

1 ST. AUGUSTINE - ST. JOHNS COUNTY AIRPORT AUTHORITY

2 Regular Meeting

3 held at 4796 U.S. 1 North

4 St. Augustine, Florida

5 on Monday, March 10, 2003

6 from 4:00 p.m. to 6:49 p.m.

7 * * * * *

8 BOARD MEMBERS PRESENT:

- 9 SUZANNE GREEN, Chairman
- JOSEPH CIRIELLO
- 10 BOB COX
- JOHN "JACK" GORMAN

11 BOARD MEMBERS ABSENT

12 WAYNE "BUZZ" GEORGE, Secretary-Treasurer

13 * * * * *

14 ALSO PRESENT:

15 DOUG BURNETT, Esquire, Rogers, Towers, Bailey,
16 Jones & Gay, P.A., 170 Malaga Street, St. Augustine,
FL, 32084, Attorney for Airport Authority.

17 EDWARD WUELLNER, A.A.E., Executive Director.

18 BRYAN COOPER, Assistant Airport Director.

19 * * * * *

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22 St. Augustine Court Reporters
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| 1 I N D E X | |
|--|------|
| 2 | PAGE |
| 3 2. PLEDGE OF ALLEGIANCE | 3 |
| 4 3. APPROVAL OF MEETING MINUTES | 3 |
| 5 4. ACCEPTANCE OF FINANCIAL REPORTS | 5 |
| 6 5. APPROVAL OF MEETING AGENDA | 6 |
| 7 6. REPORTS: | |
| 8 A. Mr. Bruce Maguire - County Commissioner | 10 |
| 9 B. Mr. Michael Slingluff - Aero Sport, Inc. | 12 |
| 10 C. Mr. John Leslie - Grumman St. Augustine | 13 |
| 11 D. Mr. Robert Fleming - S.A.P.A. | 13 |
| 12 E. Mr. Bjorn Otteson - F.A.C.T. | 13 |
| 13 F. Mr. Doug Burnett - Attorney | 13 |
| 14 7. ACTION ITEMS | |
| 15 A. MPO Presentation as presented by Scott Clem | 14 |
| 16 B. Resolution 03-01 | 32 |
| 17 C. Consultation Selection Discussion & Updates | 38 |
| 18 D. Terminal Project - Phase II | 55 |
| 19 E. Embry-Riddle Presentation | 68 |
| 20 F. Project Updates | 111 |
| 21 8. AUTHORITY MEMBER REPORTS: | |
| 22 A. Ms. Suzanne Green, Chairman | 122 |
| 23 B. Mr. Joseph Ciriello | 126 |
| 24 C. Mr. Wayne George, Secretary/Treasurer - Absent | |
| 25 D. Mr. Bob Cox | 134 |
| 26 E. Mr. Jack Gorman | 140 |
| 27 9. PUBLIC COMMENT | 142 |
| 28 10. NEXT BOARD MEETING | 154 |
| 29 11. ADJOURNMENT | 154 |

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1 PROCEEDINGS

2 CHAIRMAN GREEN: Call the meeting to order

3 of the Airport Authority Board, St. Augustine.

4 We stand to pledge the flag, please.

5 (Pledge of Allegiance.)

6 3. - Approval of Minutes

7 CHAIRMAN GREEN: The first item we have is

8 approval of the minutes from the last meeting.

9 Has everyone had a chance to review them?

10 They're shown in my packet. Any comments? Yes,

11 Mr. Gorman.

12 MR. GORMAN: I have one comment, and it's an

13 odd one. In other words, I noticed there's a

14 memorandum in here and it's concerning the fact

15 that I believe that some -- I had said something

16 about not having Mr. Wuellner present while we

17 evaluated him, and that was construed by the

18 attorney as a request for a shade meeting.

19 MR. WUELLNER: No.

20 MR. GORMAN: And the shade meeting, meaning

21 that they wanted Mr. Wuellner and the board --

22 MR. WUELLNER: No --

23 MR. GORMAN: -- to be -- meet without -- not

24 in public. And that is not actually what I meant

25 at all, and I think the minutes will reflect

4

1 that. That's all.

2 MR. WUELLNER: That wasn't from you. That

3 was from Mr. Ciriello. He asked me on the side.

4 It was not a result of the meeting. It was a

5 result of a request by Mr. Ciriello.

6 MR. GORMAN: Well, you can see why I said

7 what I said.

8 MR. WUELLNER: Yeah, sure.

9 MR. GORMAN: Because I had actually said

10 that, too, and was told by the attorney there

11 that it may be a shade meeting. Okay. Thank

12 you. That's fine.

13 CHAIRMAN GREEN: Okay. Do we have any other

14 additions or comments on the minutes?

15 (No comments.)

16 CHAIRMAN GREEN: Can I have a motion to

17 accept the minutes as presented?

18 MR. COX: I'll move that.

19 MR. CIRIELLO: Second.

20 CHAIRMAN GREEN: All in favor?

21 MR. CIRIELLO: Aye.

22 MR. COX: Aye.

23 CHAIRMAN GREEN: Aye.
24 Motion's carried. The minutes will be
25 entered as presented.

5

1 4. - Acceptance of Financial Reports

2 CHAIRMAN GREEN: The financial reports, we
3 were given last time, and I guess our treasurer
4 didn't make it?

5 MR. WUELLNER: No, he's in Australia still.

6 CHAIRMAN GREEN: Still. Well, I'll
7 entertain comment. We haven't had his input on
8 reviewing them because we were handed them --
9 because we had a short-termed meeting last time.

10 MR. CIRIELLO: Comment to what?

11 CHAIRMAN GREEN: Well, we can have an
12 acceptance of the financial reports, if someone
13 wants to comment on them, but we don't have the
14 input from our treasurer, who's reviewed it.

