounge or seating area and kitchen, in

recognition of the time many aircraft owners spend at the airport, and the benefits of an airport community.

Response: The final policy does not include any special provision for lounge areas or kitchens, either specifically permitting or prohibiting these areas. The policy requires only that any non-aviation related items in a hangar not interfere in any way with the primary use of the hangar for aircraft storage and movement. The airport sponsor is expected to have lease provisions and regulations in place to assure that items located in hangars do not interfere with this primary purpose.

12. *Comment:* Commenters, including EAA, stated that all construction of an aircraft should be considered aeronautical for the purpose of hangar use, because building an aircraft is an inherently aeronautical activity. The policy should at least allow for use of a hangar at a much earlier stage of construction than final assembly.

Response: The FAA has consistently held that the need for an airport hangar in manufacturing or building aircraft arises at the time the components of the aircraft are assembled into a completed aircraft. Prior to that stage, components can be assembled off-airport in smaller spaces. This determination has been applied to both commercial aircraft manufacturing as well as homebuilding of experimental aircraft.

A large majority of the more than 2,400 public comments received on the notice argued that aircraft construction at any stage is an aeronautical activity. The FAA recognizes that the construction of amateur-built aircraft differs from large-scale, commercial aircraft manufacturing. It may be more difficult for those constructing amateur-built or kit-built aircraft to find alternative space for construction or a means to ultimately transport completed large aircraft components to the airport for final assembly, and ultimately for access to taxiways for operation.

Commenters stated that in many cases an airport hangar may be the only viable location for amateur-built or kit-built aircraft construction. Also, as noted in the July 2014 notice, many airports have vacant hangars where a lease for construction of an aircraft, even for several years, would not prevent owners of operating aircraft from having access to hangar storage.

Accordingly, the FAA will consider the construction of amateur-built or kit-built aircraft as an aeronautical activity. Airport sponsors must provide reasonable access to this class of users, subject to local ordinances and building codes. Reasonable access applies to currently available facilities; there is no

requirement for sponsors to construct special facilities or to upgrade existing facilities for aircraft construction use.

Airport sponsors are urged to consider the appropriate safety measures to accommodate aircraft construction. Airport sponsors leasing a vacant hangar for aircraft construction also are urged to incorporate progress benchmarks in the lease to ensure the construction project proceeds to completion in a reasonable time. The FAA's policy with respect to commercial aircraft manufacturing remains unchanged.

13. *Comment:* Commenter suggests that the time that an inoperable aircraft can be stored in a hangar should be clarified, because repairs can sometimes involve periods of inactivity.

Response: The term "operational aircraft" in the final policy does not necessarily mean an aircraft fueled and ready to fly. All operating aircraft experience downtime for maintenance and repair, and for other routine and exceptional reasons. The final policy does not include an arbitrary time period beyond which an aircraft is no longer considered operational. An airport operator should be able to determine whether a particular aircraft is likely to become operational in a reasonable time or not, and incorporate provisions in the hangar lease to provide for either possibility.

14. *Comment:* Commenter suggests that the FAA should limit use of hangars on an obligated airport as proposed in the July 2014 notice. Airport sponsors frequently allow non-aeronautical use of hangars now, denying the availability of hangar space to aircraft owners.

Response: Some commenters supported the relatively strict policies in the July 2014 notice, citing their experience with being denied access to hangars that were being used for non-aviation purposes. The FAA believes that the final policy adopted will allow hangar tenants greater flexibility than the proposed policy in the use of their hangars, but only to the extent that there is no impact on the primary purpose of the hangar. The intent of the final policy is to minimize the regulatory burden on hangar tenants and to simplify enforcement responsibilities for airport sponsors and the FAA, but only as is consistent with the statutory requirements for use of federally obligated airport property.

Final Policy

In accordance with the above, the FAA is adopting the following policy statement on use of hangars at federally obligated airports:

Use of Aeronautical Land and Facilities

Applicability

This policy applies to all aircraft storage areas or facilities on a federally obligated airport unless designated for non-aeronautical use on an approved Airport Layout Plan or otherwise approved for non-aviation use by the FAA. This policy generally refers to the use of hangars since they are the type of aeronautical facility most often involved in issues of non-aviation use, but the policy also applies to other structures on areas of an airport designated for aeronautical use. This policy applies to all users of aircraft hangars, including airport sponsors, municipalities, and other public entities, regardless of whether a user is an owner or lessee of the hangar.

I. General

The intent of this policy is to ensure that the federal investment in federally obligated airports is protected by making aeronautical facilities available to aeronautical users, and by ensuring that airport sponsors receive fair market value for use of airport property for non-aeronautical purposes. The policy implements several Grant Assurances, including Grant Assurance 5, *Preserving Rights and Powers*; Grant Assurance 22, *Economic Nondiscrimination*; Grant Assurance 24, *Fee and Rental Structure*; and Grant Assurance 25, *Airport Revenues*.

