

ST. JOHNS AIRPORT AUTHORITY

Workshop

held in The Conference Center, Meeting Room B

4730 Casa Cola Way

St. Augustine, Florida

on Monday, October 18, 2021

from 4:00 p.m. to 6:20 p.m.

* * * * *

BOARD MEMBERS PRESENT:

- BRUCE MAGUIRE, Chairman
- SUZANNE GREEN
- JUSTIN MIRGEAUX
- REBA LUDLOW
- ROBERT OLSON

* * * * *

ALSO PRESENT:

- DOUGLAS N. BURNETT, Esquire, St. Johns Law Group,
104 Sea Grove Main Street, St. Augustine, FL, 32080,
Attorney for Airport Authority.
- EDWARD WUELLNER, A.A.E., Executive Director.

* * * * *

JANET M. BEASON, RPR, RMR, CRR
 St. Augustine Court Reporters
 17 Pacific Street, Suite B
 St. Augustine, FL 32084
 (904) 825-0570

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1 P R O C E E D I N G S

2 CHAIRMAN MAGUIRE: Okay. 4:00. Time to
3 start. Okay. Reba, if you could lead us in the
4 pledge.

5 (Pledge of Allegiance.)

6 CHAIRMAN MAGUIRE: All right. This is a
7 workshop. It is not a formal meeting where we vote
8 and make decisions. It is a meeting designed for
9 the five of us to talk among ourselves to try to get a
10 better understanding of what's being looked at and
11 the procedures and policies that are being
12 presented to us. So, it's a chance to do a lot of
13 talking that we can't do outside of this because of
14 the Sunshine Law. So feel free to ask whatever to
15 any board member or anybody else.

16 The issue of public comment, there will be
17 public comment at the end of this meeting. I think
18 that our attorney's going to go through enough
19 information in detail that hopefully all of our
20 questions will be answered or clarified, and then
21 at the end, we'll have the public comment.

22 If you have any questions, please ask. Don't
23 sit back and think about it. There are two
24 sections that we're going to talk about, the lease
25 policy and then the minimum operating procedures.

1 So when we get through with the first one, the
2 first issue, we'll move into the second and
3 hopefully do not go back and readdress those in the
4 first that we've already gone through because we
5 don't want to be here for five hours discussing
6 things, okay?

7 MS. LUDLOW: Public comment for each or --

8 CHAIRMAN MAGUIRE: At the end, the very end.

9 MS. LUDLOW: One?

10 CHAIRMAN MAGUIRE: Okay. For one, okay?

11 Questions from the board?

12 (None.)

13 CHAIRMAN MAGUIRE: All right. Ed, you'll
14 start it off.

15 MR. WUELLNER: I will. A couple of points.

16 One, this is designed to be way less formal
17 than a regular meeting, so be that as it may. The
18 other is I do want to provide a little bit of just
19 clarification on the difference between the two
20 policies.

21 The -- the minimum operating standards policy
22 is effectively a part of the lease policy. So when
23 we're talking about one, we're in a way talking
24 about the other. So it is a -- a component of the
25 lease policy, also, as are a number of other

1 attachments that -- or appendices, if you will,
2 that go into the lease policy document itself.

3 Intended to start today with the lease policy.
4 The lease policy has been amended a number of times
5 over the years. I think the most recent was last
6 July with some -- or 2020, that is, with some
7 changes related to I think it was T-hangar-related
8 policy back then. But that was the last time the
9 policy's been -- been touched.

10 One of the items that's come out of our, I'll
11 call it little adventure as it relates to a
12 potential future tenant here, is that one thing
13 that was called to our attention is something that
14 we've been administering as policy was indeed
15 pointed out as not exist in policy as a document,
16 which sort of got us wondering, well, how is it
17 that the actions from nearly 20 years ago have --
18 have not made it into a structured policy?

19 And while I have no real explanation as to how
20 the language has not been there, the direction
21 given to me and inferred and implied during those
22 meetings when we were doing the master plan back in
23 19- -- I think it's about 2005, actually maybe a
24 little sooner than that, earlier than that, as it
25 related to the eminent domain actions and the like

1 which have largely formed how we've administered
2 the airport, in particular this southern area here.

3 The other is I want to make perfectly clear
4 that despite comments made at our last regular
5 meeting, you know, the use of the term "light
6 general avi- -- light general aviation" or "light
7 aircraft" was not intended to be FAA's definition
8 of light aircraft. It never was.

9 FAA's definition of F- -- of light aircraft is
10 FAA's definition of it. Our intent was to really
11 describe single-engine, light single-engine
12 aircraft and light twin aircraft, meaning -- and by
13 that, I mean piston-driven aircraft. So, it's kind
14 of which when you look out the window here, that's
15 what you'd typically see in this area. So just --
16 just get that on the table and clarified for what
17 the intent was versus how it was perhaps being
18 portrayed.

19 The first item we wanted you to consider was
20 to formally create, in an effort to clarify the
21 previous two master plans, the development of very
22 specific areas on the airport in general
23 geographically that describe some operational areas
24 on the airport. The first being airline terminal.

25 MR. OLSON: Oh.

1 MR. WUELLNER: Yeah?

2 MR. OLSON: Could we -- before you go to
3 that --

4 MR. WUELLNER: Uh-huh.

5 MR. OLSON: -- the first, very first part of
6 the master plan where you sent out this redline
7 version --

8 MR. WUELLNER: Uh-huh.

9 MR. OLSON: -- earlier, all the redlining is
10 our proposed additions to the policy --

11 MR. WUELLNER: Correct.

12 MR. OLSON: -- correct?

13 MR. WUELLNER: Or changes, yes.

14 MR. OLSON: Because I -- I wanted to observe
15 that the very first words that are redlined,
16 essentially added under Item 2 under Implementation
17 Procedures, you're -- we would be adding a --
18 adding to our policy that we could not approve
19 anything in the -- we could not approve any
20 proposed property uses as an Authority without
21 concurrence by FAA.

22 And I just -- I just -- sort of my question
23 is, does that add a cumbersomeness and an extra
24 step if we have a compelling reason to, I don't
25 know, draft an exception or do something that would

1 be objectively or thought to be not in conformance
2 with our current master plan?

3 MR. WUELLNER: Yeah, is this the old --

4 MR. OLSON: It's this redline that you sent
5 out on I think the 19th of September.

6 My only reason for bringing that up is that it
7 appears to add the FAA as part of the stop if we --
8 in those cases where we are confronted with a --
9 something --

10 MR. WUELLNER: Yeah.

11 MR. OLSON: -- the Authority might wish to do
12 that might be viewed as not conforming with the
13 master plan.

14 MR. WUELLNER: Okay. To help clarify that,
15 FAA's involvement or approval requirements are
16 strictly related to nonaviation uses.

17 So if you have a nonconforming use, meaning
18 something that is not an aviation use on the
19 property, that those kind of lease agreements and
20 agreements are still subject to review by FAA.
21 Otherwise, they're not subject to FAA for standard
22 lease-related policies, your minimum operating
23 standards, the like.

24 These are not documents that are formally
25 approved by the FAA. They're encouraged -- you're

1 encouraged to adopt them and come up with your, you
2 know, rules of the road, lack of better words.

3 MR. OLSON: So if there's a -- can you use an
4 example of a nonaviation and avi- --

5 MR. WUELLNER: Sure.

6 MR. OLSON: I guess what you're saying is that
7 an aviation use would very obviously be under --
8 would also require FAA --

9 MR. WUELLNER: It does not. Years and years
10 and years ago, 20 -- say in excess of 25, 30 years
11 ago, FAA reviewed all leases on airport properties.
12 After I would say the -- I'm guessing here, but
13 somewhere around the mid 1980s, the FAA came out
14 with guidance that basically said aviation leases,
15 for the most part, they don't want to see.

16 Now, if you have something that's really
17 strange or is going to impact the utility of the
18 airport or something along that line, then of
19 course FAA's going to want to review it.

20 And a part of that comes down to provisions
21 within your lease -- or, excuse me, within your
22 property deed that interject some FAA oversight at
23 times, and also of course through the grant
24 agreement mechanism, there are some -- some things
25 that get interjected into your -- into your

1 operating rules, if you will.

2 MR. OLSON: Okay. So, but here we're adding
3 FAA as -- it appears that we're adding FAA as stop
4 before the Authority can do something if it wishes
5 to do something.

6 MR. WUELLNER: Yeah, that would not be the
7 intent. So if you're reading it -- I --
8 unfortunately my copy is small enough I can't read
9 it, so...

10 MR. OLSON: Well, I'll just read it.
11 Number 2, Proposed property uses which do not
12 conform with the approved Airport Layout Plan will
13 not be approved until which time as appropriate
14 revisions to the plan are made and concur by the
15 FAA and the Authority.

16 MR. WUELLNER: Right. So something that's not
17 already shown on the Airport Layout Plan. And keep
18 in mind they're not talking about location of
19 buildings and the like. Something that would be
20 outside of the -- an area that's depicted on the
21 airport. So if it's shown as a -- an aviation
22 area, it's fine as an aviation area.

23 What occurs is, every time we go through a
24 master plan cycle or we can also submit just the
25 Airport Layout Plan to FAA, they will review that

1 and can issue comments or approvals at future
2 times.

3 MR. OLSON: So I assume it's always --

4 MR. WUELLNER: But you just operate between
5 the cycles.

6 MR. OLSON: I'm assuming it's always an option
7 that we seek --

8 MR. WUELLNER: Sure. It --

9 MR. OLSON: Why are we adding it as a
10 requirement?

11 MR. WUELLNER: That -- we're not saying --
12 we're just saying that it has to be -- if it's
13 something that's nonconforming, meaning it's
14 outside of your master plan, which right now I
15 don't know that what that would be -- it would
16 trigger FAA review of the issue so that we don't
17 find ourselves in a noncompliance scenario with
18 FAA. They'd have an opportunity to comment on it.

19 It could be for something as simple as -- as
20 height restrictions or imaginary surfaces related
21 to the runways or something along that line that
22 they wish to review.

23 MR. OLSON: Okay.

24 MR. WUELLNER: But not everything goes to FAA.

25 CHAIRMAN MAGUIRE: If you have questions, ask

1 him directly. You don't have to ask for approval
2 to talk, except directly to him, okay?

3 MR. WUELLNER: Okay. So first -- first area
4 that we have listed is the airline terminal. And
5 the airline terminal we try to describe, but
6 basically it's the area where you know to be where
7 the airline terminal is today.

8 The footprint there of the apron is bordered
9 on the west by U.S. 1, is bordered on the east by
10 Taxiway Bravo 2 for the most part, has Runway 2/20
11 on the south, and has Grumman's leasehold sort of
12 intersecting it on the north edge of the -- of the
13 leasehold. It's designated as an airline terminal.

14 That area, I know you -- it won't be that hard
15 to understand, but we've got -- you know, there are
16 some very unique situations, security requirements
17 and the like, that are required in that area and
18 they're unlike anywhere else on the airport in
19 terms of things like SIDA, a strict observance of
20 TSA rules or security plan from -- or airport
21 security plan that's approved by the F- -- excuse
22 me, by TSA. And there -- and there's a required
23 isolation of this area when airline kinds of
24 operations are going on. So it has some very
25 unique classifications. But that generally

1 describes what that area is.

2 The other -- the next area would be the FBO
3 area. This is kind of characterized by high
4 transient use as charters, flight schools, a very
5 busy ramp, ongoing fueling activities both of jet
6 and -- and avgas. They're operate -- aircraft
7 being operated continually in that area as well as
8 the towing of aircraft in that area. So it creates
9 a very high density, high busy, high activity level
10 area. And -- and of course that area's, again,
11 bordered on the west by U.S. 1, to the south by the
12 essentially the clear zone or Runway 2/20, and on
13 the north and western edges by the airline terminal
14 property.

15 The third area is the corporate and commercial
16 area of the airport, which is primarily going to be
17 described as the east side of the airfield, the
18 airfield being east side of Taxiway Alpha. So it's
19 bordered on the west by Taxiway Alpha, on the east
20 by Gun Club Road, on the north end -- I'm sorry, on
21 the east by Hawkeye View Lane, the north by
22 Gun Club Road, and the south is going to be largely
23 a -- Runway 2/20 where it concludes. That's also
24 going to be an area that's, before you get that far
25 south, you're going to be on the Grumman leasehold

1 there in the area we would refer to as the
2 North 40. Everybody seems to know it by that name.

3 It includes the Florida Air Avia- -- excuse
4 me, Florida National Guard, charter operators,
5 maintenance operators. There's some specialized
6 flight instruction activity that goes on out there
7 as well as corporate, corporate jet utilization, as
8 well as aircraft utilization in those hangar --
9 individual hangars that are out there all along the
10 east side.

11 Okay. The last area is the light general --
12 general aviation area, and that's generally
13 characterized as that area south of Runway 6/24 on
14 the west. I'd say Taxiway Foxtrot for the most
15 part creates the border. As you get up to this
16 building here, the conference center, then it kind
17 of scoots over, if you will, to the conference
18 center access road to accommodate some building
19 that's gone on there at this point.

20 That would go all the way out to Casa Cola
21 Road right now, and eventually that might go all
22 the way out to U.S. 1 or very near U.S. 1 at some
23 point, as the master plan kind of depicts it in the
24 future. And then that comes up on the north side
25 to be the Taxiway Echo -- excuse me,

1 Taxiway Delta -- Echo's gone now -- Taxiway Delta
2 area and includes the wash rack and -- and things
3 of that nature. Self-fuel apron. Includes the --
4 currently the U.S. Customs in terms of the
5 geographic footprint.

6 But I would point out, too, that there are a
7 couple of -- a couple of uses in that area,
8 especially as you get to the -- what would be the
9 northeast corner of that, which is essentially
10 where Delta, Runway Del- -- excuse me,
11 Taxiway Delta and Taxiway Foxtrot come together,
12 you have the air traffic control tower, the
13 airfield's electrical vault, you have U.S. Customs,
14 you have the fire -- fire station there. You also
15 have our -- we have one of our larger -- not larger
16 tenants but certainly a larger tenant building,
17 probably the only privately owned building at this
18 point that's been allowed on the property. But its
19 access point is right there onto the main airfield
20 and not through T-hangar development areas and the
21 like.

22 There are some areas along Taxiway Echo that
23 are -- I would just call your attention to that do
24 end up, have over the years held some businesses
25 related to light GA, particularly in hangar rows H

1 and I row. Both of those hangar row buildings
2 front a T-hangar taxiway. They have held
3 everything from a Warbird, not a flight school, but
4 a Warbird --

5 MS. HOLLINGSWORTH: Sightseeing.

6 MR. WUELLNER: What do you call it?

7 MS. LUDLOW: Instruction.

8 MR. WUELLNER: Instruction, okay. And we've
9 had a number of little things in there. We even
10 had a paint shop many, many, many years ago. So
11 it's had and was constructed to be a little more
12 commercial in nature, the design of those hangars.

13 Keep in mind when those -- when that hangar --
14 those hangars were built and were occupied, the
15 east side corporate area did not exist. It came
16 about several years later as a result of some --
17 some infrastructure that was able to be put back
18 there with the help of DOT.

19 The area -- this area just generally is
20 designed in catering to very small kinds of
21 aircraft with similar kinds of uses. Tends to be
22 relatively low activity per unit, meaning a
23 T-hangar with -- with most T-hangar units, they're
24 not out flying multiple times a day out moving
25 aircraft around doing that on a daily basis.

1 Perhaps it's every week or even some monthly if
2 that. It's just a place to store -- store aircraft
3 for many people.

4 So anyway, those four areas are the -- make up
5 the suggested use area.

6 The purpose of defining these is largely to
7 solidify the use of those areas. So we -- the
8 intent of developing these areas many years ago in
9 the master plan process was to keep similar kinds
10 of uses together where they have similar operating
11 parameters, similar operating characteristics,
12 require similar infrastructure, and avoid issues of
13 noncommon kinds of aircraft operating in close
14 vicinity and close proximity to one another.

15 MR. OLSON: Is this language pretty well --
16 these descriptions of these four areas, is that
17 pretty well lifted out of the master plan document
18 or are there --

19 MR. WUELLNER: No. They're --

20 MR. OLSON: -- differences between the
21 master plan narrative and what is here?

22 MR. WUELLNER: Yeah. The master plan doesn't
23 attempt to describe the areas in the sense of text.

24 What they've done in the master plan document
25 and the Airport Layout Plan is show like

1 development and like areas. So they've created the
2 areas, but what's not in the master plan is the
3 textual description of the areas like you're doing
4 here in this policy.