15 MR. CIRIELLO: Well, let's table it till
16 next month.

17 CHAIRMAN GREEN: You want to make that as a
18 motion?

19 MR. CIRIELLO: Yeah.

20 MR. COX: I'll second that.

21 CHAIRMAN GREEN: All in favor?

22 MR. CIRIELLO: Aye.

23 CHAIRMAN GREEN: Aye.

24 MR. COX: Aye.

25 MR. GORMAN: Aye.

6

1 CHAIRMAN GREEN: All opposed?

2 (No opposition.)

3 CHAIRMAN GREEN: Okay. It's carried. And

4 we will -- well, will we have two at that point

5 in time, Mr. Wuellner?

6 MR. WUELLNER: Yes, ma'am.

7 CHAIRMAN GREEN: Okay. So, we'll do both --

8 both of the months at the same time.

9 MR. CIRIELLO: Yeah. Yeah.

10 5. - Approval of Meeting Agenda

11 CHAIRMAN GREEN: The agenda's been passed

12 out for March 10th. Are there any additions or

13 exceptions to the agenda? Mr. Ciriello?

14 MR. CIRIELLO: Madam Chair, I'd like to have

15 a item, which would be 7.G., added to have a

16 discussion on the way that we set our pricing for

17 self-fuel.

18 MR. COX: What was that? Say that again,

19 Joe. That's what?

20 MR. CIRIELLO: A discussion on the way that

21 we set our pricing on the self-fuel.

22 CHAIRMAN GREEN: I just have a comment. Can
23 we put it under your comments? Because I'm not
24 sure if we have information as far as because
25 it's tied to certain figures that are out in the

7

1 public, and it varies. I'm not sure we have --
2 if we need that information or if you want to
3 bring it up in your comments --

4 MR. CIRIELLO: I have it all right here.

5 CHAIRMAN GREEN: Okay. I'm just not sure we
6 all have that information in the packet, which is
7 one of the reasons, let me tell you -- see under
8 my comments, it has "Employment Contract
9 Renewal."

10 When you-all sent me your evaluations, I've
11 copied them. I want to disseminate them with
12 some comments that Mr. Wuellner had, and then I
13 want to calendar it for the next meeting as to
14 when we can discuss it in an open meeting. But I
15 think all the information needs to be looked at
16 by the board members prior to a discussion. So,
17 that's what I'm saying, if we could put it under
18 comments and bring up the two --

19 MR. CIRIELLO: It could be rather lengthy.

20 CHAIRMAN GREEN: Well, I'm not sure we have
21 the information to go through it right now.

22 That's why I'm trying to figure out.

23 MR. COX: Maybe we should develop it as an
24 agenda item for a future meeting or the next --

25 CHAIRMAN GREEN: That's why I'm saying if we

8

1 had the comments, and we say, "Okay, we need more
2 information; we need to put it on the agenda for
3 the next meeting" --

4 MR. CIRIELLO: Well, when I give you all my
5 figures of why I want to bring this up, it's --
6 it's a no-brainer. You'll see why I'm bringing
7 it up. And it's -- I don't -- I don't know why
8 you'd need a packet thing on it, because it's all
9 my -- with figures backing up my opinion to prove
10 my opinion, is what it amounts to.

11 CHAIRMAN GREEN: Well, then, let's put it
12 under your opinion, in your comments --

13 MR. CIRIELLO: All right.

14 CHAIRMAN GREEN: -- and then if we all feel
15 that we need more the next time at the meeting --

16 MR. CIRIELLO: Okay.

17 CHAIRMAN GREEN: -- we'll make it a big
18 agenda item.

19 MR. CIRIELLO: That's fine, as long as it's
20 out.

21 CHAIRMAN GREEN: Yeah. That'd be great.
22 Okay. Any other exceptions or additions to the
23 agenda? Approve -- I'll entertain a motion to
24 approve the agenda for March 10th.

25 MR. COX: I have a question.

9

1 CHAIRMAN GREEN: Yes, sir.

2 MR. COX: At the last meeting that the Civil
3 Air Patrol asked to be put on the agenda, I just
4 want to -- remember when he stood up at the very
5 last there and asked us if we could hear that?
6 Ed told me earlier that he was supposed to have a
7 meeting with him on the --

8 MR. WUELLNER: Yeah, we've got one scheduled
9 Wednesday.

10 MR. COX: I don't know if he's here, but I
11 just want to make it known that we're not
12 intentionally denying him. I think the meeting
13 is set with the airport director outside of the
14 Authority, and it's going to be taken care of, I
15 guess, in that manner.

16 MR. WUELLNER: Right.

17 CHAIRMAN GREEN: As to where it will be on

18 the agenda.

19 MR. COX: I don't see him here, so...

20 CHAIRMAN GREEN: Okay.

21 MR. COX: That's all.

22 CHAIRMAN GREEN: I need a motion now for

23 approval of the agenda for March 10.

24 MR. CIRIELLO: (Indicating.)

25 CHAIRMAN GREEN: Mr. Ciriello --

10

1 MR. CIRIELLO: Yeah.

2 CHAIRMAN GREEN: -- approval?

3 MR. CIRIELLO: Yeah.

4 CHAIRMAN GREEN: Second?

5 MR. COX: I'll second that.

6 CHAIRMAN GREEN: All in favor?

7 MR. CIRIELLO: Aye.

8 CHAIRMAN GREEN: Aye.

9 MR. COX: Aye.

10 MR. GORMAN: Aye.

11 CHAIRMAN GREEN: Any opposed?

12 (No opposition.)

13 CHAIRMAN GREEN: Okay. Reports.

14 6.A. - Mr. Bruce Maguire

15 CHAIRMAN GREEN: I saw Mr. Maguire walk in.

16 Don't sit down. Any report from the County

17 Commissioners, sir?

18 COMMISSIONER MAGUIRE: Other than the --
19 I've only got about two minutes. Today's a busy
20 day. Have you addressed the MPO issue today?