II. Standards for Aeronautical Use of Hangars

a. Hangars located on airport property must be used for an aeronautical purpose, or be available for use for an aeronautical purpose, unless otherwise approved by the FAA Office of Airports as described in Section III.

b. Aeronautical uses for hangars include:

1. Storage of active aircraft.

2. Final assembly of aircraft under construction.

3. Non-commercial construction of amateur-built or kit-built aircraft.

4. Maintenance, repair, or refurbishment of aircraft, but not the indefinite storage of nonoperational aircraft.

5. Storage of aircraft handling equipment, *e.g.*, towbars, glider tow equipment, workbenches, and tools and materials used in the servicing, maintenance, repair or outfitting of aircraft.

c. Provided the hangar is used primarily for aeronautical purposes, an airport sponsor may permit non-aeronautical items to be stored in hangars provided the items do not

interfere with the aeronautical use of the hangar.

d. While sponsors may adopt more restrictive rules for use of hangars, the FAA will generally not consider items to interfere with the aeronautical use of the hangar unless the items:

1. Impede the movement of the aircraft in and out of the hangar or impede access to aircraft or other aeronautical contents of the hangar.

2. Displace the aeronautical contents of the hangar. A vehicle parked at the hangar while the vehicle owner is using the aircraft will not be considered to displace the aircraft.

3. Impede access to aircraft or other aeronautical contents of the hangar.

4. Are used for the conduct of a non-aeronautical business or municipal agency function from the hangar (including storage of inventory).

5. Are stored in violation of airport rules and regulations, lease provisions, building codes or local ordinances.

e. Hangars may not be used as a residence, with a limited exception for sponsors providing an on-airport residence for a full-time airport manager, watchman, or airport operations staff for remotely located airports. The FAA differentiates between a typical pilot resting facility or aircrew quarters versus a hangar residence or hangar home. The former are designed to be used for overnight and/or resting periods for aircrew, and not as a permanent or even temporary residence. *See* FAA Order 5190.6B paragraph 20.5(b)

f. This policy applies regardless of whether the hangar occupant leases the hangar from the airport sponsor or developer, or the hangar occupant constructed the hangar at the occupant's own expense while holding a ground lease. When land designated for aeronautical use is made available for construction of hangars, the hangars built on the land are subject to the sponsor's obligations to use aeronautical facilities for aeronautical use.

III. Approval for Non-Aeronautical Use of Hangars

A sponsor will be considered to have FAA approval for non-aeronautical use of a hangar in each of the following cases:

a. *FAA advance approval of an interim use:* Where hangars are unoccupied and there is no current aviation demand for hangar space, the airport sponsor may request that FAA Office of Airports approve an interim use of a hangar for non-aeronautical purposes for a period of 3 to 5 years. The FAA will review the request in accordance with Order 5190.6B

paragraph 22.6. Interim leases of unused hangars can generate revenue for the airport and prevent deterioration of facilities. Approved interim or concurrent revenue-production uses must not interfere with safe and efficient airport operations and sponsors should only agree to lease terms that allow the hangars to be recovered on a 30 days' notice for aeronautical purposes. In each of the above cases, the airport sponsor is required to charge non-aeronautical fair market rental fees for the non-aeronautical use of airport property, even on an interim basis. (64 FR 7721).

b. *FAA approval of a month-to-month leasing plan:* An airport sponsor may obtain advance written approval month-to-month leasing plan for non-aeronautical use of vacant facilities from the local FAA Office of Airports. When there is no current aviation demand for vacant hangars, the airport sponsor may request FAA approval of a leasing plan for the lease of vacant hangars for non-aeronautical use on a month-to-month basis. The plan must provide for leases that include an enforceable provision that the tenant will vacate the hangar on a 30-day notice. Once the plan is approved, the sponsor may lease vacant hangars on a 30-day notice basis without further FAA approval. If the airport sponsor receives a request for aeronautical use of the hangar and no other suitable hangar space is available, the sponsor will notify the month-to-month tenant that it must vacate.

A sponsor's request for approval of an interim use or a month-to-month leasing plan should include or provide for (1) an inventory of aeronautical and non-aeronautical land/uses, (2) information on vacancy rates; (3) the sponsor's procedures for accepting new requests for aeronautical use; and (4) assurance that facilities can be returned to aeronautical use when there is renewed aeronautical demand for hangar space. In each of the above cases, the airport sponsor is required to charge non-aeronautical fair market rental fees for the non-aeronautical use of airport property, even on an interim basis. (64 FR 7721).

c. *Other cases:* Advance written release by the FAA for all other non-aeronautical uses of designated aeronautical facilities. Any other non-aeronautical use of a designated aeronautical facility or parcel of airport land requires advance written approval from the FAA Office of Airports in accordance with Order 5190.6B chapter 22.

IV. Use of Hangars for Construction of an Aircraft

Non-commercial construction of amateur-built or kit-built aircraft is considered an aeronautical activity. As with any aeronautical activity, an airport sponsor may lease or approve the lease of hangar space for this activity without FAA approval. Airport sponsors are not required to construct special facilities or upgrade existing facilities for construction activities. Airport sponsors are urged to consider the appropriate safety measures to accommodate these users.