5 MR. OLSON: So we're adding more detail?

6 MR. WUELLNER: We are adding more detail --

7 MR. OLSON: Okay.

8 MR. WUELLNER: -- in an attempt to clarify
9 what was the intent of these areas. That seems to
10 be a sticking point.

11 MR. OLSON: Okay. Because I guess I was
12 thinking would it be easier or better to simply
13 reference the master plan in a lease policy rather
14 than create new -- new language and -- and insert
15 it in the lease policy?

16 MR. WUELLNER: Yeah, it indeed would be. If
17 the language were in there that cleanly, it would
18 be a relatively easy matter, because your lease
19 policy already provisions for compliance with the
20 airport master plan. That's the section you're
21 amending here, is to try and put that clarity in
22 place.

23 But if you took all the new language out, if
24 it was clear in the master plan, it would have been
25 there by reference, but it is not currently.

1 MS. LUDLOW: So you're changing the lease
2 policy that is now in the master plan.

3 MR. WUELLNER: No.

4 MS. LUDLOW: It's not in the master plan.

5 MR. WUELLNER: It's not in the master plan.

6 MS. LUDLOW: But you're adding it to the
7 master plan.

8 MR. WUELLNER: No.

9 MS. GREEN: Fine-tuning it.

10 MR. WUELLNER: It's -- it's graphically
11 depicted on the Airport Layout Plan, which by the
12 way is the only component of your master plan, with
13 the exception of approval of forecast, that FAA
14 actually signs off on.

15 They do not sign off on the phone book
16 document. That's not -- they don't -- that's not
17 where their approval is. It's on the Airport
18 Layout Plan itself.

19 MR. OLSON: The phone book document you're
20 referring, what --

21 MR. WUELLNER: I call it the phone book
22 document. You know, it ends up just --

23 MR. OLSON: What do you -- what do you mean by
24 that?

25 MR. WUELLNER: The textual document of the

1 master plan. The descriptions, the discussions --

2 MR. OLSON: Yeah. Right. We have two volumes
3 of it.

4 MS. GREEN: Yeah, exactly.

5 MR. WUELLNER: Exactly. It's quite verbose,
6 for lack of better words.

7 MR. OLSON: And FAA doesn't sign on that.

8 MR. WUELLNER: They do not sign on that
9 document, about that document. They sign only on
10 the Airport Layout Plan.

11 And the only other approval in the master plan
12 process that FAA does is the approval of your
13 forecast fairly early on in the master plan process
14 and that drives the develop -- you know, what's
15 necessary to meet the demand for the airport. That
16 kind of drives that processes of forecasting.

17 FAA signs off and concurs in that. That
18 drives the balance of the master plan. Then they
19 only sign off on the Airport Layout Plan. And
20 primarily because that's the graphical depiction of
21 things like safety areas, your Part 77 surfaces
22 where buildings and development will occur relative
23 to the airfield. Navigational aids, lighting, you
24 name it --

25 MR. OLSON: So these proposed --

1 MR. WUELLNER: -- that's all depicted.

2 MR. OLSON: So these proposed amendments are
3 not part of the Airport Layout Plan that the FAA
4 approves?

5 MR. WUELLNER: These proposed amendments are
6 not. We're -- we're simply trying to take the
7 geographical areas that are shown currently on the
8 Airport Layout Plan --

9 MR. OLSON: Okay.

10 MR. WUELLNER: -- reduce them to some text and
11 get them inserted in here.

12 MR. OLSON: Okay.

13 MS. LUDLOW: So you're actually changing the
14 lease policy.

15 MR. WUELLNER: Correct. Yeah.

16 MS. LUDLOW: Okay.

17 MR. WUELLNER: That is -- that's why we're
18 here today. Well, not --

19 CHAIRMAN MAGUIRE: Well, I tend to disagree
20 with that. I don't think we're changing. For how
21 many years have we been doing the exact same thing
22 all this time and we've been doing it by verbal or
23 thought process? It's not in writing.

24 MS. LUDLOW: Then why do we change it now?

25 CHAIRMAN MAGUIRE: Because the question came

1 up, because apparently having it not in writing has
2 created some vagaries that people are starting to
3 question can I? Can I not? Why? Why not?

4 So it's forcing those policies that I
5 understand has been going on for X number of years
6 to be quantified in terms of the text. So it's not
7 changing; it's -- it's putting a definition to what
8 the airport prior to us has been doing. Is that
9 correct?

10 MR. WUELLNER: That is -- that is generally
11 correct, uh-huh.

12 MS. LUDLOW: But -- but it hasn't been a
13 problem until now.

14 So if one person comes up with a question,
15 then we're going to change the whole lease? And
16 aren't the reg -- the lease policy? And aren't the
17 hangars self-regulating? Because you're not going
18 to build a -- a huge hangar and expect to put a
19 private plane in there.

20 CHAIRMAN MAGUIRE: Reba, we are not changing
21 based on one person. We are clarifying and
22 defining what the document says. And if I'm wrong,
23 tell me, Ed.

24 MR. WUELLNER: No.

25 CHAIRMAN MAGUIRE: So, for years that has been

1 the policy --

2 MS. LUDLOW: Yes.

3 CHAIRMAN MAGUIRE: -- okay? Now someone says,
4 I don't quite understand. I want to do this and
5 they want to do that.

6 It's our -- it's up to us to say either our
7 policy that we've been operating under it's now
8 time to put more definition so we don't have any
9 more vagueness in the policy. So we're not
10 changing, we're clarifying. Robert, do you agree
11 with that?

12 MR. OLSON: I'm -- yes, I -- to the -- I guess
13 my other question is, if our policy becomes so
14 specific because we're making it more specific,
15 what happens if we want to have -- if we have some
16 sort of compelling reason to have an exception to a
17 very very specific provision in our policy
18 that's -- you know, it doesn't meet the language
19 here, but it's --

20 MR. WUELLNER: Uh-huh.

21 MR. OLSON: -- how does the Authority or can
22 the Authority or how does -- does the Authority
23 have to amend its policy again? Or is there a
24 provision in this lease policy where the Authority,
25 any specific -- if there's a compelling reason that

1 comes to the Authority that is -- that the, I
2 guess, majority of the Authority sees as value and
3 a reason --

4 MR. WUELLNER: Uh-huh.

5 MR. OLSON: -- to step outside the policy, is
6 there a way that can be done without again going
7 back and having a workshop and amending the policy?

8 MR. WUELLNER: Yes. You -- you as a board can
9 always either change -- you have the option. You
10 could certainly change the policy if you wanted to
11 make it a permanent adjustment.

12 You already have a provision in the lease
13 policy that provides for the ability of the appeal
14 of a decision. In other words, somebody comes in
15 and says that I'm not -- I'm not administering it
16 properly or my interpretation is different than
17 what they really are going to do. Whatever that
18 is, there's a process in place in your current
19 lease policy that allows them to move that
20 question. If you guys want to hear it, you have
21 the ability to hear that and make a decision. You
22 have always got the ability to make an exception
23 should you deem it by a majority vote to be the
24 proper action.

25 MR. OLSON: So we would not -- if that were

1 something the Authority wanted to do, we wouldn't
2 have to go back and actually further amend the
3 policy, we could grant an exception.

4 MR. WUELLNER: Correct.

5 MR. OLSON: Okay.

6 MR. WUELLNER: Just keeping in mind when you
7 grant exceptions, you are --

8 MS. GREEN: Somewhat --

9 MR. WUELLNER: -- somewhat amending the
10 policy, because you're going to have additional
11 appeals, no doubt.

12 MS. GREEN: Set a precedent.

13 MR. OLSON: Yeah.

14 MR. WUELLNER: Which is your call --

15 MR. OLSON: Exceptions are some unusual thing
16 that --

17 MR. WUELLNER: Agreed.

18 MR. OLSON: Okay.

19 MS. LUDLOW: I think the board -- I think that
20 the board should be able to make that decision. I
21 don't think it has to go in the lease. If it
22 hasn't been a problem for 20 years and now we have
23 somebody that wants -- I don't think we need to
24 change the lease for one person. That's the
25 board's job.

1 CHAIRMAN MAGUIRE: But let me throw another
2 comment in.

3 I tend to relate a lot of this issue to being
4 a landlord, okay? One of the biggest issues -- and
5 Suzanne can agree or whatever. One of the biggest
6 issues we always face is what is written and not
7 written in our leases. We have more lawsuits over
8 the vagueness of a lease that is not defined and we
9 are constantly changing our lease.

10 One example, we had to change our lease last
11 week over a minor and major repair that we required
12 to tenants to perform.

13 MR. WUELLNER: Yeah.

14 CHAIRMAN MAGUIRE: We had to get very specific
15 and say exactly dollar-wise what constitutes a
16 minor repair, what constitutes a major repair, who
17 do you call, and it got -- what turned -- what
18 started out as about three sentences turned out to
19 about three paragraphs because it was vague. And
20 it cost us a lot of money not to be clear and
21 precise.

22 MS. LUDLOW: Bruce, you don't have a board of
23 directors. We have a board of directors.

24 CHAIRMAN MAGUIRE: That's right. And we have
25 a responsibility --

1 MS. LUDLOW: We should make those decisions.

2 CHAIRMAN MAGUIRE: -- to protect the airport
3 from lawsuits, okay?

4 MS. LUDLOW: Yes. And it's the board's
5 responsibility --

6 CHAIRMAN MAGUIRE: It is.

7 MS. LUDLOW: -- not the lease policy. The
8 board is the one that makes those --

9 CHAIRMAN MAGUIRE: No.

10 MS. LUDLOW: Okay.

11 CHAIRMAN MAGUIRE: Go ahead. Anybody else?

12 MS. LUDLOW: If I have property adjacent to
13 the airport, I'd be worried about that, too.

14 CHAIRMAN MAGUIRE: About what?

15 MS. LUDLOW: About lease problems.

16 CHAIRMAN MAGUIRE: Yeah.

17 MS. LUDLOW: Don't you have some property
18 right down here that has a --

19 CHAIRMAN MAGUIRE: Who, me? Yes.

20 MS. LUDLOW: It has the -- the speeders. You
21 know, the kids that ride along the road and they
22 make so much noise at night and things like that.

23 CHAIRMAN MAGUIRE: I don't know about that.

24 MS. LUDLOW: Well, there are tracks on the
25 road. Okay. I still think it's the board's

1 responsibility.

2 MR. WUELLNER: It absolutely is. That's why
3 it's here as a pol- -- ultimately will be a policy
4 decision, not an -- not an Ed decision.

5 MS. LUDLOW: It's --

6 MR. WUELLNER: I can't administer what isn't
7 given to me to administer, and it's really that
8 simple. And whatever direction this goes is to
9 what my marching orders are.

10 MR. MIRGEAUX: But you've proposed these
11 changes.

12 MR. WUELLNER: I have, yes.

13 MR. MIRGEAUX: So, these four areas, just to
14 clarify as you've laid them out -- the airline
15 terminal area, the FBO area, the corporate and
16 commercial area, and the light GA area -- they're
17 not identified in the master plan.

18 MR. WUELLNER: Not as areas specifically, but
19 they are identified in how they're developed on the
20 property.

21 MR. MIRGEAUX: But --

22 MR. WUELLNER: When you look at the Airport
23 Layout Plan, you see --

24 MR. MIRGEAUX: So yes or no, are they in the
25 current master plan?

1 MR. WUELLNER: The labeling? Is that what
2 you're asking?

3 MR. MIRGEAUX: These four changes --

4 MR. WUELLNER: They're not.

5 MR. MIRGEAUX: -- the changes that we make to
6 our lease policy.

7 MR. WUELLNER: They're not.

8 MR. MIRGEAUX: They're not.

9 MR. OLSON: That's interesting. I thought
10 they were referenced in the -- I mean, I really --

11 MR. MIRGEAUX: Yeah. So, to clarify, these
12 four areas are not currently defined in the lease
13 policy in the master plan.

14 MS. GREEN: Under these terms.

15 MR. WUELLNER: Under these terms.

16 MS. GREEN: Under these labels.

17 MR. WUELLNER: These labels.

18 MR. OLSON: Well --

19 MR. WUELLNER: They are graphically depicted.

20 MR. MIRGEAUX: I mean --

21 MR. OLSON: They're in the -- during the
22 master plan process, they were certainly discussed,
23 and I think they're in -- I mean, I think
24 they're -- why they may -- while they may not be --
25 I thought they were actually terms used in the

1 master plan.

2 MR. MIRGEAUX: Right, but --

3 MR. OLSON: But I don't have a copy of the
4 master plan here, so...

5 MR. MIRGEAUX: Okay. So just, I don't -- I
6 don't want to quote every chapter and verse for
7 everybody, because our master plan is on our
8 website --

9 MR. WUELLNER: Uh-huh.

10 MR. MIRGEAUX: -- and is available not just
11 for the board, but for the general public. Anybody
12 that has an interest has access to this. They're
13 out there.

14 But the Airport Layout Plan is Section 8 of
15 Part 1, and it talks about the terminal area
16 plans --

17 MR. OLSON: Yeah.

18 MR. MIRGEAUX: -- multimodal plans, you know,
19 plans for the future.

20 But then the -- the actual areas are discussed
21 in -- I had it and now I'm losing it -- in the
22 inventory of existing -- inventory of existing
23 conditions. General aviation buildings and
24 leaseholds. There's a west side, there's an east
25 side, and then there's a south side. And then the

1 airport support facilities are defined in their own
2 section.

3 MR. WUELLNER: Uh-huh.

4 MR. MIRGEAUX: But this is not -- those areas,
5 like say, for instance, the south side area, would,
6 you know, loosely follow what you have in here as
7 the light GA area.

8 MS. GREEN: The north side would be the
9 corporate.

10 MR. MIRGEAUX: And the master plan doesn't say
11 anything about, you know, exclusive of
12 piston-driven aircraft. But you have that in this
13 definition.

14 MR. WUELLNER: But when -- when you look at
15 the layout as depicted in the master plan, the ALP,
16 the Airport Layout Plan, you'll see that the
17 dimensioning, the layout, the organization is
18 all --

19 MR. MIRGEAUX: I mean, Taxiway Bravo is
20 Taxiway Bravo. It doesn't matter if it's in the
21 lease or if it's in the master plan or if it's --
22 you know, you're out there walking it. It's --
23 that's what it is. We can all agree on that.

24 MR. WUELLNER: Uh-huh.

25 MR. MIRGEAUX: But in terms of defining

1 something for a lease and a lease agreement, then
2 you're -- you're restricting in what our customers,
3 our stakeholders can do if you say, for instance,
4 in a light GA, we want to just limit it to
5 piston-driven aircraft only.

6 MR. WUELLNER: Uh-huh.

7 MR. MIRGEAUX: And I'd be interested to know
8 like if we adopt these changes, who is it going to
9 affect? Who is -- who is actually impacted?

10 MR. WUELLNER: Currently, no one.

11 MR. MIRGEAUX: Is that -- is that -- right
12 currently because we don't have it in place. But
13 if we enact these, if the board votes in favor of
14 these, who is impacted?

15 MR. WUELLNER: Currently, no one that has an
16 existing lease with the Authority would be impacted
17 by it.

18 MR. MIRGEAUX: I mean --

19 MR. BURNETT: Other than the obvious.

20 MS. GREEN: Other than the proposed.

21 MR. WUELLNER: There is a proposed lease that
22 certainly would be impacted.

23 MR. MIRGEAUX: Okay. So --

24 MS. LUDLOW: But this is -- it isn't in the
25 master plan, right? The terms are not in the

1 master plan.

2 MR. WUELLNER: The -- the descriptor for the
3 area is not in the master plan, that is correct.

4 MS. LUDLOW: Right.

5 MR. MIRGEAUX: So we've got -- just to put
6 it -- let's dot the I, cross the T here, put a fine
7 point on it. We've got a 14,000-foot commercial
8 hangar as defined in the master plan and what we're
9 saying is we don't want commercial air operations
10 operating in that commercial hangar.

11 MR. WUELLNER: Where do we have -- I'm not
12 sure where you're coming up with 14,000.

13 MR. MIRGEAUX: It's a --

14 MS. LUDLOW: I think it's --

15 MR. MIRGEAUX: According to the master plan --
16 again, I'm not making it up; I'm reading it right
17 out of the master plan -- we've got a commercial
18 hangar in good condition, Building Number 46, and
19 Figure -- Figure 216 discusses all the general
20 aviation buildings and leaseholds. The source is
21 Passero Associates. Page 2-27.

22 MR. WUELLNER: Oh. I think you're referring
23 to the aggregate size of T-hangars; is that
24 correct?

25 MR. MIRGEAUX: It's not just T-hangars. It

1 discusses box hangars. Discusses the -- all the
2 buildings on the -- on the airfield, everything.

3 MS. LUDLOW: And that's exactly what I'm --
4 why build a commercial size hangar and regulate
5 that you can only put one certain kind of plane in
6 there?