21 CHAIRMAN GREEN: We will. It's on our
22 agenda.

23 COMMISSIONER MAGUIRE: I just want to let
24 you know that the County Commissioners met the
25 other day. We passed the initiative unanimously.

11

1 But make sure that when you -- when you look at
2 the motion you're going to make, it has to
3 address two issues.

4 The motion that the MPO requested, the
5 First Coast MPO requested, was which alternative
6 did we want to support, A, B, C, D, or E. We
7 want the First Coast MPO to support alternative
8 E, which excludes St. Johns County. And at the
9 same time, in the same motion, you want to
10 approve support for a countywide MPO, to include
11 the Airport Authority and -- and the entire
12 county.

13 MR. WUELLNER: Do you need a resolution
14 relative to alternative -- Alternate E?

15 COMMISSIONER MAGUIRE: You can just make

16 it -- you can make it a resolution. As a matter
17 of fact, it would probably be good because you're
18 not on the First Coast MPO at this point. It'll
19 probably be good to make a separate resolution
20 supporting -- showing your support for Alternate
21 E, okay?

22 Other than that, I have no report. Life is
23 same ol' same ol'.

24 CHAIRMAN GREEN: Thank you.

25 COMMISSIONER MAGUIRE: Thank you very much.

12

1 And excuse me for leaving quickly.

2 CHAIRMAN GREEN: Mr. Slingsluff? Aero Sport?

3 6.B. - Mr. Michael Slingsluff

4 MR. SLINGLUFF: Well, the sun is shining for
5 the first time in a long time, so that's good
6 news. No. Things -- things are running fairly
7 smoothly on the main ramp.

8 We are concerned. We learned today that the
9 paving that was supposed to be done before the
10 golf tournament is not going to happen now.
11 We're not going to have the expanded ramp space.
12 So, we're quite, quite frustrated. And the
13 construction process has slowed down once again
14 to a -- to a snail's pace. And I'm -- I'm hoping

15 this can be addressed quickly here at this
16 meeting.

17 Another item I have that I would like to
18 bring up is -- is the way the -- the order of the
19 items that are put on the agenda, it just seems
20 to me that when we have large projects open
21 around the airport, that perhaps these -- these
22 should be reviewed before we get into other --
23 other issues so that everyone has a clear
24 understanding of where -- you know, what the
25 current picture is.

13

1 There seems to me -- you know, we always get
2 into a report on the terminal, or any of the
3 project updates as the very last thing; yet in
4 the beginning, we're making decisions, not having
5 the knowledge of what the current status is of
6 open projects. It just seems that the order
7 should be turned around there. A suggestion.
8 Thank you.

9 CHAIRMAN GREEN: Thank you. Northrop
10 Grumman?

11 6.C. - Mr. John Leslie

12 MR. LESLIE: No report.

13 CHAIRMAN GREEN: Pilots Association?

14 6.D. - Mr. Robert Fleming

15 MR. FLEMING: No report.

16 CHAIRMAN GREEN: The Florida Aviation Career

17 Training?

18 6.E. - Mr. Bjorn Ottesen

19 MR. OTTESON: No report.

20 CHAIRMAN GREEN: And Mr. Burnett? You're

21 up.

22 6.F. - Mr. Doug Burnett

23 MR. BURNETT: No report.

24 CHAIRMAN GREEN: Okay.

25 MR. BURNETT: Other than I think that the

14

1 attorney's weekly report's been provided on some

2 of the construction projects.

3 CHAIRMAN GREEN: At one point in time, they

4 were going to be e-mailed. How did we do that?

5 MR. WUELLNER: I think they are. They're

6 coming out of their office, not ours.

7 CHAIRMAN GREEN: Not to mine. I haven't

8 seen a one.

9 MR. BURNETT: I'll make a note of that.

10 CHAIRMAN GREEN: Okay. Thanks.

11 MR. WUELLNER: Is anyone else not getting

12 them weekly?

13 (No reply.)

14 MR. BURNETT: I'll make sure you get one.

15 CHAIRMAN GREEN: Thanks. All right. Action

16 items. Mr. Wuellner, the MPO presentation, I

17 think --

18 MR. WUELLNER: Yes.

19 CHAIRMAN GREEN: -- is the first agenda

20 item?

21 7.A. - MPO Presentation

22 MR. WUELLNER: Yes, ma'am. It's my -- my

23 pleasure to introduce Mr. Scott Clem, who is the

24 director of St. Johns County Development Services

25 Department. And they're responsible for most of

15

1 county planning and development items. And as a

2 result of the 2000 census, there's a need to

3 create an MPO that covers the St. Johns County --

4 or the St. Augustine area, which includes the

5 cities of St. Augustine, St. Augustine Beach, and

6 a little bit of area outside of that.

7 As a result, they need to make decisions

8 relative to the MPO borders and the future of St.

9 Johns County relative to the First Coast MPO,

10 which is the Jacksonville-based MPO. Options

11 exist that -- and Mr. Clem, I'm sure, is going to

12 highlight those for you. In any case, the
13 Authority would be participating probably at some
14 level relative to a seat on one of the two MPOs
15 as a significant transportation entity within the
16 MPO boundaries.

17 It's important that your input is made and
18 is noted with both the county and the MPO, First
19 Coast, and those recommendations, whatever they
20 will be, will, as I understand it, be forwarded
21 on to the Governor's office for some action and
22 determination relative to how MPO representation
23 will go on relative to St. Johns County.

24 And with that, I'd like to introduce Scott
25 Clem.

16

1 MR. CLEM: Thank you and good afternoon.
2 Again, my name is Scott Clem, and it's a pleasure
3 to be here today. I'm going to give you a short
4 presentation that I gave to the Board of County
5 Commissioners last week. Just a little bit of
6 background about the planning, organization and
7 process. And then I've given you a handout of
8 some of the maps, because it's important I think
9 for you to see the different alternatives, that
10 you may be able to see them a little better from

11 the -- the handout that I gave you.