Airport sponsors also should consider incorporating construction progress targets in the lease to ensure that the hangar will be used for final assembly and storage of an operational aircraft within a reasonable term after project start.

V. No Right to Non-Aeronautical Use

In the context of enforcement of the Grant Assurances, this policy allows some incidental storage of non-aeronautical items in hangars that do not interfere with aeronautical use. However, the policy neither creates nor constitutes a right to store non-aeronautical items in hangars. Airport sponsors may restrict or prohibit storage of non-aeronautical items. Sponsors should consider factors such as emergency access, fire codes, security, insurance, and the impact of vehicular traffic on their surface areas when enacting rules regarding hangar storage. In some cases, permitting certain incidental non-aeronautical items in hangars could inhibit the sponsor's ability to meet obligations associated with Grant Assurance 19, *Operations and Maintenance*. To avoid claims of discrimination, sponsors should impose consistent rules for incidental storage in all similar facilities at the airport. Sponsors should ensure that taxiways and runways are not used for the vehicular transport of such items to or from the hangars.

VI. Sponsor Compliance Actions

- a. It is expected that aeronautical facilities on an airport will be available and used for aeronautical purposes in the normal course of airport business, and that non-aeronautical uses will be the exception.
- b. Sponsors should have a program to routinely monitor use of hangars and take measures to eliminate and prevent unapproved non-aeronautical use of hangars.
- c. Sponsors should ensure that length of time on a waiting list of those in need of a hangar for aircraft storage is minimized.

d. Sponsors should also consider including a provision in airport leases, including aeronautical leases, to adjust rental rates to FMV for any non-incident non-aeronautical use of the leased facilities. In other words, if a tenant uses a hangar for a non-aeronautical purpose in violation of this policy, the rental payments due to the sponsor would automatically increase to a FMV level.

e. FAA personnel conducting a land use or compliance inspection of an airport may request a copy of the sponsor's hangar use program and evidence that the sponsor has limited hangars to aeronautical use.

The FAA may disapprove an AIP grant for hangar construction if there are existing hangars at the airport being used for non-aeronautical purposes.

Issued in Washington, DC, on the 9th of June 2016.

Robin K. Hunt,

Acting Director, Office of Airport Compliance and Management Analysis.

[FR Doc. 2016-14133 Filed 6-14-16; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 660, 801, and 809

[Docket No. FDA-2013-N-0125]

RIN 0910-AG74

Use of Symbols in Labeling

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is issuing this final rule revising its medical device and certain biological product labeling regulations to explicitly allow for the optional inclusion of graphical representations of information, or symbols, in labeling (including labels) without adjacent explanatory text (referred to in this document as "stand-alone symbols") if certain requirements are met. The final rule also specifies that the use of symbols, accompanied by adjacent explanatory text continues to be permitted. FDA is also revising its prescription device labeling regulations to allow the use of the symbol statement "Rx only" or "R only" in the labeling for prescription devices.

DATES: This rule is effective September 13, 2016.

FOR FURTHER INFORMATION CONTACT: For information concerning the final rule as it relates to devices regulated by the Center for Devices and Radiological Health (CDRH): Antoinette (Tosia) Hazlett, Center for Devices and Radiological Health, Food and Drug Administration, Bldg. 66, Rm. 5424, 10903 New Hampshire Ave., Silver Spring, MD 20993-0002, 301-796-6119, email: Tosia.Hazlett@fda.hhs.gov.

For information concerning the final rule as it relates to devices regulated by the Center for Biologics Evaluation and Research: Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993-0002, 240-402-7911.

SUPPLEMENTARY INFORMATION:

Executive Summary

Purpose of the Regulatory Action

The final rule explicitly permits the use of symbols in medical device labeling without adjacent explanatory text if certain requirements are met. The medical device industry has requested the ability to use stand-alone symbols on domestic device labeling, consistent with their current use on devices manufactured for European and other foreign markets. The final rule seeks to harmonize the U.S. device labeling requirements for symbols with international regulatory requirements, such as the Medical Device Directive 93/42/EEC of the European Union (EU) (the European Medical Device Directive) and global adoption of International Electrotechnical Commission (IEC) standard IEC 60417 and International Organization for Standardization (ISO) standard ISO 7000-DB that govern the use of device symbols in numerous foreign markets.

Summary of the Major Provisions of the Regulatory Action in Question

FDA has generally interpreted existing regulations not to allow the use of symbols in medical device labeling, except with adjacent English-language explanatory text and/or on in vitro diagnostic (IVD) devices intended for professional use. Under the final rule, symbols established in a standard developed by a standards development organization (SDO) may be used in medical device labeling without adjacent explanatory text as long as: (1) The standard is recognized by FDA under its authority under section 514(c) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360d(c)) and the symbol is used according to the specifications for use of the symbol set