7 MR. MIRGEAUX: And if we adopt these -- if we
8 adopt this language, what we're saying is in
9 that -- that area, that hangar is actually going to
10 fall in our newly defined light general -- general
11 aviation area.

12 MR. WUELLNER: And what --

13 MR. MIRGEAUX: And you define light general
14 aviation as single-engine and light twin-engine
15 piston-driven aircraft of a type and character.
16 First of all, aircraft don't have characters, you
17 know? Come on.

18 MS. LUDLOW: Good for you.

19 MR. MIRGEAUX: I mean, what are we doing here?

20 MR. WUELLNER: I think you're stretching the
21 word "character" beyond what was intended.

22 MR. MIRGEAUX: Okay. Well, I mean, it's an
23 inanimate object, okay? Come on now. That would
24 typically occupy a T-hangar. But we have buildings
25 in this area that are not T-hangars; they're

1 commercial hangars, as defined by the master plan.

2 MR. WUELLNER: Yeah. With light -- with --

3 MR. MIRGEAUX: They can handle big aircraft.

4 MR. WUELLNER: With a light GA emphasis.

5 MR. MIRGEAUX: Well, I mean --

6 MR. WUELLNER: They were built for smaller
7 aircraft use --

8 MR. MIRGEAUX: But, I mean, we're limiting --
9 we're limiting what we can do if we adopt the
10 language as it's outlined.

11 MR. WUELLNER: The buildings already limit
12 that.

13 MR. MIRGEAUX: Does it, though?

14 MR. WUELLNER: Yeah.

15 MR. MIRGEAUX: I mean --

16 MS. LUDLOW: The building size would somewhat
17 limit it, but it wouldn't limit it to piston or
18 jet. I mean, you know, you could have a jet that
19 will fit in a smaller hangar. It's
20 self-regulating. You can't put something big in a
21 smaller hangar.

22 MR. WUELLNER: Well, I think you're also --
23 the -- the building you're referring to, now that I
24 see which one you're referring to, is a four-unit
25 building that totals that number, not a --

1 MS. GREEN: Single.

2 MR. WUELLNER: -- single space of 14,000
3 square foot.

4 MR. MIRGEAUX: But -- okay. Well -- okay.

5 MR. WUELLNER: Which is --

6 MR. MIRGEAUX: But it's -- is it defined in
7 the master plan as a commercial hangar?

8 MR. WUELLNER: I couldn't tell you right off
9 the top. Is it? It's defined as corporate,
10 actually.

11 MR. MIRGEAUX: Oh, corporate hangar. It's
12 defined --

13 MR. WUELLNER: But it's more --

14 MR. MIRGEAUX: -- as a corporate hangar.

15 MR. WUELLNER: -- the type of hangar than the
16 use in this case.

17 MR. MIRGEAUX: But it's defined as a corporate
18 hangar. Like maybe -- okay.

19 MR. WUELLNER: It says that.

20 MR. MIRGEAUX: So not a commercial hangar --

21 MR. WUELLNER: I'm reading it.

22 MR. MIRGEAUX: -- a corporate hangar. And if
23 we adopt --

24 MR. WUELLNER: But to be fair --

25 MR. MIRGEAUX: -- the lease policy changes --

1 MR. WUELLNER: -- I can --

2 MR. MIRGEAUX: -- we're saying that there's
3 only a certain type of corporate aircraft that can
4 operate in this corporate hangar.

5 MR. WUELLNER: Well, I will readily concede
6 that the in -- when we built the hangar, it was
7 intended to have commercial uses also.

8 MR. MIRGEAUX: Yeah.

9 MR. WUELLNER: It could have commercial uses.
10 It could be strictly corporate. We've had a
11 mixture in that hangar since it was built.

12 MR. MIRGEAUX: Right.

13 MR. WUELLNER: Dating back to 2009, I believe,
14 somewhere around there.

15 MR. MIRGEAUX: So, I mean, it sounds like
16 we're limiting our own -- we're kind of
17 hamstringing ourselves here if we do this.
18 Especially with the way that that's currently
19 worded.

20 MR. WUELLNER: We have -- I don't know how
21 else to say it, but we have plenty of people
22 willing to use a hangar as it's designed in that
23 area. It's -- it's not a fact that a hangar's
24 going to sit here empty.

25 MR. MIRGEAUX: So if we adopt these changes,

1 you know, as soon as a month from now, who is this
2 going to impact? I mean, that -- you know,
3 currently no one, is what you say.

4 MR. WUELLNER: Correct.

5 MR. MIRGEAUX: But, you know, currently we're
6 also -- you know, you're also in the midst of
7 negotiating a new lease with --

8 MR. WUELLNER: We're really not talking about
9 the lease today but I'm happy to go down that road
10 if that's where --

11 CHAIRMAN MAGUIRE: I believe we have to be
12 very careful, okay? You're tracking along
13 questioning to satisfy a potential lease after this
14 is done. I'm looking at what the airport is doing
15 right now, what they have done, and what's best for
16 the airport in terms of having a structure in place
17 that everybody understands, whether they're brand
18 new or old or the hundred people still on the
19 waiting list, okay?

20 I am not going to tailor my position based
21 upon what if we want this airplane to go. The
22 answer in my mind is, where do we want that
23 airplane to go when it's all said and done? And
24 then my mind is, it's a structure. It's a
25 definition of this airplane, this category,

1 whatever it is we're talking about, has a structure
2 to it, okay?

3 MR. OLSON: Within the structure that you just
4 are thinking of or referring to or -- does that
5 structure in your mind add -- allow an exception --
6 and obviously exceptions have to have attendant
7 rationale for granting those specific exceptions.
8 But how ridged do you see this structure?

9 CHAIRMAN MAGUIRE: And that goes back to what
10 he said. The board can do anything they want to
11 do. We can make changes if that's what we decide
12 to do, okay? All it takes is a majority vote to do
13 that. I may disagree. I may agree, okay? But we
14 are not prevented from making exceptions, if that's
15 your question, all right?

16 MR. OLSON: Okay.

17 CHAIRMAN MAGUIRE: So, by -- by establishing
18 the criteria, the structure, we now have a base
19 from which we can work.

20 And if somebody comes in and says, well, I
21 want to put a space exploration project over in
22 this corner, we can look at it and see if we want
23 to make an exception, okay? But we all start from
24 the same base and structure and we know where
25 we're -- where we are and where we're going.

1 MR. OLSON: Right. And in that sense, when --
2 if an exception is made, there has to be -- there's
3 an attendant accountability that has to happen as
4 to why --

5 CHAIRMAN MAGUIRE: You have to --

6 MR. OLSON: -- that exception is being made.

7 CHAIRMAN MAGUIRE: Exactly. You have --
8 whatever the request is to change or to modify or
9 to approve has to have substantial justification --

10 MR. OLSON: Yes.

11 CHAIRMAN MAGUIRE: -- that says not only is
12 this a qualified business operation, but this is
13 how it contributes to the airport, the general
14 aviation aspect of the county, the business or
15 whatever it is, and we consider it, yes.

16 MR. OLSON: Right. Okay.

17 MS. LUDLOW: But we are limiting, see? We are
18 limiting. You're limit -- limiting the --

19 CHAIRMAN MAGUIRE: That's --

20 MS. LUDLOW: -- kind of airplane --

21 CHAIRMAN MAGUIRE: That's what -- that's what
22 happens when you put together a structure.

23 MS. LUDLOW: Right.

24 CHAIRMAN MAGUIRE: You say this is where we're
25 starting from, and yes, that is a limit in many

1 cases --

2 MS. LUDLOW: Yes.

3 CHAIRMAN MAGUIRE: -- but it's not a limit
4 that will never be able to be changed.

5 MS. LUDLOW: Well, why change it?

6 CHAIRMAN MAGUIRE: It can always be changed.

7 MS. LUDLOW: I mean, you know --

8 CHAIRMAN MAGUIRE: But you don't start off
9 with making a change before you have the structure.
10 You set the structure first.

11 MS. LUDLOW: I -- I think we're restricting
12 aircraft if you start limiting this, because then
13 it's up to you to say, you know, you have -- what
14 is a general aviation aircraft? You don't even
15 have that defined.

16 MR. MIRGEAUX: Well, we don't have to define
17 that. I mean, that's an FAA definition. I don't
18 think we --

19 MS. LUDLOW: If they're going to designate
20 areas.

21 MR. WUELLNER: Well, G -- yeah -- well, I
22 mean, general aviation is defined as everything but
23 military and commercial aviation.

24 MR. MIRGEAUX: Yeah, it's a catchall.

25 MR. WUELLNER: It's a catchall classification.

1 MS. LUDLOW: Military or commercial.

2 MR. WUELLNER: I mean, that's by definition
3 what it is. It includes just about anything else.

4 CHAIRMAN MAGUIRE: Doug, do you have any
5 comments?

6 MR. BURNETT: Regardless of what direction you
7 take on a policy -- and I'll just comment on this
8 to put it in terms that sometimes it helps by
9 analogy.

10 If you put your zoning hat on and you think
11 about zoning and older buildings and that kind of
12 thing, you may think of an existing nonconforming
13 use or grandfathering the use in.

14 So, however your policy's adopted here today,
15 there still may be a way to address the potential
16 user that you feel comfortable with. And maybe
17 it's that it's -- the lease term is whatever it is
18 and ultimately it's -- that use is going to be out
19 of that area or -- or any number of things like
20 that.

21 So, you know, this is just dealing with the
22 policy itself. I don't think by this policy that
23 if a jet aircraft were to taxi through here, that
24 suddenly there's going to be some sort of action
25 and some emergency that your executive director's

1 going to go running out there flagging them down to
2 stop them, so I'm not sure I can speak to that.

3 MR. OLSON: Yeah, that's a good comparison to
4 zoning. And the county has a comprehensive plan.
5 It's a plan for I think it's 25 -- 2025. It's
6 probably going to -- there's probably going to be a
7 new plan soon, but I assume it's adopted by -- as a
8 policy of the county for making land use decisions.
9 However, that plan is amended at times --

10 MR. BURNETT: Uh-huh.

11 MR. OLSON: -- because of certain things that
12 come up, change in conditions, whatever, so...

13 MR. BURNETT: And -- and many of those changes
14 are -- the airbase comp plan amendments are every
15 ten years, what they call them. But most of the
16 comprehensive plan amendments are individually
17 driven by individual property owners asking the
18 county to make an exception for a --

19 MR. OLSON: Right. But it is --

20 MR. BURNETT: -- particular piece of
21 property --

22 MR. OLSON: Right. But it is the --

23 MR. BURNETT: -- and change it.

24 MR. OLSON: Yes. But it is the official comp
25 plan and it's amended in order to I guess modify

1 it, I think is the term that county uses. Major
2 modification, modification.

3 MR. BURNETT: Not a bad analogy, yes, sir.

4 MR. OLSON: But I'm thinking the 1995 plan,
5 master plan, would be very difficult to put in a
6 policy like this because it was so ambitiously
7 futuristic. I'm not sure -- that was the plan that
8 moved U.S. 1 and the railroad.

9 MS. GREEN: Uh-huh.

10 MR. WUELLNER: No, no. That's the '85 --

11 MR. OLSON: No, the '95 plan, isn't it?

12 Because I -- I spent time with that plan.

13 MR. WUELLNER: I think it's the previous one.

14 MR. OLSON: It's the one --

15 MR. WUELLNER: To move the railroad west and
16 move the -- is that the one you're referring to?

17 MR. OLSON: It's the plan done by the --
18 what's the name of the firm in Jacksonville?

19 MR. WUELLNER: RS&H.

20 MR. OLSON: Yeah, RS&H, '95.

21 MR. WUELLNER: No, it'd be '85. No. I'm
22 sorry. You are right. It is '95. Yeah, you're
23 correct.

24 MR. OLSON: Right. And then the 2005 plan
25 actually was --

1 MR. WUELLNER: Correct.

2 MR. OLSON: -- sort of the very -- the plan
3 that everything got -- almost everything got
4 implemented --

5 MR. WUELLNER: Uh-huh.

6 MR. OLSON: -- because that's the plan that
7 the theme of it was get the ready -- get the
8 airport ready for modern commercial scheduled air
9 service, and that's -- was -- and everything was
10 really done. It was all that security stuff,
11 terminal, everything --

12 MR. WUELLNER: Uh-huh.

13 MR. OLSON: -- it was -- but the '95 plan
14 would be very difficult to put into policy.

15 MR. WUELLNER: Agreed. And -- and the 2005
16 version is where we develop -- in the development
17 of that plan something we didn't do this time
18 because the areas were, at least in our mind,
19 already identified on the airport. The previous
20 version, we formed little working groups, if you
21 will, of like users to discuss the needs and what
22 should be included in these geographic areas.

23 These were done ahead of adopting and
24 finalizing the airport master plan. They were done
25 in probably 2003, 2004, and maybe as late as 2005,

1 because that '5 plan really wasn't adopted till '6
2 or '7 once it finally gets through the hoops.

3 But in any case, we met with a user group of
4 general aviation, of light GA -- to use my version
5 of light GA. We met with corporate users. We met
6 with our FBO. It was still ahead of actual airline
7 service here for the first time by a couple of
8 years. Little did we know the phone would ring,
9 you know, basically at adoption.

10 But we worked with them to get an
11 understanding of what the needs were in those G --
12 those areas -- and I'll speak specifically to
13 here -- what was needed, whether it's T-hangars.
14 There was even discussion of -- that plan, if you
15 look at it, shows an FBO location back in that day,
16 and it was designed or supposed to cater to light
17 general aviation aircraft.

18 The reality is, I don't think there's a
19 business plan in the world that works well for just
20 simply selling avgas in a remote spot of an airport
21 as a full-service FBO. It just -- that ship sailed
22 many years ago. Not just here, but I think
23 nationally. There are very few airports that don't
24 strictly have real FBOs that can operate in those
25 conditions.

1 MR. OLSON: So the mass -- the -- the
2 master plan for airports requires -- I guess maybe
3 it's FAA that requires a public hearing before it's
4 adopted.

5 MR. WUELLNER: Uh-huh.

6 MR. OLSON: But we wouldn't have to have a
7 public hearing by -- with this material giving more
8 detail because it's part of adding more description
9 to the master plan.

10 MR. WUELLNER: It doesn't amend the
11 master plan at all.

12 MR. OLSON: Right. Okay. It's a lease
13 policy, that's right. Okay. Yes.

14 MR. BURNETT: But it still would be at a
15 public meeting.

16 MS. GREEN: Yeah.

17 MR. OLSON: Right. But not a hearing, not a
18 formal hearing like the master plan requires.

19 MR. WUELLNER: The requirements of FAA are
20 public meetings, not public hearings.

21 MR. OLSON: So FAA doesn't even require a
22 master -- a public hearing for approval of the
23 master plan.

24 MR. WUELLNER: You -- you agree with FAA up
25 front as to what that -- in the development and

1 approval of the scope of the master plan as to what
2 that looks -- what it's going to look like. Not
3 the end result, but how you're going to go about
4 meetings and public information and the like.

5 MR. OLSON: Okay.

6 MS. LUDLOW: I -- but you're introducing a
7 whole new term, light general aircraft, and you
8 just said yourself in my opinion or my version.

9 MR. WUELLNER: Well, it's meant to just be an
10 easy descriptor. It's not meant to be introducing
11 a new term in that scheme.

12 MS. LUDLOW: But once this gets passed,
13 then --

14 MR. MIRGEAUX: What's the mass gross takeoff
15 weight --

16 MS. LUDLOW: -- they'll it --

17 MR. MIRGEAUX: -- of a light --

18 MS. LUDLOW: -- what it will call it.

19 MR. MIRGEAUX: -- general aircraft?

20 MS. LUDLOW: I think it should be up to the
21 public. I don't think -- we're a general aviation
22 airport and that's what -- what's the difference in
23 corporate and commercial?

24 I mean, you can't put a Cessna in a
25 commercial -- a corporate hangar. I mean, you

1 could, but why would they pay -- you're defining
2 it. You are restricting it.

3 MR. WUELLNER: Well, the -- not to get too
4 deep in the woods, but typically those leases are
5 not going to allow for things like subleasing
6 arrangements that you might be describing in the
7 way you're saying that.

8 Corporate and commercial is really, they're --
9 for the way we're using them here, commercial means
10 someone who's in aviation business, not like
11 scheduled service, to be clear.

12 It's somebody operating a -- I mean, it could
13 be anything: An avionics shop, a maintenance
14 operation, a charter business, something
15 specialized in aviation.

16 You have -- we have, you know, a rehab or
17 refurbishment facility up on the north end. Those
18 qualify as commercial businesses. They're
19 regulated under your lease policy and minimum
20 operating standards. Whereas, your corporate guys
21 operate similar aircraft, but they're operated in
22 a -- in support of their own private business in
23 many -- most cases.