12 First of all, our main purpose of being here
13 is we have a real important decision to make for
14 the community on the Metropolitan Planning
15 Organization process, and I'll be using the
16 acronym MPO, but it stands for Metropolitan
17 Planning Organization.

18 The MPO process -- the MPO process is a
19 planning process mandated by the Federal Highway
20 Administration. It's been around for almost 30
21 years now, and it's really intended to strengthen
22 local decisions in major transportation issues
23 for metropolitan areas.

24 What's important to note is that all
25 urbanized areas must be contained within an MPO

17

1 boundary to receive federal transportation funds.
2 And what makes it critical at this point in time
3 is that we now have a new urbanized area for the
4 St. Augustine area.

5 These federal funds are specifically
6 allocated for both planning activities and for
7 actual transportation projects. A note about the
8 funding is, although in my research I don't
9 believe the MPO would affect any of what I would

10 consider really aviation funding, it does
11 specifically target highways, transit, and in the
12 legislation action, it mentions intermodal
13 facilities. So, it may be important if the -- if
14 the Airport Authority or the county wants to move
15 forward on a multimodal facility, what
16 interaction the MPO has on that facility.

17 The MPO basically has two primary
18 responsibilities. One is a long-range
19 transportation plan, and those are updated either
20 every three years or five years for an MPO the
21 size in our area. If we were a separate MPO, it
22 would be every five years. First Coast is every
23 three years.

24 Probably the most important is -- is
25 prioritizing transportation projects for use of

18

1 federal and state -- federal and state
2 transportation funds.

3 As I mentioned, the urbanized area is
4 actually defined by the Census Bureau. And it
5 defines a central core with densely-settled
6 surrounding areas of 50,000 or more population.
7 I've got a map that will show that in just a
8 second.

9 And again, the new urbanized area was
10 designated for the St. Augustine area as a result
11 of that 2000 census which reached a population of
12 53,000. Obviously, that's not the whole county.
13 The whole county is upwards about 135,000 at this
14 point in time.

15 The northeast/northwest portions of St.
16 Johns County were previously designated as
17 urbanized and have been part of the First Coast
18 MPO for 25 years now.

19 What's also important is what's called the
20 planning area. And this really defines what the
21 MPO boundary is, and it includes those areas that
22 are expected to become urbanized over the next 20
23 years. So, it really includes a lot of the
24 growth areas of the county. It also can
25 incorporate an entire jurisdiction, such as a

19

1 county boundary.

2 And we have an existing First Coast MPO
3 boundary that right now follows Greenbriar Road,
4 210, and Mickler Road. And this map is in your
5 packet and probably a little bit hard to see.
6 But what's shown in red is what was -- is
7 currently considered urbanized for the Ponte

8 Vedra area and the northwest Julington
9 Creek/Fruit Cove area. And this darker line is
10 where that existing First Coast MPO boundary is.
11 What's new is what's shown in green, and that's
12 the new urbanized area for the greater St.
13 Augustine area and includes St. Augustine, St.
14 Augustine Beach, and the surrounding
15 unincorporated area.

16 So really, the decision now is really what
17 to do with either creating a new MPO or extending
18 that MPO boundary that's part of the First Coast
19 MPO south to incorporate either the entire county
20 or this new St. Augustine urbanized area. Okay.

21 By regulation, this decision is supposed to
22 be through a cooperative agreement between each
23 of the affected local governments. The First
24 Coast MPO and ultimately the Governor's office
25 will endorse this cooperative agreement.

20

1 Just a little bit of information about the
2 existing First Coast MPO. Again, it contains all
3 of Jacksonville, northern portions of St. Johns
4 County, and Clay County. Currently, there are
5 nine MPO board members. These are elected, and
6 agency authority members, one St. Johns County

7 Commissioner, which is Commissioner Maguire,
8 serves -- sits on that board. The rest, besides
9 one Clay County Commissioner, are all based in
10 Jacksonville. Those does include the
11 Jacksonville's Airport Authority and Port
12 Authority and then other city councilmen and
13 mayor.

14 There are also some other committees.
15 Technical coordinating committee is a --
16 basically a committee of staff members that deal
17 with transportation issues; citizens advisory
18 committee; and bicycle/ped committee.

19 The MPO staff currently is staffed through
20 the City of Jacksonville through the Mayor's
21 Office, housed in the planning department.

22 That's very atypical around the state.
23 Typically, the staff is some type of independent
24 agency, or particularly, if they cover more than
25 one county or jurisdiction -- or Regional

21

1 Planning Council is another common way to staff
2 the MPO.

3 As far as funding goes, the -- the MPO
4 staffing, there's a -- kind of a base amount of
5 \$275,000 a year that go to staff the MPO and

6 consulting services.

7 Now, that's a very base amount that the very
8 smallest MPO receives. And then that dollar
9 amount is increased based on population. So,
10 First Coast MPO gets considerably more money than
11 that. But the very smallest would get at least
12 \$275,000 a year. There's also an additional
13 one-time allocation to start up a new urbanized
14 area.

15 Funding for transportation projects is a
16 much, much more complicated issue. There are
17 something like 13 different funding categories
18 that go into highway and transit funding. Many
19 of those are allocated based on an area being
20 urbanized or nonurbanized, what's considered a
21 rural versus an urbanized area over 200,000.
22 Some of those funding categories have to do with
23 issues that the MPOs really don't deal with, such
24 as road resurfacing and traffic safety issues.
25 So, it's really difficult to capsulize that into

22

1 how much or what type of funding level an MPO
2 will receive.