24 Albeit there's probably at least one on the
25 airport who owns the aircraft personally in that

1 respect and flies it for personal use. But it
2 becomes a corporate in scale and type. But they're
3 very similar aircraft, very similar, if not
4 identical in some cases.

5 MS. LUDLOW: Well, I --

6 CHAIRMAN MAGUIRE: Suzanne, do you have
7 anything?

8 MS. LUDLOW: I --

9 MS. GREEN: No, I read through it quite a bit.

10 CHAIRMAN MAGUIRE: Okay.

11 MS. LUDLOW: I'm sorry. I still think it
12 should be up to the board and we wouldn't be having
13 this exceptions clause lawsuit.

14 I don't think we should change it. It's
15 worked this way for 20 years. And if you're saying
16 that now somebody complained, that's one person in
17 20 years. I mean, I don't think the whole thing
18 should be changed just because you made the
19 decision.

20 MR. WUELLNER: Well, what did I make a
21 decision on?

22 MS. LUDLOW: Well, you made the decision on
23 who goes in corporate and who goes in commercial.

24 CHAIRMAN MAGUIRE: I -- I disagree with that.

25 MR. WUELLNER: No.

1 CHAIRMAN MAGUIRE: That decision was made --

2 MR. WUELLNER: No, I don't, you do.

3 CHAIRMAN MAGUIRE: -- 20 years ago.

4 MS. LUDLOW: I --

5 MR. WUELLNER: You make the decision by the
6 approval of the lease agreements when they come to
7 you.

8 MS. LUDLOW: Well --

9 MR. WUELLNER: I mean, not since you've been
10 on the board, but that's -- the board has done
11 that.

12 MS. LUDLOW: I -- I think that's too
13 restricting. I don't -- I think that the board
14 should be able to make that decision and make it --
15 when that comes up.

16 MR. WUELLNER: I'm -- I'm not understanding
17 what you mean by too restrictive.

18 MS. LUDLOW: You're -- you're saying light
19 general aircraft and you can't even say what light
20 general aircraft is.

21 MR. WUELLNER: I just did.

22 MS. LUDLOW: Everyone has different opinions.

23 MR. WUELLNER: It's single -- single and
24 multiengine piston-driven aircraft.

25 MS. LUDLOW: Well, that's what you say today,

1 but, you know, is that --

2 MR. WUELLNER: That's why I'm writing it down.
3 That's why we're suggesting it be written down, so
4 that it's not an opinion.

5 MS. LUDLOW: You're restricting -- you know,
6 it's a general aviation airport.

7 MR. WUELLNER: We're not restricting the
8 airport.

9 MS. LUDLOW: You are. You're categorizing --

10 MR. WUELLNER: This airport is accessible to
11 all aircraft.

12 MS. LUDLOW: -- them and you're deciding which
13 goes in which area.

14 MR. WUELLNER: That -- that is absolutely
15 common practice at every airport in the country.

16 MR. MIRGEAUX: I mean, it's --

17 MR. WUELLNER: There are a myriad of reasons
18 that drive that.

19 MR. MIRGEAUX: Yeah, but when you're
20 segregating different aircraft by type and -- you
21 know, spatially across an airfield, that's usually
22 for air traffic control reasons or for safety
23 reasons or, you know, facility reasons like
24 runway -- runway bearing strength reasons, things
25 like that.

1 It's not, you know, I don't like -- I don't
2 like the -- the cut of that aircraft's jib, so to
3 speak, so, you know, I'm gonna -- it's like come
4 on, you know? That's a -- and power plant? Come
5 on, it's a piston versus a jet engine? You know,
6 any more these days, they -- there's no mention in
7 here of lighter than aircraft derivatives.

8 You know, what about if somebody wants to, you
9 know, station the Goodyear Blimp here? Move it
10 from -- where are they at, Fort Pierce, Jupiter, or
11 something like that? What if they decide that they
12 want to move further up the coast? What about
13 drone operations? I mean, you know, either, you
14 know, designate a certain area for that or, you
15 know, say something about this is where aviation's
16 going to be a decade from now, two decades from
17 now.

18 So why -- why are we -- I don't even know why
19 we would put this language in our lease agreements
20 that are supposed to be forward-looking like that
21 when we're essentially -- we're hamstringing
22 ourselves. I said it again. I'm starting to sound
23 like a broken record. I just don't think it's -- I
24 don't think it's needed.

25 MR. OLSON: I'm wondering if it -- if some of

1 the discussion we're having now might be, our
2 concerns that we're -- or questions we're having
3 now might be addressed by having a -- adding
4 language to the lease policy that discusses the
5 exception, the process of, I don't know, exceptions
6 or amendments or -- well, not amendments --
7 exceptions to the policy, the lease policy, and
8 how -- what accountability would be required or
9 what types of -- you know, generally describe what
10 type of situations would be key -- would key an
11 exception and that the -- that would require of
12 course approval by the board.

13 Would -- would that give -- address some of
14 the questions or concerns people have -- are
15 voicing about the policy being too rigid? Because
16 as has been pointed out, I mean, there's a lot
17 of -- there's a lot of technology advancing in
18 aircraft right now and -- including in the business
19 of aircraft or flying.

20 So, I'm thinking that if there was an
21 exception paragraph that actually acknowledged that
22 this may not -- that there may be great
23 opportunities for this airport that are outside of
24 this lease policy, that this is how the Authority
25 would address those.

1 CHAIRMAN MAGUIRE: I like the idea of having
2 it in writing if somebody wants to file for an
3 exception, how -- how do they go about? What can
4 they expect? What do they know that they have to
5 do to make it a credible issue?

6 From your comment combined with Justin's
7 comment, technology is moving so fast, we don't
8 have any idea what's going to be happening in five
9 years. We don't. It could be that the drones are
10 so popular, that there would be a special area for
11 drones. I don't know. Could not be.

12 But to say that we're not going to have a
13 structure to be able to address those issues that
14 come out, that we're just going to wing it when
15 they come up and when somebody asks and then we'll
16 make a decision without being prepared in advance,
17 that's a recipe for disaster.

18 There's not a business that I know of that
19 operates on a wing-it attitude, let's wait to see
20 what somebody comes in and complains about and then
21 we'll work on it.

22 Businesses don't do that. They have a plan,
23 they have a structure, they have a format, and they
24 have a procedure for changing that. So I have no
25 problem with -- with putting something in there

1 about how do we address changes or requests for
2 changes.

3 MS. LUDLOW: I have -- I have a plane on the
4 field. A Citation light jet is -- is listed as
5 general light aviation and the Sonex single pilot,
6 they're listed as a light general aviation.

7 MR. WUELLNER: You do?

8 MS. LUDLOW: So you're just trying to put them
9 in a category and you're making a category that
10 you -- they're -- where are the terms? Don't you
11 think that we should have -- you made up the terms,
12 you made up light general aviation. That should
13 have been, you know, addressed first.

14 MR. WUELLNER: That's why it's here today.
15 For that input, for that --

16 MS. LUDLOW: No. What you're doing today is
17 segregating the airport so you can tell --

18 MR. WUELLNER: That -- that isn't -- I'm
19 sorry. That segregation occurred --

20 MS. LUDLOW: The master plan?

21 MR. WUELLNER: -- 15 years ago. And you've
22 invested literally millions of dollars in
23 infrastructure supporting that.

24 MS. LUDLOW: You're saying that, but who makes
25 the decision on what is general aviation? I mean,

1 if a --

2 MR. WUELLNER: No --

3 MS. LUDLOW: -- Citation jet is general
4 aviation, a single-engine Sonex is a light general
5 aviation.

6 MR. BURNETT: If I could comment on this piece
7 of it.

8 I believe the language that's before you is
9 what your staff believes was the intended use of
10 the south area and the other areas of the airport,
11 these four areas. And so, the language up here is
12 reflective of what staff's understanding was.

13 This is suggested language. Obviously the
14 Authority can adopt it in whole, adopt it in part,
15 not adopt it at all. I mean, that's -- you know,
16 you guys are the ones that set the policy and then
17 we follow it.

18 I guess if there was a blimp issue that came
19 along tomorrow, and -- and it could, I think we
20 would be saying we don't know where that fits in
21 the policy. Maybe we're looking at it and thinking
22 it's corporate and so it's the northeast area.

23 But I guess Ed would -- and your staff would
24 identify the areas. And if it didn't fit the
25 northeast area, we would come back to you and say,

1 hey, here's options; we can put it here, we can put
2 it there, or drones or the like. I think that as
3 things wind up coming back to you guys for y'all to
4 look at it and say grace over it.

5 At this stage, we're sort of -- and what's
6 brought this about is it's -- the question was
7 there's not written policy related to these areas.
8 Okay. Let's bring it to the Authority and then
9 we'll know what your intent is going forward.
10 We'll also have to obviously deal with the
11 potential lease that everyone knows is out there
12 and how that gets addressed, whether it fits in
13 this policy or not.

14 But as a fundamental thing, is this the policy
15 or is there some version of this that's the policy
16 that we should have in place so everyone knows the
17 guidelines going forward? Your long-range planning
18 document, if you will, to know where we're all
19 headed, even if there's an exception here or there.

20 MR. MIRGEAUX: But to be clear, these
21 definitions as you've laid them out, you're -- you
22 have a corporate hangar smack dab in the middle of
23 the area that you want to now define as light GA
24 piston aircraft only.

25 MR. WUELLNER: Because we've had --

1 MR. MIRGEAUX: That --

2 CHAIRMAN MAGUIRE: Corporate doesn't mean not
3 light general aviation.

4 MR. WUELLNER: We have -- we have corporate
5 users in our T-hangars.

6 MR. MIRGEAUX: Right. But you've got -- and
7 you're defining the light general aviation area as
8 small box-style hangars less than 4,000 square
9 feet. But I'm look at the master plan, and the
10 area that you defined it in here where you say your
11 hangars here are 4,000 square feet or less, we have
12 a 14,000 square foot hangar.

13 MR. WUELLNER: The 4,000s are under -- units
14 within the 4 -- the 14,000 --

15 MR. MIRGEAUX: But they're being defined as a
16 corporate hangar. Like --

17 MR. WUELLNER: Yeah, just by nature of the
18 source.

19 MR. MIRGEAUX: -- it exists, like so why are
20 we --

21 MR. WUELLNER: I think you're --

22 MR. MIRGEAUX: -- why would we put -- why
23 would we put language in our lease policy that
24 essentially makes believe that the thing doesn't
25 exist? It does. It's there.

1 MR. WUELLNER: Well, the -- it's the same
2 argument that you're not making related to
3 T-hangars. A T-hangar building is 20,000 square
4 foot, but it holds how many units? 12 units. 12
5 single-engine aircraft or multiengine aircraft.
6 It's exactly the unit you're pointing to right now
7 that is 14,000 square foot is a four-unit building,
8 not a one-unit building.

9 MR. BURNETT: It's Hangars A, B, D and E with
10 C in the middle is --

11 MR. MIRGEAUX: Is the office.

12 MR. WUELLNER: It's office space to support an
13 aviation business, should it be wanting over there.

14 MS. LUDLOW: I think we should be specific. I
15 think everybody in this room thinks this is aimed
16 at one. The same thing on the lease policy --

17 MR. WUELLNER: It -- to be fair, it's in
18 response to that, without question --

19 MS. LUDLOW: Yes.

20 MR. WUELLNER: -- because there's apparently
21 not enough clarification and now it's inappropriate
22 in that area.

23 MS. LUDLOW: So we should -- we should attend
24 to that problem, not change --

25 MR. WUELLNER: That is --

1 MS. LUDLOW: -- the whole airport.

2 MR. WUELLNER: That is what this is, attending
3 to that problem.

4 MS. LUDLOW: You're changing the whole
5 airport, though. We -- we could attend to one
6 problem.

7 MR. WUELLNER: Nothing changes. There is
8 nothing different than has been operated for 20
9 years -- well, 15 at this point.

10 MS. LUDLOW: Then we don't need to do
11 anything.

12 MR. WUELLNER: That's fine by me.

13 MS. LUDLOW: I think --

14 MR. WUELLNER: You don't --

15 MS. LUDLOW: -- it's a general aviation and I
16 think we shouldn't change it.

17 MR. WUELLNER: It's always been general
18 aviation. 98 percent of this airport is general
19 aviation.

20 MS. LUDLOW: But there's really no definition
21 of light general aviation.

22 MR. WUELLNER: I -- I'm not trying to define
23 it; I'm trying to describe it.

24 MS. LUDLOW: You're trying to put light
25 general aviation in one area.

1 MR. WUELLNER: Yes. It's been that way for 15
2 years.

3 MS. LUDLOW: But you don't know what light
4 general aviation is. I mean, it could be a
5 Citation jet.

6 MR. WUELLNER: I -- I just tried to --

7 MS. LUDLOW: It could be -- huh?

8 MR. WUELLNER: I tried to describe it here as
9 to what that looks like.

10 MS. LUDLOW: Okay.

11 MR. WUELLNER: You can add to that definition.
12 You can subtract. You can take it out all
13 together.

14 MS. GREEN: And we can make exceptions to
15 it --

16 MR. WUELLNER: It's a suggestion.

17 MS. GREEN: -- as a board.

18 CHAIRMAN MAGUIRE: Yes.

19 MR. WUELLNER: You can create a whole new
20 metric.

21 MS. LUDLOW: We can make an exception when it
22 comes up.

23 MR. WUELLNER: You can whatever you want to
24 do.

25 MR. MIRGEAUX: So the last time one of our

1 stakeholders presented the board with a request for
2 an exception to policy, it had to do with the --
3 the flight club wanting to take one of their
4 members and replace their spot on the list --

5 MR. WUELLNER: The hangar waiting, yes.

6 MR. MIRGEAUX: -- with the flight club's name
7 on the list, and this board denied their exception.

8 So, I take your point, which is we can always
9 make exceptions to policy, but, you know, in my
10 limited experience, exceptions to policy, you know,
11 they don't -- they don't actually come to fruition.

12 CHAIRMAN MAGUIRE: I disagree. I disagree.
13 It depends on the makeup of the board. It's -- I
14 mean, you can look at the White House and see
15 changes.

16 If this board were made up of people who
17 believe like you and Reba do, the thing would have
18 changed. It depends on the makeup of the board,
19 and that is based upon the makeup of the voters who
20 put us here.

21 MS. LUDLOW: We're trying to approve
22 something -- change a lease that we don't have a
23 clear definition of.

24 MR. WUELLNER: We're not changing a lease.

25 CHAIRMAN MAGUIRE: We're not -- get rid of

1 this change. We are not changing anything. My
2 position --

3 MS. LUDLOW: Okay. You're adding to it.

4 CHAIRMAN MAGUIRE: -- we are not changing.
5 But you have the mindset we're changing. We're not
6 changing, in my mind, a single thing.

7 MS. LUDLOW: In your mind.

8 CHAIRMAN MAGUIRE: We're saying -- we are
9 saying this is the way it's been, it was
10 established verbally by previous boards, not by Ed,
11 not by his predecessor, by previous boards on how
12 the airport should look and how it should operate.
13 Do you disagree with that? Do you think Ed defined
14 all of this?

15 MS. LUDLOW: Do you want to start that? I
16 don't think you want to start --

17 CHAIRMAN MAGUIRE: Well, no, you said -- you
18 told him he did and it's wrong.

19 MS. LUDLOW: No.

20 CHAIRMAN MAGUIRE: The Airport Authority is
21 what established the makeup of this footprint.

22 MS. LUDLOW: Then why change it?

23 CHAIRMAN MAGUIRE: It's not changing.

24 MS. LUDLOW: What are you doing? You're
25 changing the lease policy. You're --

1 CHAIRMAN MAGUIRE: We are --

2 MS. LUDLOW: -- segregating aircraft.

3 CHAIRMAN MAGUIRE: We are -- we are clarifying
4 what can and cannot go or how it should look, okay?
5 But we are not changing it. It's always been that
6 way.