3 The alternatives -- and again, this is in
4 your handout -- we had five alternatives that

5 were presented by the First Coast MPO to
6 consider. And this Alternative A is one that's
7 probably favored by the First Coast MPO, and this
8 would basically expand their boundaries to
9 include an entire four-county area, including all
10 of Nassau County, which currently isn't in the
11 MPO at all, and extending down to the southern
12 portion of Clay and all of St. Johns County.
13 This alternative, again, is probably not only
14 favored by the First Coast MPO, but also by the
15 City of Jacksonville.

16 The next alternative is Alternative B. If
17 you go to the next, Chrissie. This doesn't go to
18 the full extent of the four counties. It does
19 pick up a good -- a large part of Nassau County,
20 much more of Clay County, and the St. Augustine
21 area within St. Johns County. It would leave out
22 kind of the southwest and mid/central portion of
23 St. Johns County.

24 Alternative C would expand the St. -- the
25 First Coast MPO boundary a little bit farther

23

1 south to the International Golf Parkway area,
2 picking up World Golf Village area and over to
3 State Road 16, but leave the St. Augustine

4 urbanized area out of the First Coast MPO and
5 allow it to be its own separate MPO.

6 Alternative D would keep the MPO boundary in
7 St. Johns County where it currently is, which is
8 along 210 and Greenbriar Road and Mickler Road,
9 and again, the remainder of the county could then
10 form an MPO separately.

11 (Whereupon, Mr. Gorman leaves the room.)

12 MR. CLEM: And then Alternative E, which
13 Commissioner Maguire described briefly, would
14 really bring the First Coast MPO boundary back to
15 the county line and allow for a countywide MPO to
16 be formed for the St. Augustine area that would
17 also pick up the northeast/northwest portions of
18 the county. So, those are the five alternatives.

19 The next steps, all of the local governments
20 have been asked to make a recommendation. We're
21 supposed to, once we have these recommendations,
22 meet with the First Coast MPO and Florida
23 Department of Transportation and try to come up
24 with some agreement. And, ultimately, that goes
25 to the Governor's office. We've been given an

24

1 April 30th deadline to achieve that agreement.

2 I'm not sure if that's achievable or not, but

3 that's our goal.

4 And following whatever boundary decision we
5 make, we develop an apportionment plan. And this
6 is really the -- I think the most critical
7 component of either whether we become entirely a
8 part of the First Coast MPO or create a separate,
9 is what does the MPO board membership consist of?

10 Who's represented? How many members?

11 The First Coast MPO has indicated that if
12 they become this regional MPO, that they would
13 probably expand from 9 members to 17. In doing
14 so, they would most likely create an opportunity
15 for the Airport Authority to be represented on
16 that board, and possibly the -- the City of St.
17 Augustine may be a -- through the Mayor, also
18 have a seat. So there's a potential for 3
19 members of the 17 from the area.

20 If we were to form a separate MPO, the --
21 obviously the decision on who makes up that board
22 will be a joint decision. My anticipation would
23 be that there would be at least several County
24 Commissioners, representatives from the Airport
25 Authority, and from both municipalities, probably

25

1 a much smaller board, something on the order of

2 seven to nine members, but all local
3 representation.

4 The regulations do specifically state that
5 the MPO boards can include what they call
6 agencies that operate or maintain a major mode of
7 transportation, which clearly would be the
8 Airport Authority.

9 If we create a separate MPO, we would obtain
10 funding for the planning activities. That could
11 begin as early as July. That's when the state's
12 fiscal year starts. And they get basically a pot
13 of money for all the MPOs. There are 25
14 currently in the State of Florida, and they
15 apportion those to each of the MPOs.

16 A -- the MPO staff would be hired. For the
17 amount of money and the size, it's typically
18 about three staff members for a small MPO of the
19 size that we would have in St. Johns County. And
20 then we would develop what's called a Unified
21 Planning Work Program, and that's really the
22 document that states how you spend the money,
23 what kind of activities you undertake, what
24 consultants you hire, what activities they
25 undertake.

1 (Whereupon, Mr. Gorman enters the room.)

2 MR. CLEM: So, the decision really is -- is,
3 at this point, which direction to go. As
4 Commissioner Maguire stated, the County
5 Commission passed a resolution that's also in
6 your packet supporting a countywide MPO. There's
7 a number of reasons why it's felt that local
8 representation on an MPO is preferable.

9 I will say that in the past, St. Johns
10 County has not gotten a lot of money from the
11 First Coast MPO. We are -- we tend to be
12 overlooked a lot of cases because of the really
13 tremendous transportation projects that
14 Jacksonville has.

15 I've used the example of the Matthews
16 Bridge, is one of the top priorities. That
17 bridge itself, to widen it, is going to be \$155
18 million. It's hard for one of our projects to
19 get funded when you have very large, expensive
20 projects like that that are always going to be a
21 top priority because the board is made up of
22 primarily Jacksonville representation. So,
23 whenever we have a project, we really are
24 fighting for any kind of dollars we can, when
25 we're part of the First Coast MPO.

1 It's not to say that we're going to get a
2 windfall of new money if we are part of a
3 separate MPO, but our priorities would certainly
4 be at the top of the list, rather than being in
5 the middle or the bottom of the list. And I
6 think that has a lot of weight with -- with the
7 Department of Transportation and the Federal
8 Highway officials, when they hear priorities
9 given from an MPO.

10 Many times, we apply for money, for grants
11 for projects, and the first -- one of the first
12 things they ask, "Has this been prioritized by
13 the MPO, and if so, where is it on the priority
14 list?" Well, many times, again, if we've got a
15 project in the north part of the county, it's
16 hard for us to even make a case when our -- when
17 our priorities are ranked low.

18 There's a whole lot of other reasons why I
19 think there's a lot of benefit. Certainly
20 there's a lot more visibility for transportation
21 projects, a lot more public involvement that I
22 think would occur.