7 MS. LUDLOW: What's the definition of light
8 general aviation?

9 CHAIRMAN MAGUIRE: What does it say up here?

10 MS. LUDLOW: What's it say? They -- who made
11 this up? Generally utilized, somebody made that up
12 because it isn't in a master plan. It isn't in
13 another lease. Is it a Citation jet? Is it a
14 Sonex? Is it a --

15 MR. WUELLNER: Did you read it?

16 MS. LUDLOW: -- TDM? Is it a -- what?

17 AUDIENCE MEMBER: No jets.

18 MS. LUDLOW: Pardon?

19 AUDIENCE MEMBER: It says no jets.

20 CHAIRMAN MAGUIRE: Hey.

21 MS. LUDLOW: I can't read that fast, thank
22 you.

23 CHAIRMAN MAGUIRE: Doug, can you read it out
24 loud for everybody.

25 MR. BURNETT: I certainly can.

1 Light general aviation area. This area is
2 generally utilized by single-engine and light
3 twin-engine piston-driven aircraft of a type and
4 character that would typically occupy T-hangar and
5 small box-style hangars of less than 4,000 square
6 feet of floor space per unit. Other uses include
7 primary and advanced flight training activities,
8 maintenance and related businesses that cater to or
9 use this type of aircraft. Limited capacity in
10 this area also allows for the storage or very low
11 activities of some site-specific larger piston
12 driven and smaller turboprop aircraft operators.
13 Due to the predominant use of this area by smaller
14 piston-driven aircraft, the area is considered
15 generally incompatible with high activity uses, jet
16 operators, as well as most larger turboprop
17 aircraft. The Light General Aviation Area is
18 roughly described as the area within Taxiway D,
19 northern edge; Taxiway F and the Conference Center
20 Access Road, southern edge; Casa Cola Road, western
21 edge; and Estrella Avenue, west of Gate 4S; and the
22 Estrella Avenue aircraft wash rack.

23 CHAIRMAN MAGUIRE: And, Doug, does that say
24 jets are not allowed on this airport?

25 MR. BURNETT: As to this area, they would be

1 discouraged from the south area.

2 CHAIRMAN MAGUIRE: But they're not prevented
3 on the airport.

4 MR. BURNETT: Not on the overall airport, no.

5 MS. LUDLOW: So is a --

6 MS. GREEN: Which is where we --

7 MS. LUDLOW: -- Cirrus Vision jet, is that
8 light general aircraft?

9 MR. WUELLNER: I'm sorry. Say again?

10 MR. BURNETT: According to this definition, if
11 it is not a single piston-driven aircraft or light
12 twin-engine piston-driven aircraft, then it would
13 not fit within the definition as it's drafted.

14 MS. LUDLOW: So do we decide by weight or
15 propulsion or power plant or...

16 It's -- it's a personal decision. If the
17 board doesn't make it -- somebody's making a
18 personal decision if the board doesn't make it.

19 MR. BURNETT: Well, two things related to
20 that. This language -- obviously this is a
21 workshop. This presumably would come back to you
22 next month for you to vote on. And certainly
23 lang- -- the language can be tweaked before now and
24 then.

25 This isn't one of those things where it's here

1 before you today to vote on. This is precisely
2 what the workshop's for, so that you've got it, you
3 can digest it, the five of you can talk about it
4 before your final meeting, and -- and if there's
5 other language that you want to propose, that
6 certainly can be brought forward and y'all can all
7 discuss it right here right now.

8 MR. WUELLNER: And by before the next meeting,
9 he doesn't mean before the next meeting.

10 MR. BURNETT: Yes.

11 AUDIENCE MEMBER: Say that again.

12 MS. GREEN: Sunshine Laws.

13 MR. WUELLNER: Sunshine Laws.

14 MR. BURNETT: Yes.

15 MR. WUELLNER: He wasn't trying to say you can
16 talk about it outside of a meeting.

17 MR. BURNETT: Yes. Yes, the five of you
18 obviously have this huge restriction on your
19 ability to communicate with each other, and this is
20 your opportunity to discuss the language before it
21 comes back to you.

22 MR. WUELLNER: Is there a language change or
23 tweak or -- that you'd like to see different? I
24 mean, happy to have that discussion.

25 It doesn't have to be this language. We would

1 enjoy the additional clarification. But if you
2 choose to do nothing, that's certainly within your
3 prerogative.

4 MR. OLSON: I don't know if it addresses
5 everything, but I think the exception clause would
6 be a good detail.

7 MR. WUELLNER: I'm thinking it might be in
8 there, but I don't -- I don't have a copy of the --
9 unfortunately the wireless was down, but --

10 MR. OLSON: Well, sort of tracking the theme
11 of what has been discussed and thinking about an
12 exception clause here today (inaudible).

13 (Court reporter clarification.)

14 MR. OLSON: Tracking the theme of what has
15 been mentioned when we discuss a possible exception
16 clause would be good to see in an actual proposed
17 addition to this policy --

18 CHAIRMAN MAGUIRE: Robert, you may want to
19 move --

20 MS. GREEN: Just a basic, and the board can
21 make an exception if necessary, I mean, if
22 something --

23 MR. OLSON: Yeah, with -- and then, you know,
24 it requires the board to state good reasons why the
25 exception was granted. Sort of the logic behind it

1 or the support -- the reasons that support the idea
2 of the exception clause -- an exception being
3 granted.

4 CHAIRMAN MAGUIRE: Robert, in the future, can
5 you move your microphone closer --

6 MR. OLSON: Oh, sorry.

7 CHAIRMAN MAGUIRE: -- so she -- she can hear
8 you?

9 MR. OLSON: Sorry.

10 MS. LUDLOW: So are jets allowed or not?

11 MR. WUELLNER: Maybe, the way --

12 MS. LUDLOW: See?

13 MR. WUELLNER: -- it's worded. It depends on
14 the activity level of -- of an aircraft --

15 MS. LUDLOW: Well, the flight school --

16 MR. WUELLNER: -- back here.

17 MS. LUDLOW: -- that's high activity level,
18 the flight school.

19 MR. WUELLNER: It's in here.

20 CHAIRMAN MAGUIRE: All right. Without being
21 redundant, any further discussion, new items,
22 comments on this?

23 MR. MIRGEAUX: You're -- I mean, the new areas
24 as they're described, Area D, the light GA area as
25 it's defined and currently worded, functionally

1 prohibits jet-driven aircraft from the light GA
2 area. Essentially the South G- -- what we
3 currently identify as the South GA ramp -- the
4 South GA area.

5 CHAIRMAN MAGUIRE: I think that's --

6 MR. WUELLNER: That's fair, yeah.

7 CHAIRMAN MAGUIRE: That's correct.

8 MR. MIRGEAUX: So when you're saying, you
9 know, a jet could be --

10 MR. WUELLNER: As an example, somebody who
11 owned a small jet, wanted it in a T-hangar, it's
12 used on an occasional basis, that kind of storage
13 is not the kind of implication that we're talking
14 about.

15 Running a relatively large-scale aircraft
16 charter business using jet aircraft in an area
17 that's adjacent to T-hangars, high-density T-hangar
18 storage areas, isn't -- is a different look-at than
19 someone storing an aircraft.

20 CHAIRMAN MAGUIRE: And go back to the change
21 that we're talking about. Even though it says jets
22 are not allowed --

23 MR. MIRGEAUX: It doesn't say that.

24 CHAIRMAN MAGUIRE: -- somebody could easily
25 come in and say, I want to put a jet there, will

1 you approve it? And if -- like Robert says, if
2 they justify it and the board says yes, that's the
3 way it is.

4 MS. LUDLOW: Then why change it? Sorry. I
5 said that word you didn't like.

6 CHAIRMAN MAGUIRE: All right.

7 MS. LUDLOW: Okay. One thing.

8 CHAIRMAN MAGUIRE: Go ahead.

9 MS. LUDLOW: I forgot what I was going to --
10 you confused me. I forgot what I was going to say.

11 CHAIRMAN MAGUIRE: Don't -- don't look at
12 this --

13 MS. LUDLOW: Oh.

14 CHAIRMAN MAGUIRE: -- as if it's -- if it's
15 solid concrete never to be changed.

16 It's the platform. It's the base structure
17 that we start with. It gives us a definition of
18 how we want the airfield to look and operate for
19 safety, for efficiency, for functionality, whatever
20 it is. It's the base. We can change anything any
21 time we want to. All we have to do is have a good
22 reason to do so.

23 MS. LUDLOW: I remembered it.

24 Because we are basically supposed to be -- we
25 began as a general aviation airport, I know --

1 that's all right; Bruce can say what he thinks, so
2 I can say what I think.

3 And, I mean, this is -- this is my
4 responsibility to St. Johns County and all the
5 people that voted for me that I find this out. But
6 why are we not having more businesses? Why are you
7 like squashing a business that could make a -- make
8 the airport a lot of money?

9 CHAIRMAN MAGUIRE: Nobody said squashing a
10 business. Now you're trying to bring in the issue
11 of what's being brought in from the outside. We're
12 looking at what we have right now.

13 We're not -- hold on a second. We're not
14 squashing any business. If we decide we want a jet
15 operation here, a big jet, small jet, then let's
16 figure out where we want to put it. We're not
17 squashing anything. Is that correct?

18 MR. WUELLNER: That is correct. I mean --

19 MS. LUDLOW: We need --

20 MR. WUELLNER: -- frankly, it's an issue of
21 where, not what.

22 CHAIRMAN MAGUIRE: Yeah, it's a question of
23 where do we want them on the airfield.

24 We're not saying you can't come. We're not
25 saying we don't want you. We're saying that we

1 want -- because there's a vagueness in this policy
2 and -- and other issues, we need to create a design
3 of this airfield that matches what's been going on
4 for all these years so people will know -- if they
5 want to come in and do something, they will know
6 where it goes, we all do, so it doesn't come up a
7 second time.

8 MS. LUDLOW: It came up once in 20 years.

9 CHAIRMAN MAGUIRE: All right. Anything else?
10 Robert?

11 MR. OLSON: No.

12 CHAIRMAN MAGUIRE: Suzanne?

13 MS. GREEN: No.

14 CHAIRMAN MAGUIRE: Justin?

15 MR. MIRGEAUX: Nothing.

16 CHAIRMAN MAGUIRE: Ed, anything else?

17 MR. WUELLNER: Not on that topic.

18 CHAIRMAN MAGUIRE: Okay. Doug?

19 MR. BURNETT: No, sir, other than I will point
20 out there is a section -- it's in the appeals
21 section of your lease policy.

22 There is a section, it's in Part 5, that's
23 Appeals and Variances and it talks about what the
24 process is and what kind of elements there are to
25 be considered for granting of a variance. So that

1 language is in there and that language obviously as
2 part of this process for next month could be
3 tweaked.

4 MR. OLSON: Okay. If you would highlight that
5 and send it out.

6 MR. BURNETT: Yes, sir.

7 MR. OLSON: Make sure that it's in a way we
8 can find it easily.

9 MR. BURNETT: Yes. And for those listening or
10 in the audience, it's on Page -- it's on Page 95 of
11 the lease policy. It's Part 5, Appeals and
12 Variances.

13 MR. OLSON: Okay. And based on what was said
14 earlier, I'm understanding that if this language is
15 adopted, if this lease amendment is adopted, even
16 though it's in the redline as an addition, we do
17 not have to seek FAA --

18 MR. WUELLNER: Correct.

19 MR. OLSON: -- concurrence or approval --

20 MR. WUELLNER: Correct.

21 MR. OLSON: -- for any -- anything related to
22 granting an exception.

23 MR. BURNETT: Correct.

24 CHAIRMAN MAGUIRE: All right. Before we move
25 on to the next one, we're going to take exactly a

1 five-minute break, okay? Hard and fast. 23 after.

2 (Recess had.)

3 CHAIRMAN MAGUIRE: All right. Five minutes
4 are up. Now we're going into the second part and
5 I'll turn it back over to Ed.

6 MS. LUDLOW: The board, we have a lawsuit
7 against us now.

8 MR. WUELLNER: No, we don't.

9 CHAIRMAN MAGUIRE: No, we don't. No, we do
10 not.

11 MS. LUDLOW: Oh, we don't have a -- what --
12 what's this thing in my file?

13 CHAIRMAN MAGUIRE: They're threatening a
14 lawsuit. We do not have a lawsuit.

15 MS. LUDLOW: Well, whatever the reason, I said
16 that --

17 MR. MIRGEAUX: Is this an agenda item?

18 CHAIRMAN MAGUIRE: The lawsuit? No.

19 MR. MIRGEAUX: Okay.

20 MS. LUDLOW: That we need to know what kind of
21 insurance -- the board needs to be aware of what
22 kind of insurance we have regarding something like
23 that.

24 MR. BURNETT: My -- my recommendation would be
25 to proceed with the agenda, Mr. Chair. And to the

1 extent there's any insurance that anyone wants to
2 inquire about, obviously it's a public record, so
3 they obviously can get a copy of it.

4 Additionally, if a board member has a request,
5 obviously staff will provide you a copy of it.

6 CHAIRMAN MAGUIRE: Okay. Okay, Ed.

7 MR. WUELLNER: Okay. That was the easy one.

8 All right. Next -- next item, we're going to
9 move to minimum operating standards, which again is
10 a subset of the airport lease policy. This is a
11 specific section of the lease policy.

12 This, by sort of definition, is the -- where
13 the standards are set for businesses who wish to
14 operate as a commercial entity out of the airport,
15 meaning do business off airport property. Using
16 airport property is a better way to say it.

17 One of the items that we suggested at the last
18 meeting was related to adding an additional
19 statement to the preamble to the minimum operating
20 standards which makes the -- just a declaratory --
21 declaratory kind of statement that the
22 Airport Authority may be interested in being the
23 FBO at sometime in the future.

24 There is an existing FBO lease as it exists
25 today. That lease has through I believe it's 2036

1 until it runs its course. Where this would rear
2 its head, if you will, is at the expiration of that
3 lease, is one opportunity.

4 Should the Authority ever decide -- of course
5 it's sort of a self-answering question there.
6 Should the Authority decide to solicit proposals
7 for the development of a second FBO or a third or a
8 fifth one, for that matter, the Authority would
9 make the decision by allowing that to happen that
10 they're not interested in being the FBO at any
11 point in the future.

12 The other would be someone would present a
13 unsolicited proposal of some sort to become an FBO,
14 a full FBO. Then the Authority could make the
15 decision at that point that, no, we're not going to
16 allow an additional FBO because it's our intent at
17 this point to become the FBO at the expiration of
18 the lease with -- with the existing FBO.

19 So that's what this is attempted to try and
20 insert in there so that there's something for
21 people who are perhaps considering FBO. We've had
22 over 25 years a number of times where we've been
23 approached for additional FBOs and the like, and
24 due to other econ- -- due to economic reasons,
25 those have not met with fruition here.

1 The obvious question is: Why would we -- why
2 we, meaning the Airport Authority, down the road,
3 why would we want to consider being the FBO?

4 The -- one of the primary reasons is if you're
5 aware, today's FBO, no offense to them, but the FBO
6 is part of a large chain of FBOs even just recently
7 acquired by a firm, this FBO has absolutely no
8 financial interest in St. Johns County, no interest
9 in this airport other than to literally pull money
10 out of this community as a part of primarily the
11 fuel sales component of the FBO.

12 The growth in FBO sales in terms of gallonage,
13 not in dollars, because the dollars have been all
14 over the place as you might imagine in 25 years,
15 but in terms of real volume, have largely been
16 flatlined for 25 years.

17 We believe a great deal of that is the
18 inability or unwillingness to be particularly
19 price-sensitive in attracting and retaining new
20 businesses on the airport.

21 We know that well over \$1 million a year is
22 extracted from our community and going to some
23 other corporation. That's money that could, should
24 the Authority decide to enter that business at some
25 point in the future, that margin or a portion of

1 Authority is not committing to be the FBO today.
2 It's simply saying we think it's something we want
3 to think about and perhaps act on at some date in
4 the future. But it's making anyone looking at
5 minimum operating standards aware of the fact that
6 that's something the Authority is actively
7 considering moving forward.

8 Okay. That's the fuel aspect of it or the
9 preamble.

10 MR. OLSON: Ed --

11 MR. WUELLNER: Questions on that?

12 MR. OLSON: -- you used -- you used the
13 figure. Is the current FBO net upstreaming, did
14 you say a million dollars?

15 MR. WUELLNER: I would think it's at least
16 that, based on --

17 MR. OLSON: I would think --

18 MR. WUELLNER: -- on retail.

19 MR. OLSON: -- at least, yeah. Probably more.

20 MR. WUELLNER: Yeah, I have -- I have no -- we
21 don't get involved in that margin, nor do they
22 report that to us, but --

23 MR. OLSON: I was just wondering how you used
24 that number. Okay. Thanks.

25 MR. WUELLNER: Based on volume -- the volume

1 we do know.

2 MR. MIRGEAUX: I was going to say they report
3 volume.

4 MR. WUELLNER: They do. Because the flowage
5 fee is based -- it has a volume component to it.

6 CHAIRMAN MAGUIRE: Okay.

7 MR. MIRGEAUX: What's the current structure of
8 the FBO lease? Is that include -- inclusive of the
9 optional period?

10 MR. WUELLNER: This is inclusive, yes, sir.

11 MR. MIRGEAUX: So 2030 --

12 MR. WUELLNER: We're down to five, four to
13 five years in the base lease, and then there's a
14 ten-year option that is in there.