23 And I have personally researched almost all
24 the MPOs in the state, including talking to
25 almost all of the smaller MPOs, and everyone that

1 I've talked to, you know, when I've asked the
2 question, "Are you better off being a separate
3 MPO or part of a larger regional?" everyone has
4 stated they feel that they have a bigger voice
5 and -- and better representation being part of a
6 separate MPO. So, again, that's part of my
7 recommendation to the County Commission when I
8 presented this to them.

9 At this point, I'm going to pause. Again,
10 Commissioner Maguire stated that if it's your
11 desire, I think it is important that the First
12 Coast MPO know your feelings. The County
13 Commission has passed a resolution. The City of
14 St. Augustine Beach has passed a resolution in
15 support of a countywide MPO. And I understand
16 the City of St. Augustine may consider that this
17 week, also.

18 So, with that, I will certainly pause to try
19 to answer any questions you might have.

20 CHAIRMAN GREEN: Thank you very much. At
21 this point, I'd open it up to public comment to
22 see if there's anybody out in our public that has
23 questions of you. Yes, sir?

24 MR. KLINE: I don't have a question. I have
25 a -- it's like a no-brainer. Do you want to be

1 the stepchild of Jacksonville or do you want to
2 be your own people?

3 CHAIRMAN GREEN: Can you just tell us your
4 name so we can -- for the record?

5 MR. KLINE: Bill Kline, Elkton, Florida. We
6 don't have an airport.

7 UNIDENTIFIED SPEAKER: You've got one
8 nearby.

9 CHAIRMAN GREEN: Anybody else?

10 (No further public discussion.)

11 CHAIRMAN GREEN: Okay. I'll close the
12 public discussion. And board -- and the board
13 members? Mr. Cox?

14 MR. COX: I -- I'll follow along with that.
15 I think it's a no-brainer. In my opinion, I
16 think we would have much better representation as
17 a countywide MPO than to go under Jacksonville's
18 umbrella, and we'll get a much better or stronger
19 voice in what -- countywide, what we would want
20 to do.

21 CHAIRMAN GREEN: Mr. Ciriello?

22 MR. CIRIELLO: Yeah. I want to ask a
23 question. I was at the meeting with Mr. Cooper
24 up in Jacksonville when this was presented, and

25 like everybody else, I think we ought to do that.

30

1 But when I come away from that meeting, I
2 was under the impression that the MPO
3 organization actually gets no money to spend
4 for -- it is just strictly an advisory group.
5 And then when they advise what projects should be
6 done, somebody else locks -- allocates the money;
7 is that right?

8 MR. CLEM: Yes. The DOT actually places the
9 money in their five-year work program.

10 MR. CIRIELLO: So, the MPO is not really
11 handling money.

12 MR. CLEM: Other than just a planning
13 function --

14 MR. CIRIELLO: Yeah. Okay.

15 MR. CLEM: -- yes, correct.

16 Well, just let me add quickly, the -- the
17 MPO process really got strengthened with the
18 passage of the ISTEA bill, the Intermodal Surface
19 and Transportation Efficiency Act of '91. And it
20 really gave the MPOs much more authority in
21 actually setting priorities.

22 But before that time, they were truly a body
23 that just kind of made their wishes known, but

24 DOT routinely ignored them. That has really
25 changed over the last 10, 12 years, where the

31

1 MPOs now, when they set their priorities, DOT is
2 supposed to really follow those priorities.

3 CHAIRMAN GREEN: I'd just like to make one
4 comment. I think other members of the board felt
5 it, too, about when that meeting Mr. Ciriello
6 went to, and Mr. Cooper, I think they were given
7 notice of that, or at least I was, like 24 hours
8 prior to the First Coast MPO, and I felt like a
9 stepchild saying, "Well, we're down here, too."
10 And they have part of St. Augustine -- or St.
11 Johns County already in their First Coast.

12 So, I think we've felt the impact of that
13 already. I'm kind of with you. I think our
14 needs are a lot different than what's up there
15 with the tram that they have and all the bridges
16 and everything else.

17 Anything else from the board?

18 MR. WUELLNER: We do have -- your next
19 agenda item is actually a --

20 CHAIRMAN GREEN: The resolution.

21 MR. WUELLNER: -- draft resolution to that
22 effect. After hearing Mr. Maguire's comments, we

23 would suggest a slight amendment, if you will, or
24 modification to that to include a reference to
25 the Alternative E and reference the attached map,

32

1 which will also reflect the Alternative E border,
2 which would be St. Johns County, if that's the
3 direction you want to go.

4 If you are looking to do something other
5 than the entirety of the St. Johns County, then
6 we'll need to modify significantly more within
7 the resolutions.

8 CHAIRMAN GREEN: Well, I think we can move
9 on to that agenda -- that action item now, since
10 the presentation's made.

11 7.B. - Resolution 03-01

12 CHAIRMAN GREEN: So, the resolution's been
13 presented. The draft of a resolution has been
14 presented, 03-01. Open up to public comment.

15 (No public comment.)

16 CHAIRMAN GREEN: I'm assuming there's copies
17 out there for people. It's a draft of a
18 resolution, as Mr. Wuellner said, accepting the
19 E, which was kind of the all-encompassing St.
20 Johns County boundaries.

21 MR. WUELLNER: Would you like it read into

22 the record, or is it -- apparently we don't have
23 copies actually out there, so it's up to you.

24 CHAIRMAN GREEN: Only if the public asks for
25 it. I think it was explained on the

33

1 presentation, the different boundary matters that
2 occurred, whether all of St. Johns County or part
3 of the St. Augustine area. Right now, from what
4 I understand, St. Johns County up north is
5 bifurcated. The First Coast has part of us in
6 their MPO.