15 MR. BURNETT: So that's where we get to
16 that -- excuse me. That's where we get to that
17 2036 number.

18 MR. WUELLNER: That's --

19 MR. MIRGEAUX: That pushes it out 15 years.

20 MR. WUELLNER: Unfortunately, the option
21 doesn't have a -- doesn't really have a way for the
22 Authority, other than perhaps if they were in
23 complete nonconformance, you might have an angle to
24 terminate the option. But the reality is there's
25 no real approval there; it's just going to roll

1 into that with notification.

2 MR. OLSON: What was the logic behind running
3 the FBO to -- with -- with the extensions 2036?
4 Was there a sizeable capital outlay or something
5 that needed to be amortized that was huge based
6 on -- that was being made by the FBO or --

7 MR. WUELLNER: No. It was --

8 MR. OLSON: It was the 2005 agreement, right?

9 MR. WUELLNER: Well, the agreement was -- if
10 you read it carefully, the front end, it was a
11 codification of an older lease agreement that had
12 those kind of terms in it.

13 So it -- it's really -- you have a fresh form
14 for the lease as it -- as you have it today,
15 compared to what the old form was, which was a --
16 honestly, from an administrative point, was a
17 nightmare because it had been in place since the
18 60's and continually amended and --

19 MR. OLSON: But to have that -- to grant that
20 right for so many years, typically there's
21 something big that the entity is amortizing over
22 that period of time.

23 MR. WUELLNER: Typically that would be
24 correct. It is not in this case.

25 MR. OLSON: Okay.

1 MR. WUELLNER: The Authority has, for the most
2 part, built everything the FBO occupies, so...

3 MR. BURNETT: Yeah.

4 MS. LUDLOW: Is there a clause in the FBO's
5 lease that says they cannot have another FBO on the
6 field or we cannot have another --

7 MR. WUELLNER: No, no, no. We're not -- we're
8 not allowed to do that. That is -- that is an
9 illegal provision.

10 MS. LUDLOW: It's illegal to have a clause in
11 there --

12 MR. WUELLNER: Correct.

13 MS. GREEN: Limiting.

14 MS. LUDLOW: -- saying they can't have
15 another.

16 MR. WUELLNER: Correct.

17 MS. LUDLOW: And nothing --

18 MR. WUELLNER: However, to take that one step
19 further, there is the provision within FAA order
20 that allows the airport operator to become an
21 exclusive -- the exclusive FBO.

22 MR. BURNETT: Yes.

23 MS. LUDLOW: That's what I wanted to know.

24 MR. WUELLNER: And you do not have to allow
25 competition, should you go that direction. You can

1 choose to, but you don't have to. It's one of the
2 rare things that's reserved for the airplane owner.

3 MR. BURNETT: So making this declaration here
4 gives you that option if that's what you want to do
5 in 2036.

6 MS. LUDLOW: I see.

7 MR. BURNETT: So I would think that if you
8 project into the future and say, okay, it's -- it's
9 2034, it's 2035, we've got these assets over here
10 we're going to have to deal with, what's the best
11 next step of addressing it?

12 And it may be that the airport take -- steps
13 in and takes over because you've analyzed it and
14 you realize the revenue stream that you're going to
15 get.

16 It may be that some other FBO is standing in
17 line saying, look, we'll make a \$30 million
18 infrastructure investment in buildings, give us a
19 lease for 15, 20 years to amortize the dollar
20 amount over that term. You have all of those
21 things in play to -- to analyze.

22 The only little piece of in there that I'll
23 add is there's a lot of moving parts related to the
24 legalities of FBOs and second FBOs and the like.
25 So we're not trying to touch on every answer to

1 related to that in Ed's comments.

2 We've even got lang- -- there's language in
3 the current FBO lease that obviously, as you would
4 think or as you would anticipate or expect, that
5 protects the existing FBO from someone else coming
6 in and being an FBO that's not having to be at the
7 commitment level that they are.

8 So, there's a number of dynamics in there that
9 we have to deal with on that issue. So if it was
10 something that you were to consider, it's something
11 that takes some thought, some analysis, some prep
12 to deal with.

13 MS. LUDLOW: But nothing says that --

14 MR. OLSON: There's some really good examples
15 I think out there of airports that are directly
16 assuming the FBO role, and one that was mentioned
17 in the case law is -- is Naples.

18 I believe Naples is doing that and are -- are
19 being able to upstream from I think it's a
20 subsidiary of the Airport Authority. Somehow it's
21 an organization under the Authority, is how it was
22 structured, and they're able to upstream.

23 And their -- their whole operating revenue,
24 even though from an overall operations they're sort
25 of similar to this airport, they are really

1 operating at a different, a much higher level and
2 able to do things at a higher level than -- than we
3 are now here.

4 MR. WUELLNER: Uh-huh.

5 MS. GREEN: Well, what I'm hearing, this
6 language gives us flexibility.

7 MR. WUELLNER: That's it.

8 MS. GREEN: That's the whole thing. It gives
9 the Authority options to go different ways.

10 MR. MIRGEAUX: Do -- would the board in 2034
11 or 20- -- approaching 2036, would they not have
12 that flexibility? Like do they not presently have
13 it?

14 MR. WUELLNER: No, I think the -- I think this
15 is the safeguard, if you will --

16 MS. GREEN: More defined.

17 MR. WUELLNER: -- in the in-between period
18 should you get proposals or the like.

19 You're simply up front declaring we're not
20 necessarily looking at additional FBOs, but should
21 one propose, then it might force the Authority to
22 make the decision then that they will be going into
23 the FBO business.

24 Not immediately starting the FBO business, but
25 simply making that declaration at some point in the

1 future. It could occur at any time in theory
2 between adoption and '36. But the natural is the
3 expiration of the FBO lease.

4 MR. BURNETT: It -- and it certainly puts
5 anyone on notice that would want to come in as a
6 second FBO.

7 MR. MIRGEAUX: Is that what you mean by the
8 last bullet here, may force decision-making earlier
9 should interest in second FBO exist?

10 MR. WUELLNER: That's correct.

11 MR. BURNETT: And -- and I think that -- that
12 the issue there also is if someone showed up and
13 wanted to be a second FBO and says we're going to
14 push you to do it, having this in there, they have
15 no expectation beyond 2036 of being able to do it.

16 MR. WUELLNER: Exactly. And if you had a
17 second FBO, you could simply limit the term of that
18 FBO out to '36, I mean, if you indeed wanted a
19 second FBO in the -- in the interim.

20 The challenge there is, the investment and
21 recovery of that investment within the FBO business
22 plan. That could be quite expensive, to recover
23 your money in very short period of time. Your
24 investment, that is.

25 CHAIRMAN MAGUIRE: I agree with Suzanne. It

1 gives a lot of flexibility to the board, but it
2 also gives a lot of negotiating power to the board.
3 And that's important. When you start talking about
4 big dollars, if you're standing back with no
5 ability to negotiate, you're just going to win with
6 the other guy.

7 MS. LUDLOW: Why do we need to put anything
8 in -- intent in there when it doesn't come up till
9 2036? That board is the one that should be doing
10 it, not us.

11 MR. WUELLNER: It --

12 MS. LUDLOW: The same thing that happened
13 there.

14 MR. WUELLNER: It would be ultimately.

15 MS. LUDLOW: What -- but there's no point in
16 putting that intent in there.

17 MR. MIRGEAUX: I think what she's trying to
18 saying is, like, is -- is this language worth the
19 paper that it's printed on? I mean, you know --

20 MR. WUELLNER: Yes. It in a sense creates
21 your --

22 MR. MIRGEAUX: The board 15 years from now can
23 make their decision.

24 MR. WUELLNER: Only in the sense it creates a
25 really loose right of first refusal for the

1 Airport Authority.

2 MR. BURNETT: It makes it very difficult for a
3 second FBO to come here.

4 MR. MIRGEAUX: Okay. So that's --

5 MR. BURNETT: That's the -- that's what it
6 does. It makes it very difficult for a second FBO
7 to come in right now.

8 MR. MIRGEAUX: Do we want to do that? I mean,
9 the -- just looking at the volume, do we -- do we
10 realistically think a second FBO --

11 MR. WUELLNER: That's why we don't have one
12 today.

13 MR. MIRGEAUX: -- is beating down the door to
14 get into Northeast Florida Regional Airport? No.

15 MR. WUELLNER: And the scale of investment
16 required to start an FBO is --

17 MR. MIRGEAUX: Right. So that's -- that's not
18 something we need to really worry about now. Maybe
19 in 2036.

20 But it's going to limit that likelihood, you
21 know, in the interim between now and 2036 if you --
22 we double or triple our volume and, you know, some
23 of these -- you're basically saying now, this is a
24 one-FBO airport between now and 2036.

25 MR. BURNETT: Your limit is the facilities, I

1 guess, in that where even could it potentially go
2 and operate between now and 2036?

3 MR. MIRGEAUX: Say more about that. When you
4 say facilities, what do you mean? Like --

5 MR. WUELLNER: The --

6 MR. BURNETT: It has to have --

7 MR. MIRGEAUX: Like it's got to meet --

8 MR. BURNETT: It has --

9 MR. MIRGEAUX: -- certain minimum standards.

10 MR. WUELLNER: Both.

11 MR. BURNETT: It -- it does. Plus it has to
12 have like facilities to Atlantic Aviation under
13 Atlantic's lease with the airport. Otherwise we're
14 in breach of our lease with Atlantic.

15 MR. MIRGEAUX: Do we have a facility like
16 that --

17 MR. BURNETT: No.

18 MR. MIRGEAUX: -- on the airport?

19 MR. WUELLNER: No.

20 MS. GREEN: Huh-uh.

21 MR. WUELLNER: It would have to be newly
22 constructed. Wouldn't have to be done by us
23 necessarily, but would have to be similar in
24 character. You don't like that word. In scope.

25 MR. OLSON: Doug, just the -- the statement,

1 the Authority can -- under the description here,
2 the line, the Authority -- Airport Authority can
3 elect to exercise its right to a proprietary
4 exclusive right to FBO operations at any time.

5 What does that mean in -- what's it mean in
6 plain language in our situation?

7 MR. BURNETT: Sure. In really simple terms --
8 now, I -- I'll preface this by saying I don't
9 believe the Authority's going to do this. I highly
10 recommend against doing this. You could terminate
11 Atlantic Aviation's lease and remove them from the
12 facility now.

13 MR. OLSON: Okay.

14 MR. BURNETT: You have that ability.

15 MR. OLSON: Okay. That's what I thought it
16 said.

17 MR. BURNETT: Now you will have to pay them
18 for --

19 MR. WUELLNER: It's expensive.

20 MR. BURNETT: -- for the value of the
21 leasehold. And how that -- and how those damages
22 are calculated, I would say is very much akin to an
23 FDOT-type eminent domain of a leasehold where
24 the --

25 MR. OLSON: Okay.

1 MR. BURNETT: -- State of Florida in a
2 transportation project would take property and you
3 obviously have the land hold -- landowner and then
4 you've got the leasehold and they value them
5 differently, but it would be significant.

6 MR. OLSON: Okay.

7 MS. LUDLOW: I think a second FBO, you know,
8 what we want is good business and friendly
9 atmosphere and we -- don't tell Vinny I said that,
10 but --

11 MS. GREEN: He's right there.

12 MS. LUDLOW: -- I can remember when we were
13 approached to have a second FBO, you know, but they
14 didn't -- you know, they just weren't prepared.

15 I frankly don't think the Airport Authority in
16 any way should run the FBO and I don't think that
17 we should be making a decision for 2036.

18 MR. WUELLNER: You aren't.

19 MS. LUDLOW: You're putting the intent in
20 there. Once it gets in there, it never gets out.

21 MR. WUELLNER: Okay.

22 CHAIRMAN MAGUIRE: All right. Do you have
23 more pages?

24 MR. WUELLNER: Yeah. One's a clarification
25 or -- that relates to the FBO -- the nonfuel FBO

1 classification as it exists today.

2 As you recall, and Doug can expound on this,
3 but we approached the board three years ago, four
4 years ago, I don't even know, on behest of a number
5 of our tenants who were wanting to find an avenue
6 to mitigate the ad valorem tax component with their
7 particular business on the airport.

8 There were several maintenance shops as well
9 as a flight school that were paying the ad valorem
10 taxes as they -- as they relate to facilities that
11 are actually owned by the Airport Authority.

12 Doug construct -- we -- the Authority
13 provisioned for that with the inclusion of the
14 nonfuel FBO classification in the minimum operating
15 standards to facilitate it, and then Doug drafted
16 the lease amendment that was put on or, you know,
17 given to each of the tenants that qualified and
18 those were executed and became part of the leases.

19 The language in the codifica- -- excuse me, in
20 the amendments was -- was wonderfully worded so
21 that the Authority could, if it doesn't prove
22 fruitful or gets, you know, a pushback from the
23 property appraiser's office or whatever to where
24 the language is no longer appropriate, it can't be
25 enforced or whatever, the Authority could claw back

1 the lease amendments en -- en masse. So those that
2 are out there.

3 It also states -- you know, I'm stealing kind
4 of Doug's thing here, but it also stated that they
5 don't -- what's the term you used? They -- you
6 can't rely on it.

7 MR. BURNETT: Yeah. And I guess I'll pick up
8 there.

9 The reason for this, you'd say, well, Doug,
10 we've got amendments right now that -- that this
11 language has been in. Why would you go put it in
12 the minimum operating standards when it's part of
13 the policy?

14 The reality is, so oftentimes these documents
15 outlive and outlast the folks that are working for
16 you at a -- at a particular time. And so, the
17 reality is this should be in the policy and not
18 just an amendment so someone knows why it's there,
19 why it's been done that way, that it is a trial.

20 This is something that protects the
21 Airport Authority I think pretty strongly that no
22 one comes along and detrimentally relies on it.
23 And -- and God forbid, someone at your staff
24 level -- we get a change in staff, someone at staff
25 level sends this out without the proper language in

1 it and it gets signed on the lease level and this
2 wasn't in the policy. But if this is in the
3 policy, the lease references the policy, so
4 therefore you have it covered. So it really does
5 need to go in here in the policy.

6 Again, as Ed touched on, this is one of those
7 things where we really were trying to help, if you
8 will, the little guys on the airport. And as --
9 and as odd as this may sound, if you're a
10 maintenance shop at the FBO, you're not paying
11 ad valorem taxes. If you're Atlantic and you're a
12 maintenance shop, you're not paying ad valorem
13 taxes. But the same size maintenance shop at a
14 hangar leased from the Airport Authority is paying
15 ad valorem taxes. And so there really was this
16 complaint that, hey, so and so on the other side of
17 the field's got an unfair advantage of me because
18 I'm getting hit with the ad valorem taxes.

19 We met with the property appraiser and tried
20 to come up with a solution, gave them some
21 suggestions of what we thought might work, really
22 had a brainstorming thing, came up with this as a
23 trial program and brought it to you guys and you --
24 and y'all approved it. I think was in '18 when
25 this came to be. And then those amendments got

1 sent out to let them take advantage of it. And,
2 you know, obviously it's one of those things that's
3 pretty important to some of the businesses that are
4 on your airfield.

5 MR. WUELLNER: Of course it is.

6 And the other -- the other component of this
7 is the whole interpretation of this from a taxation
8 standpoint could change with a different property
9 appraiser in St. Johns County.

10 They could have their own take on what the
11 statute allows, whether this lease -- these leases
12 are conforming for their purposes. They could
13 instantly be back in a scenario where they're
14 paying taxes.

15 MR. OLSON: Really? So it isn't -- it isn't
16 real specific and under state law? It's -- it's
17 interpreted by the --

18 MR. BURNETT: I will -- I will tell you we
19 have taken a liberal interpretation of what's in
20 Florida law.

21 MR. OLSON: Okay.

22 MR. BURNETT: And that could be clarified with
23 legislation. That could be clarified by court
24 case. That could be clarified by an
25 Attorney General's Opinion. You know, there's any

1 number of things that could change that from being
2 something that could be offered.

3 Obviously our -- our overriding theme of any
4 lease is a contract that violates law isn't binding
5 and is void, or at least at a minimum that portion
6 of it would be void. So that would still knock
7 this out.

8 But nonetheless, the ultraconservative
9 approach, which is usually the advice I try and
10 give y'all to keep you out of being in trouble,
11 is -- would be to adopt this portion of the policy.
12 It's really reflective of what you've already done.
13 And I don't know that it causes any problem or
14 consternation for anyone.

15 MR. WUELLNER: You've also up to this point,
16 kind of the second half of the same section of
17 your -- of your operating standards policy, is it's
18 currently only offered to maintenance shops or
19 flight schools, full -- full flight schools.
20 That's how -- how those have been administered to
21 this date.

22 The -- the amendment or the language we've
23 tried to insert there kind of solidifies that so
24 that we're not necessarily offering it to any other
25 type of commercial aviation business. It's really

1 repair and flight schools.