7 Okay. If there's no public comment, then
8 I'll -- board discussion?

9 MR. CIRIELLO: Do we need a motion to accept
10 this Resolution 03- --

11 CHAIRMAN GREEN: Right. Now I'm opening it
12 up to discussion, if you want to talk about it,
13 because there's been some presentations, as
14 Mr. Maguire stated. And I noticed that, too;
15 they didn't reference what plan we wanted, what
16 option, A, B, C, D, or E, although in our packet,
17 it looks like the county attached the map for
18 Alternative E, but the resolution doesn't address
19 it. And also, it doesn't address to make sure
20 that we have a board member on that MPO.

21 MR. COX: The resolution.

22 CHAIRMAN GREEN: The resolution does not.

23 So, those were things for discussion. I think

24 that's probably some pretty good changes to that

25 resolution, to make sure we have a member from

34

1 our board that's on the MPO, especially with our

2 intermodal that's coming up and on the

3 transportation that we handle.

4 MR. COX: You suggested that there would be

5 two or three of the board members on the MPO

6 board -- I mean, or --

7 MR. WUELLNER: No, County Commissioners.

8 MR. COX: -- on the advisory committee?

9 MR. WUELLNER: County Commissioners.

10 MR. CLEM: Probably two or three County

11 Commissioners, at least one Airport Authority.

12 And also, through some of these other committees,

13 like particularly the trans -- the technical

14 coordinating committee, certainly staff members

15 involved, also.

16 MR. COX: Okay. That's a good point.

17 MR. WUELLNER: Can -- can that be put in the

18 resolution --

19 MR. CLEM: I think that would be fine.

20 MR. WUELLNER: -- referring to our

21 representation on there?

22 CHAIRMAN GREEN: At least one member of

23 the -- of our board.

24 MR. COX: Yeah.

25 CHAIRMAN GREEN: Further discussion,

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1 Mr. Gorman, Mr. Ciriello?

2 MR. CIRIELLO: I'd make the motion that we

3 accept this resolution with the additions that

4 the board has pointed out, the -- the -- make

5 sure we have a member, and what was that, section

6 E or whatever it was that they --

7 MR. WUELLNER: Well, I had just come up with

8 some -- you know, it's just a half a sentence

9 here to add in relative to Alternative E. But

10 adding representation, I think would require an

11 additional sentence or two being added. Any

12 thoughts there?

13 MR. BURNETT: Yeah. I think that

14 Mr. Wuellner was working on the sentence here to

15 change to address Alternate E. And I'll borrow

16 from that very quickly.

17 First of all, "supports and recommends," if

18 you look in that part of the paragraph that says,

19 "NOW, THEREFORE, BE IT RESOLVED, supports and
20 recommends" should be in the singular, not in the
21 plurals. That change would be recommended.

22 And additionally, where it says "encompasses
23 the entire St. Johns County boundary as
24 designated Alternate E, and attached hereto,
25 within the designated Metropolitan Planning

36

1 Area," period, that may take care of the

2 Alternate E.

3 Additionally, you could add a sentence,
4 something to the effect of, "Further, the St.
5 Augustine-St. Johns County Airport Authority
6 would request a member -- at least one member on
7 the MPO, and it is the Authority's intent to
8 participate in that MPO."

9 MR. CIRIELLO: So, my motion would be to
10 accept this resolution with the additions that
11 we're -- just been discussed.

12 CHAIRMAN GREEN: Any seconds on that?

13 MR. COX: I'll second the motion.

14 CHAIRMAN GREEN: Any discussion?

15 I have no problem with the language that was
16 interlineated, but I think the Alternative E
17 needs to be in a "WHEREAS," not in a "THEREFORE,"

18 because it has to be a finding.

19 MR. WUELLNER: Okay.

20 CHAIRMAN GREEN: So, we need a "WHEREAS we
21 find Alternative E..."

22 So, the language that counsel said, if we
23 can just put that in the "WHEREAS" so it's a
24 finding of the board, and then --

25 MR. WUELLNER: I think we make it two

37

1 "WHEREAS" clauses.

2 CHAIRMAN GREEN: Or you can put it into one;
3 it doesn't matter. But the "WHEREAS" should
4 encompass the Alternative E and that we want a
5 board member because we intend to participate,
6 and then do the "THEREFORE."

7 Any further discussion?

8 (No further discussion.)

9 CHAIRMAN GREEN: All in favor of the motion
10 as presented by Mr. Ciriello, which is to accept
11 the Resolution 03-01, with the two amendments of
12 accepting Alternative E and to recommend that the
13 board -- a board member be on the MPO, as we
14 intend to participate in the MPO, all in favor?

15 MR. CIRIELLO: Aye.

16 CHAIRMAN GREEN: Aye.

17 MR. GORMAN: Aye.

18 MR. COX: Aye.

19 CHAIRMAN GREEN: All opposed?

20 (No opposition.)

21 CHAIRMAN GREEN: All in favor passes.

22 MR. WUELLNER: Scott, when do you need

23 the -- a resolution to attach to what you have to

24 take to First Coast?

25 MR. CLEM: When do I need it? I think

38

1 actually -- I think they've delayed their meeting

2 now. Originally, it was going to be Thursday,

3 but I believe now it's going to be at least a

4 couple of weeks. So, you have some time.

5 MR. WUELLNER: Okay.

6 CHAIRMAN GREEN: Okay. That places us with

7 action item C.

8 7.C. - Consultant Selection Discussion & Updates

9 MR. WUELLNER: Okay. This is more an

10 update. You have attached to the agenda item

11 that was a part of your package the information

12 guide and the engineering and planning services

13 document that has been used in the solicitation

14 of general consultant engineering and planning

15 services in accordance with your direction at the

16 last meeting.

17 To refresh you on the schedule, because it's

18 somewhat difficult to glean out of this, the

19 March 17th proposals are due here at the Airport

20 Authority office -- I believe the time is noon.

21 During that day, the balance of that day and

22 probably into early the 18th, we will disseminate

23 a copy of each of those documents to the board.