2 And -- and part of the reason of that is the
3 language in Florida Statutes uses this "available
4 to the public" kind of language, and we're not sure
5 that too many other kinds of businesses -- first of
6 all, we don't have many of them -- but any other
7 kinds of businesses are going to meet the test of
8 whether it's available to have public.

9 Can you -- you know, can you go up and do
10 business with them readily? You get outside of
11 that definition, I think you do call attention
12 potentially by another property appraiser, or even
13 this one for that matter, if one were show to up as
14 an amendment that he's reviewing for tax
15 purposes -- assessment purposes, that is.

16 MR. MIRGEAUX: How many parties do we have
17 currently defined in these lease terms, this FBO
18 nonfuel?

19 MR. WUELLNER: How many entities?

20 MR. MIRGEAUX: How many parties on the
21 airfield --

22 MR. WUELLNER: I think we have --

23 MR. MIRGEAUX: -- do we currently have defined
24 as FBO nonfuel?

25 MR. WUELLNER: -- one, two, three, four, I

1 want to say. Is there five?

2 MR. BURNETT: There may be five.

3 MR. WUELLNER: I think there's four currently.
4 Three are maintenance shops; one's a flight school.

5 MR. BURNETT: Okay. I'm looking at Cindy over
6 there. She --

7 MR. WUELLNER: It might be four. Maybe five.

8 MS. HOLLINGSWORTH: I think four, right off
9 the top of my head.

10 MR. MIRGEAUX: Four maintenance --

11 MR. WUELLNER: I think it's five. I think
12 it's five total, four maintenance shops and one --
13 one flight school.

14 MS. HOLLINGSWORTH: Oh, yeah, yeah. Five.

15 MR. MIRGEAUX: My next question is, at this
16 section, if we adopt this language, specifically
17 this middle section that highlights that we want to
18 say that this section is subject to termination at
19 any time by the Airport Authority, are we
20 solidifying that executive staff can't terminate
21 that category?

22 MR. WUELLNER: Yeah. We cannot -- we cannot
23 terminate it as staff. That's -- that's a board
24 action.

25 MR. MIRGEAUX: So then, if we eliminate -- if

1 a future board decides to eliminate the FBO nonfuel
2 designation from the section, does it impact all
3 four or five parties?

4 MR. BURNETT: Absolutely.

5 MR. WUELLNER: It would, absolutely.

6 MR. BURNETT: Yes. Yes.

7 MR. WUELLNER: This likely would be triggered,
8 I would think, by something from the property
9 appraiser's office determining that those things
10 are now -- they're now taxable and that would
11 really negate needing that clause because it
12 wouldn't be applicable any longer.

13 You wouldn't be able to gain an exemption if
14 the property appraiser determines it's not. They
15 get the call on it. I mean, it can be litigated,
16 but their -- it's ultimately their call as to
17 whether something is taxable or not.

18 MR. MIRGEAUX: Right. But as a taxing
19 authority, it doesn't --

20 MR. WUELLNER: We're on the other side of it.

21 MR. MIRGEAUX: We're on the other side of
22 that.

23 MR. WUELLNER: We're on the collecting part
24 not the determining part.

25 MR. MIRGEAUX: Right.

1 MR. WUELLNER: We get no say in this. The
2 only thing we have been able to do is meet with
3 their staff and attempt to find something that
4 worked, and this ultimately was that. That was
5 done in I think was '18.

6 MS. GREEN: A couple of years ago.

7 MS. LUDLOW: I have a question.

8 MR. WUELLNER: Of course.

9 MS. LUDLOW: How does -- I know J --
10 Jacksonville Aviation Authority, you know, is
11 Duval County, but do they charge ad valorem taxes
12 or how do they interpret this law?

13 MR. WUELLNER: I truly don't know. It's
14 literally up to every county's property appraiser
15 as to how they at -- how they determine the taxable
16 value.

17 MS. LUDLOW: You don't know it's --

18 MR. WUELLNER: I know -- I know there's some
19 counties and it's -- and I'm told it's roughly
20 split, it's about half the counties one way and one
21 the other.

22 Some interpret it very, I'll call it airport
23 friendly, much like ours is doing. There are
24 others that go after every little dime, beat the
25 snot out of every airport. And I know the one in

1 Orange County in the Orlando area at Orlando
2 International, they go after every possible angle
3 at that airport, feeling it's his statutory duty.

4 MR. BURNETT: There's been fights over
5 ad valorem taxation of the T-hangars and box
6 hangars.

7 MR. WUELLNER: Uh-huh.

8 MR. BURNETT: So --

9 MR. WUELLNER: They -- they could argue our
10 T-hangars are taxable.

11 MR. BURNETT: Yes.

12 MR. WUELLNER: So -- so far, the last two
13 property appraisers look at it and go, it's a
14 common use building and as such is not an exclusive
15 lease.

16 Plus that's one of the reasons, if you've ever
17 wondered, why we write one-year lease agreements
18 for T-hangars, is that when it falls under the
19 shorter-than-one-year term, it becomes an exception
20 under the length of lease exemptions under
21 Florida Statutes. We can write them as
22 automatically renewing, but technically they're
23 one-year lease agreements, and that's why.

24 We could write ten-year T-hangar leases. It's
25 just you open the door to being taxed on the

1 T-hangar. And considering what it cost us to build
2 each of the T-hangars most recently, it's like
3 paying taxes on your home with no possibility of
4 homestead exemption.

5 MR. MIRGEAUX: In -- in your minds, what
6 problem is this solving?

7 MR. BURNETT: This -- what problem is it
8 solving?

9 MR. MIRGEAUX: Yeah.

10 MR. BURNETT: With -- it's interesting.

11 If I'm being candid, I wouldn't want to be on
12 the -- we've taken a very liberal interpretation of
13 what Florida law allows you to claim in order to
14 facilitate those five tenants not being assessed
15 ad valorem taxes.

16 MR. MIRGEAUX: We're not. That's the tax
17 assessor's decision.

18 MR. BURNETT: True. But by calling them a
19 nonfuel fixed-base operator, the taxation language
20 in the statute is fixed-base operation. It has to
21 be a fixed --

22 MR. WUELLNER: It's very specific to FBO.

23 MR. BURNETT: If you're not an FBO, then
24 you're -- you're paying an ad valorem taxes.

25 MR. MIRGEAUX: But again, it's not -- it's not

1 our decision as the board.

2 MR. WUELLNER: Well, it was to create the
3 classification. Because without the classification
4 originally, there's no -- no ability for the
5 property appraiser's office to not tax.

6 MR. BURNETT: So -- so just to show you
7 physically what goes on.

8 Atlantic says here's my lease, I'm an FBO.
9 And then the five other guys now are -- the five
10 other operators are now able to come in and say,
11 here's my lease, that doesn't say I'm an FBO, but
12 here's my amendment that the Airport Authority came
13 up with for me that says I'm an FBO. And the
14 property appraiser looks at it and says, okay, and
15 they don't pay ad valorem -- they don't get
16 assessed ad valorem taxes.

17 MR. MIRGEAUX: Right. But presumably that --
18 you know, that past decision, you know, the 2018
19 decision to establish that category within our
20 lease terms, was so that the people that -- you
21 know, the five parties that currently enjoy this
22 language in their lease, they're not paying
23 ad valorem tax and they're passing those savings
24 that they're not paying in tax on to their
25 customers.

1 MR. BURNETT: Sure.

2 MR. MIRGEAUX: So, you know -- and it kind of
3 like levels the playing field.

4 MR. BURNETT: Yes.

5 MR. WUELLNER: Well, and part of the -- yeah.
6 And a part of the language that we're talking about
7 here limits that, if you will, extension of
8 ad valorem exemption to a couple of classifications
9 within your minimum operating standards because of
10 the public access nature of it.

11 MR. BURNETT: The goods and services to the
12 public is the language in the statute I think that
13 Ed's keying you on.

14 MR. WUELLNER: We -- we don't see an avenue to
15 expand it, to be honest with you. This is an
16 attempt to just clarify what your lease amendment
17 does --

18 MR. MIRGEAUX: Was this to make --

19 MR. WUELLNER: -- within the policy.

20 MR. MIRGEAUX: Is the problem that we're
21 solving, as I understand it, is to make the minimum
22 operating standards agree with this --

23 MR. WUELLNER: Florida Statute.

24 MR. MIRGEAUX: -- these lease terms?

25 MR. WUELLNER: Yes, the -- the lease amendment

1 terms. Because they're all amendments at this
2 point.

3 MR. BURNETT: Two -- two things.

4 One, Cindy, if you go back to the slide
5 before. This language -- and the slide previous.
6 This language right here is really there and
7 designed to make absolutely certain it is clear
8 from a liability standpoint that the
9 Airport Authority did this on a trial basis and
10 that it can revoke it in order to comply with
11 Florida law.

12 MR. MIRGEAUX: The Authority can revoke it.

13 MR. BURNETT: Yes, sir. And so that's
14 different than the next issue. They're slightly
15 different than the next issue.

16 The next issue is defining which ones would
17 actually qualify. Can you go to the next slide,
18 Cindy?

19 MR. WUELLNER: And sort of conversely, the
20 other authority in this is the property appraiser.
21 So they could -- they could start that engine for
22 you by determining they're going to tax it anyway.

23 MR. BURNETT: True.

24 MR. WUELLNER: In which case it matters not
25 what's in the policy. Any other questions? Clear

1 as mud now?

2 (None.)

3 MR. WUELLNER: Okay. A couple of other
4 clarifications.

5 One is, clarifying in your minimum operating
6 standards that flight training facility was meant
7 to be a Part 141 schools interpretation, not a
8 Part 61 or 91 type flight instruction. We're
9 looking at a -- an actual flight school as the --
10 the basis for that section in your minimum
11 operating standards.

12 If you're trying to operate a 61 school, it
13 would be reviewed or evaluated under the
14 specialized commercial flight provisions of the
15 minimum operating standards. It's actually a
16 looser classification for Part 61.

17 MR. OLSON: Who decides that, which part --

18 MR. WUELLNER: Well, they -- ultimately the
19 entity decides whether they're a 141 or a 61.

20 MR. OLSON: Not FAA?

21 MR. WUELLNER: Well, that's -- that's the
22 process. They're ultimately the regulatory
23 authority. But a business can decide they're going
24 to -- they want to be a 141 school and go through
25 all the process and eventually --

1 MR. OLSON: But the Authority doesn't decide.

2 MR. WUELLNER: We do not. We just recognize
3 that as a --

4 MR. OLSON: Okay. Yeah.

5 MR. WUELLNER: -- the classification. And
6 then --

7 MR. MIRGEAUX: So when you say flight schools
8 and maintenance operations, that's essentially the
9 61 and 91 parts? That's Part 61 and Part 91?

10 MR. WUELLNER: Part 61 and 91 refer to flight
11 training in one form or another.

12 It's a specific provision to have a flight
13 school that's under 141. It's approved
14 curriculums, things of that nature. Whereas, 61 is
15 arguably anyone who decides they want to offer
16 flight instruction, which it -- it's a looser
17 provision, if you will. It kind of establishes the
18 requirements to get certificates and ratings and
19 the like.

20 MS. GREEN: Yeah.

21 MR. WUELLNER: And the next one is aircraft
22 storage. We have -- we have always had the
23 provision, this is just kind of a -- a recapturing,
24 if you will, of the language that exists in a
25 different part of the -- of the same lease

1 document. But this just brings it over to minimum
2 operating standards.

3 And the reason being is we frequently are just
4 providing the minimum operating standards to
5 people, not the entirety of the policy, is that we
6 have always had, since I've been here anyway, a
7 prohibition of -- of your ability to lease the
8 Airport Authority's assets for the purpose of
9 having a business to sublease those spaces to some
10 other -- some other company.

11 In other words, you're in business to sell
12 space within the hangar you lease from the
13 Airport Authority as a business. You have every
14 right to do that as a business, but you're going to
15 build your own building, we're not going to be the
16 ones capitalizing your free storage business.

17 MS. LUDLOW: That'd be cool if you'd lease us
18 the land.

19 MR. WUELLNER: Well, we will if we have the
20 space. It's one of those -- you know, that's one
21 of the assets we do not have a lot of on this side
22 of the -- of U.S. 1, unfortunately.

23 MS. LUDLOW: So our 1,600 acres, are you
24 including that's what across the street that --

25 MR. WUELLNER: Yeah. Oh, yeah.

1 MS. LUDLOW: How much is over there, three
2 acres or --

3 MR. WUELLNER: West?

4 MS. LUDLOW: How -- no -- yeah, west.

5 MR. WUELLNER: West of U.S. 1?

6 MS. LUDLOW: Yes.

7 MR. WUELLNER: That's vicinity of about a
8 thousand acres.

9 MS. LUDLOW: Oh, is it?

10 MS. GREEN: Uh-huh.

11 MS. LUDLOW: I wasn't sure.

12 MR. WUELLNER: Exact number, I don't know.

13 MS. LUDLOW: So we only have 600 on this side?

14 MR. WUELLNER: Roughly.

15 MR. OLSON: The thousand isn't all
16 Airport Authority owned at this point.

17 MS. LUDLOW: It is.

18 MR. WUELLNER: Well, we do have about that.

19 MS. GREEN: Yeah, on the west of U.S. 1.

20 MR. OLSON: Oh. I didn't know. I thought --

21 MR. WUELLNER: It's near that. It's not
22 exactly a thousand, but it's in the neighborhood.

23 Yeah, the biggest chunk came, I think you were
24 still on the board, but when the FEC -- or, I'm
25 sorry, at that time it was FDC, Flagler Development

1 Corporation, sold a number of large tracts to the
2 Airport Authority back five years ago, ten years
3 ago. Somewhere in that window.

4 MS. LUDLOW: I remember. I just didn't
5 realize that we had a thousand over there and only
6 600 over here.

7 MR. WUELLNER: Unfortunately, most of our
8 property is disconnected from the airfield.

9 And -- and lastly, multiple services,
10 Subpart J, we add some clarifying language to the
11 purpose of this and we remind that maintenance
12 intensive space users are unlikely to be able --
13 we -- we are making it clear that maintenance, as a
14 maintenance operation, you -- to qualify under
15 multiple services, you'd need to have additional
16 space. You can't rely on maintenance space as
17 storage space and the like.

18 And the reason is the relatively dense
19 utilization of mult- -- of maintenance space is --
20 is very different than just I have a hangar bay and
21 I can do three different businesses out of there.
22 It avoids the duplication. So you'd need an
23 additional hangar or facility to add another
24 business. And we would just add that to the lease,
25 rather than create a multiple services agreement,

1 if that makes sense.

2 MS. LUDLOW: Let me ask this. Where it says
3 duplicate space, do -- so if you have a --

4 MR. WUELLNER: Yeah.

5 MS. LUDLOW: -- 600-foot maintenance shop, do
6 you have to have a 600-foot office?

7 MR. WUELLNER: Only if -- yeah, I'm --
8 duplicate's probably not a great word for it.
9 Honestly, I know I use it, but it's probably not
10 what I'm trying to say.

11 MS. LUDLOW: Added.

12 MR. WUELLNER: You'd need additional space,
13 not necessarily duplicate space.

14 MS. GREEN: And it's not in the proposed. It
15 doesn't say "duplicate" in your proposal.

16 MR. WUELLNER: It's not in the policy
17 language, "duplicate" isn't. It was in my
18 description of the policy change.

19 MS. LUDLOW: Gotcha.

20 MS. GREEN: Okay.

21 MR. WUELLNER: It's not a great chase --
22 choice of words, now that you point it out. And
23 that's it. That's it.

24 CHAIRMAN MAGUIRE: Any further questions from
25 the board?

1 MS. HOLLINGSWORTH: They signed in out there.

2 CHAIRMAN MAGUIRE: Okay. All right. So --

3 MR. BURNETT: Need a name and address.

4 CHAIRMAN MAGUIRE: Yeah. We need you, when
5 you go to the board, clearly and distinctly name
6 and address and three minutes, okay? Three
7 minutes. Last time, we had people going on. Yeah,
8 as you raise your hand, do you want to go first?

9 AUDIENCE MEMBER: Sure. My name --

10 MR. LIOTTA: Can you -- excuse me.

11 Bruce, could you clarify the three-minute
12 issue? As I understand it, the three minutes was
13 adopted for airport board meetings and this is not
14 a board meeting.

15 MR. WUELLNER: Yes, it is.

16 CHAIRMAN MAGUIRE: It is a board meeting.

17 MS. GREEN: Just not voting.

18 MR. LIOTTA: I thought it was.

19 CHAIRMAN MAGUIRE: And clearly, I almost -- I
20 almost canceled public comment because there's no
21 requirement for public comment.

22 MR. LIOTTA: Okay. So there is no
23 three-minute policy, you're saying.

24 CHAIRMAN MAGUIRE: There is a three-minute
25 policy, okay?

1 MR. LIOTTA: So --

2 MR. WUELLNER: It applies to all board
3 meetings.

4 CHAIRMAN MAGUIRE: It applies to all board
5 meetings, if we have public comment.

6 MR. LIOTTA: So there was a previous board
7 meeting that adopted a three-minute policy for
8 workshops?

9 MR. WUELLNER: That's correct.

10 CHAIRMAN MAGUIRE: Correct.

11 MR. LIOTTA: All right. I'll find it.

12 CHAIRMAN MAGUIRE: I'm sure you will.

13 Okay. Go ahead. Name and address.

14 MR. TOPP: My name's Jaime Topp, 6119 Old
15 Dixie Drive.

16 CHAIRMAN MAGUIRE: Could you spell your last
17 name?

18 MR. TOPP: T-o-p-p.

19 CHAIRMAN MAGUIRE: Thank you, sir.

20 MR. TOPP: All right. My background is an
21 airline pilot, FBO operator, Cessna dealer, flight
22 school Part 141 and Part 91, plus cellular business
23 for many, many, many years.

24 In the first discussion we had here to the
25 point of changing or whatever, if I have been on

1 this list as a citizen of this county waiting for a
2 hangar and then all of a sudden I get a hangar, I
3 can't put it in there because I have a turbo Baron.
4 It's a turbojet airplane -- turboprop.

5 And with that language, if y'all don't change
6 that, I wouldn't be able to put it in there, and
7 I've been waiting for five years for hangar space.
8 Now I can't put my airplane in a hangar. I don't
9 think that's serving the county. That's a point I
10 want to make.

11 As far as being an FBO, you've really got to
12 think about that and the investment. And burdening
13 the current board with that issue I think is a
14 mistake, also. Waiting until the time is important
15 to think about it.

16 And because -- and also, you were talking
17 about the million dollars -- and I don't know how
18 much time I have left -- the million dollars that
19 is being left on the table, so to speak. Remember
20 that this FBO, by being a larger -- a part of a
21 much larger organization, enjoys economies of
22 scale.

23 So they buy fuel at a much lower rate. They
24 buy -- they can do all their accounting centralized
25 so that they don't have to have a staff here,

1 all right? They do their purchasing in volumes.
2 Uniforms, all of those things, all the expenses,
3 and the HR, which is not a cheap thing both
4 personnel-wise and insurance-wise.

5 So there's some things here that I think we're
6 treading on some areas that can be an issue for
7 St. Johns County residents and for the airport and
8 for the Airport Authority. Thank you.

9 CHAIRMAN MAGUIRE: Thank you. Okay. Who's
10 next? Len?

11 MR. TUCKER: Len Tucker, 51 Avista Circle,
12 St. Augustine.

13 There's several things that I wanted to go
14 over regarding the first issue, and first is, I
15 don't think it's possible to redefine the
16 definition of light general aviation. That
17 definition is out in the world.

18 And I'm pretty sure if it came to a court of
19 law and they said, oh, here's St. Augustine's
20 definition of light general aviation, here's the
21 rest of the world's, I wonder which one they're
22 going to pick. I don't think that's even a
23 question. You can't redefine it.

24 So light general aviation needs to be struck
25 as a term from that terminology because that

1 doesn't apply. Now, if what you really mean is
2 noncommercial aviation, put it in there as
3 noncommercial. Don't try to hide it under a term
4 called light general aviation.

5 But anyway, these restrictions are
6 inconsistent with the master plan. The master plan
7 wasn't designed just overnight and by the whim of
8 somebody. There was a lot of work that went into
9 that. Several of you are very familiar with how
10 much work. And they decided to leave the term
11 light general aviation off that area for a reason.
12 Because it was too restrictive.

13 Nowhere in the layout plan is that listed as
14 light general aviation. Modifying that is --
15 you're going to be modifying a document that the
16 FAA signed off on. I don't think that's
17 appropriate.

18 Here we go. Single and twin-engine piston
19 aircraft. So you've excluded gliders. Why? Was
20 that too much activity to have a glider being
21 pulled out?

22 You know, there's jet-powered gliders now.
23 There's a 42-pound jet engine, technology marches
24 on, that mounts on a glider. That would be
25 eliminated not only because it's a glider but also

1 because it's jet-powered. I can put -- you know,
2 jet power is going to be on a lot of things in the
3 future. Why do we exclude it? Certainly it
4 doesn't require size of aircraft.

5 Then you've got terms like small aircraft
6 pavement geometry. Who determines what small
7 aircraft is? That sounds like a nebulous term. To
8 me, a Beechcraft, a -- a Super King Air is a big
9 aircraft to me. If it crashes, the news media
10 calls it a small aircraft. So who defines what a
11 small aircraft is? It's very nebulous. You're
12 not -- you're not improving things, you're actually
13 making it more complicated by putting that rule in
14 there.

15 Lower activity levels. I can tell you that
16 charter service is not high activity. I'm sure
17 they would like it to be high activity, but it's
18 not high activity.

19 The flight school is high activity. They've
20 got ten operations an hour going on out there.
21 Look at the parking out here. Where do you think
22 all those cars came from? That's the high
23 activity. So when you say lower activity levels,
24 that's inconsistent. You're not being consistent
25 here.

1 Business catering to small aircraft. Again,
2 what's a small aircraft? You mean because I have a
3 business over here and somebody over there needs
4 some work or something, I can't service them after
5 I'm paying all my rent here and doing it on the
6 field?

7 So all of these things are issues that I think
8 are very inconsistent. You haven't made it -- you
9 haven't clarified it, you've made it more
10 complicated. Thank you.

11 CHAIRMAN MAGUIRE: Okay. Who's next? Yes.

12 MS. GREEN: Can I just answer one question for
13 the gentleman, I think Matt?

14 Our meeting conduct policy, it was adopted in
15 August of 2021, but Paragraph 12, public comment,
16 states specifically, "To this end, three minutes
17 will be afforded for the public for comments of a
18 more general nature during the course of each
19 regular meeting, workshop, or public hearing."

20 MR. LUDWIG: Thank you.

21 MS. GREEN: So you didn't have to look for it.

22 CHAIRMAN MAGUIRE: Thank you.

23 MR. LUDWIG: Thank you for the clarification.

24 MS. GREEN: I just didn't want you to have to
25 dig for it.

1 MR. LUDWIG: I think what really --

2 CHAIRMAN MAGUIRE: Excuse me. Name and
3 address?

4 MR. LUDWIG: Oh, I'm sorry. I apologize. My
5 name's Jeff Ludwig. 5150 Belfort Road,
6 Jacksonville, Florida, 32256, Building 500.

7 Right out of the box the problem came out of
8 what we're dealing with here and that's when
9 Mr. Wuellner started talking, he said -- he said, I
10 wrote it down, our definition of small aircraft and
11 the FAA definition is different. That's a huge
12 problem right there where what he decides or your
13 staff decides is small aircraft and it's differing
14 from FAA's definition.

15 The general breakpoint as I think most of the
16 people that know aviation in here is 12,500 pounds.
17 Poundage is something we can all measure. The size
18 of the wings can be different, but poundage you can
19 measure.

20 Just not what we decide to do as -- and by the
21 way, I think if Mr. Wuellner and counsel would
22 study your plan a little closer, it's not called
23 the light general aviation area in the master plan.
24 It's called the south aviation area. This area,
25 that's what it's called, the south aviation. It's

1 not called light general aviation area. So you may
2 want to check on that.

3 I thought it was intriguing that your counsel
4 cited a case when he was talking about proprietary
5 exclusive rights if you want to get into the FBO
6 business -- I'm not going to comment on that;
7 that's really -- that's 15 years from now, but if
8 you wanted to do it.

9 He cites a case and I took time this morning
10 and pulled it out, and he took one sentence out of
11 the 36-page opinion by the FAA. And let me tell
12 you what is important I think is they talk about
13 what you're going through right now, you know, what
14 the rights are of airport authorities.

15 And it says, The airport sponsor, that's
16 y'all, will make the airport available as an
17 airport for public use under reasonable terms and
18 without unjust discrimination to all types, kinds,
19 and classes of aeronautical activity including
20 commercial aeronautical activities offering
21 services to the public at the airport. And that
22 deals with the federal grant assurance number 22,
23 economic nondiscrimination.

24 And I can tell you that these proposed changes
25 that they're suggesting you adopt as far as light

1 general aviation does completely the opposite. It
2 shrinks the general aviation population that you
3 can service in this area here.

4 You spent a lot of money, yet here you are,
5 you're shrinking the definition of what can be in
6 here like a light jet. And what the gentleman said
7 before you, the technology is changing rapidly.
8 The world is moving away from hundred low-lead
9 gasoline out here to turbine type, you know, jet
10 fuel type available fuels.

11 You're going to see more and more of these
12 kind of planes. And what they're asking you to do
13 is to shrink it down so you won't be able to use
14 those. How many minutes, sir? Am I over?

15 CHAIRMAN MAGUIRE: Three, yes.

16 MR. LUDWIG: Okay. So I'm saying you're --
17 you're going down a slippery slope here with what
18 they're asking you to do, especially in this light
19 general aviation area.

20 What I would suggest to you is you allow some
21 people to suggest to you some language that would
22 fit everybody's needs, not just what their
23 definition of what it should be. Thank you.

24 CHAIRMAN MAGUIRE: Thank you, sir.

25 MR. LIOTTA: Hi. Matt Liotta, 93 Lake Mist

1 Court. That's St. Johns, 32259.

2 Just to finish up Jeff's statement there, the
3 FAA circular on the matter actually states that the
4 sponsor, that's the airport, may prohibit or limit
5 any given types or class only in regard for safe
6 operation. And in fact, it's the FAA that has
7 final authority of determining safe operation. So
8 make sure you don't make that determination without
9 being sure that the FAA agrees.

10 Now, unfortunately I only have three minutes
11 so I have to breeze through this because there was
12 so many things that weren't covered correctly
13 during your public meeting where you should really
14 allow for a more interactive opportunity for the
15 public.

16 Obviously you need to constrain that, but
17 there's a lot of things to be fixed. For example,
18 the Executive Director and Chairman Maguire both
19 stated that things haven't changed for 20 years and
20 that there's been these unwritten activities and
21 way things are supposed to be, and he's seeking to
22 clarify and put this stuff on the record, which I
23 think is valuable for everybody, except what we
24 know is that some of the things that have happened
25 over the last 20 years don't match up with this

1 policy.

2 There's a Grumman Albatross in Nimbus' hangar
3 which is a 37,000-pound plane with radial engines,
4 not piston, that is louder and bigger than any
5 other plane in the South GA area. There's a
6 TBM 930, which is a turboprop plane, that's louder
7 and bigger than almost every other plane in here.
8 There's a Piper M600. There was previously other
9 jets and other turboprops like PC-12s back in that
10 area that have existed since the hangar that we
11 occupy today was built in 2009. So if we're not
12 going to change anything, we definitely don't want
13 to prohibit jets.

14 And I know that there was the statement that
15 jets aren't prohibited, but in fact the director
16 sent the e-mail saying that it is the policy of the
17 Airport Authority that jets are prohibited and
18 nobody has done anything to correct that.

19 And we know that this is all real because the
20 board, although very different members, approved
21 the Nimbus lease back in 2 -- 2013, right? So,
22 certainly the board was -- had knowledge that
23 Nimbus was going to occupy that place and have that
24 huge hangar and has that huge plane. And it's
25 certainly in the South GA area and your master plan

1 has that included in the South GA area.

2 So we -- we don't need to actually change
3 anything to adopt what you-all have been doing for
4 20 years, which is to allow planes that weigh less
5 than the maximum weight that the taxiway can
6 handle, that have a wingspan that's less than the
7 geometry allows for it to safely operate regardless
8 of the power plan.

9 Continuing on, there was this discussion about
10 T-hangars --

11 CHAIRMAN MAGUIRE: Okay. Time's up, okay?
12 Who's next, anyone?

13 MR. LAWSON: Good afternoon. I'm James
14 Lawson, 130 South End Street, St. Augustine, 32095.

15 I'm just going to reiterate what I said the
16 last three meetings as a witness to the history of
17 the South GA.

18 The very first tenants in 2009 of the
19 Casa Cola hangars, the 14,000-square-foot ones that
20 were mentioned by one of the board members, were
21 myself, Rhumb Runner Aviation, four years there,
22 PC-12 Pilatus, 54-foot wing span, jet-powered
23 turboprop. My next-door neighbor, King Air 200, a
24 King Air twin-engine jet-powered turboprop. To my
25 left, Citation 500 jet aircraft.

1 All of them are light category aircraft except
2 for the Citation 500, which is 16,900 pounds. So
3 it's greater than 12,5-. And I operated there for
4 four years. The last year, I was under a charter
5 operator called Tradewinds Aviation, Part 135.
6 Still had less operations than the flight school
7 next year.

8 But I just wanted to give you that history
9 lesson, that since 2009, the very first operators
10 in the Casa Cola hangars were jet-powered aircraft.

11 Any questions that -- on that regard? That's
12 all I have. All right. Thank you.

13 CHAIRMAN MAGUIRE: I have a question for you.
14 Are you representing the military?

15 MR. LAWSON: Oh, no. That's a good point,
16 Bruce. I came from reserve duty today. I'm not
17 representing the United States Navy. So excuse the
18 uniform.

19 CHAIRMAN MAGUIRE: Thank you very much.

20 MR. LAWSON: All right. Thank you.

21 CHAIRMAN MAGUIRE: Okay.

22 MS. GREEN: Never excuse the uniform.

23 CHAIRMAN MAGUIRE: I wanted to get that on the
24 record.

25 MR. LAWSON: No, no, no. That's good. That's

1 a real thing. That's a government ethics thing.

2 CHAIRMAN MAGUIRE: Yes. Any other comments?

3 Feel free.

4 (None.)

5 CHAIRMAN MAGUIRE: Okay. Let me wrap this up.

6 Three minutes is a short time to talk and we
7 all know that. I encourage you to write down what
8 you wanted to say, you didn't get a chance to say,
9 and send it out to the board, okay?

10 We're not going to try to stifle. We're just
11 going to say make sure whatever you send is very
12 straightforward and concise and eloquent, okay?
13 And send it to the board members, and to Ed and
14 them, okay?

15 Coming back to the board. No decisions are
16 made. No votes are taken. The whole purpose was
17 to talk and discuss. Any final comments before we
18 go in that regard?

19 MS. GREEN: I just want to briefly say thanks
20 to Mr. Ludwig and Matt for -- well, Matt was on the
21 phone -- but coming by the office and educating and
22 spending the time in my office. So, thank you.

23 MR. LUDWIG: You're welcome.

24 CHAIRMAN MAGUIRE: Okay. Thank you, very
25 much. Meeting's adjourned.

(Meeting adjourned at 6:20 p.m.)

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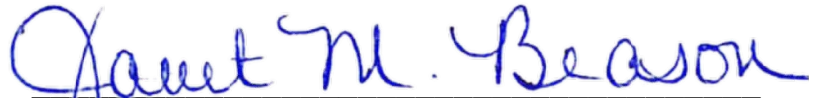
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REPORTER'S CERTIFICATE

STATE OF FLORIDA)
COUNTY OF ST. JOHNS)

I, JANET M. BEASON, RPR-CP, RMR, CRR, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true record of my stenographic notes.

Dated this 4th day of November, 2021.



JANET M. BEASON, RPR-CP, RMR, CRR

<p>AUDIENCE MEMBER: [4] 65/17 65/19 68/11 115/9</p> <p>CHAIRMAN MAGUIRE: [112] 3/2 3/6 4/8 4/10 4/13 11/25 21/19 21/25 22/20 22/25 23/3 26/1 26/14 26/24 27/2 27/6 27/9 27/11 27/14 27/16 27/19 27/23 38/11 39/9 39/17 40/5 40/7 40/11 40/19 40/21 40/24 41/3 41/6 41/8 42/4 50/6 50/10 50/24 51/1 51/3 55/1 59/2 62/18 63/12 63/25 64/4 64/8 64/17 64/20 64/23 65/1 65/3 65/9 65/20 65/23 66/23 67/2 69/18 70/4 70/7 70/20 71/5 71/7 71/20 71/24 72/6 72/8 72/11 72/14 73/9 73/22 74/9 74/12 74/14 74/16 74/18 75/24 76/3 76/9 76/13 76/18 77/6 82/6 88/25 93/22 113/24 114/20 114/23 115/2 115/4 115/16 115/19 115/24 116/4 116/10 116/12 116/16 116/19 118/9 121/11 121/22 122/2 124/15 124/24 127/11 128/13 128/19 128/21 128/23 129/2 129/5 129/24</p> <p>MR. 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