24 During the period of March 17th -- do you have a

25 question?

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1 MR. GORMAN: I'm sorry.

2 MR. WUELLNER: Okay.

3 MR. GORMAN: I have a question later.

4 MR. WUELLNER: March 17th through April 7th.

5 Currently, you would undertake a review of those

6 submittals and formulate any comments you might

7 have, and we've provided a couple of sheets to

8 that effect I'll discuss in just a second.

9 April 7th, we have tentatively scheduled a

10 special meeting of the Airport Authority to

11 consider the short listing of the firms and

12 submittals that we've gotten at that point, or

13 what we have gotten on the 17th. That will give

14 you an opportunity to discuss those and create

15 the three or four names you may want to pursue or
16 continue to develop questions with.

17 We planned the 21st of April to be the
18 regular meeting, which is your regular meeting
19 date in April, to deal with any rank-order
20 decision you might make relative to rating -- or
21 determining which firm is first, second, third,
22 and fourth, as may be appropriate, and to
23 schedule those interviews.

24 If you'd care to meet individuals from those
25 firms to have a -- more or less a one-on-one in

40

1 that forum, get questions answered, discuss
2 merits to their proposal, whatever you'd like to,
3 you would determine what you would do that day
4 and how much time you'd spend individually with
5 each firm collectively, that is, as a board.

6 With some rank order being determined that
7 day, assuming that, we would be in a position to
8 go ahead and get the contract documents
9 negotiated and signed or in a position to be
10 signed so they can be brought back to the Airport
11 Authority at the May 19th meeting, which would
12 allow you to sign that contract and also enter
13 into an agreement for any work you might have

14 that's laying there latent right now, such as the
15 master plan.

16 So, the scope of work is the same, because
17 that's what -- what the basis of the grant, but
18 it would give you the ability to get their --
19 give them a chance to get their pricing together
20 so that the contract could be awarded as early as
21 the May meeting.

22 To date, just for your information, we've
23 had 24 mail -- e-mail responses that have been
24 given by the Airport Authority and an additional
25 46 regular mail responses. So, you've had 70

41

1 inquiries at this point as to that -- that
2 contract. So, there's significant interest out
3 there right now. Of course, proof's in the
4 pudding when you get the responses.

5 One of the other key things we did ask them
6 to do was limit their response to 25 meaningful
7 pages and gave them some specific information
8 that we were requesting so as not to inundate you
9 with phone book-size documents of things that
10 are -- it's very difficult to get out of the --
11 out of those proposals.

12 We provided you a couple of worksheets that

13 are attached here. We'll have additional
14 quantities of those that we'll distribute to you
15 with the proposals as they come in. And you'll
16 have at least one of those forms per proposal you
17 get so you have the ability to make yourself
18 notes and make it some kind of meaningful
19 organization. That will really expedite the time
20 you have at your workshop meeting, or your
21 special meeting I should say, here on the 7th of
22 April, if that's good.

23 You'll also need to set -- before I forget,
24 you will need to set a time for that meeting on
25 the 7th, if that date's agreeable to you. We did

42

1 not set a time, so you'll need to discuss what --
2 when you want to do that.

3 You have a workshop -- or a worksheet
4 summary that's there, too, that might help you
5 quantify, via points, some sort of internal
6 rating that you might individually want to assign
7 that might form the basis of your discussions
8 when you get together.

9 Interview form and a final ranking form will
10 be provided at the meeting that you did those
11 interviews. There's nothing really to

12 precomplete on it, if you will. And you can --
13 then you, of course, have to do some sort of
14 discussion as to exact -- come to some consensus
15 as to a ranking, first through third or fourth,
16 however many you choose to interview.

17 I would like to make the reminder that notes
18 and forms that you complete are probably subject
19 to records -- public records law, and you need to
20 retain those. And, if you'd like, we can do that
21 for you once you've completed the task.

22 And I think that's it. If you have
23 something or anything you want communicated to
24 one or all the contractors or proposed vendors on
25 this, please let us know. We have -- one thing I

43

1 did want to make a point of, we do limit
2 conversation or do ask that you limit
3 conversation directly with the firms during the
4 solicitation process.

5 There are two primary reasons. One is that
6 individual Authority members, as well as the
7 board collectively, avoid the appearance of any
8 impropriety with one of those firms while there's
9 actively a solicitation out. The other, and
10 probably more primary reason, is consistency of

11 information.

12 What we do is when questions are asked or
13 posed to us, the answer is given to all of those
14 who have been sent information so that everyone
15 gets the benefit of the question and the response
16 that's given so that there aren't any unfair
17 advantages in one firm just happened to think of
18 the question and the other one didn't. Much like
19 when we do sealed bids.

20 With that, I'll turn it over to you. You do
21 need to set a -- excuse me, a time for the April
22 7th meeting, as a minimum. And again, if you
23 have any other comments, we'll be happy to try to
24 get to them.

25 CHAIRMAN GREEN: I'm going open it up to

44

1 public comment and then board comment.

2 MR. GORMAN: Okay.

3 CHAIRMAN GREEN: Is that all,

4 Mr. Wuellner --

5 MR. WUELLNER: Yes.

6 CHAIRMAN GREEN: -- for the presentation?

7 All right. We'll open up to public comment, if

8 anyone has a comment on this. Mr. Slingluff?

9 MR. SLINGLUFF: According to the agenda, I'm

10 not quite sure which consultants we're -- you-all
11 are discussing here. I'd like to find out. And
12 is there a grading process on the past
13 performance of these consultants or a renewal
14 process or something --

15 MR. WUELLNER: That's a part of the
16 information they'll submit to the Airport
17 Authority, including references for each project
18 that you're welcome to follow up on individually.

19 CHAIRMAN GREEN: He's given us a little --

20 MR. COX: You mean the past performance of
21 what the particular company has done at any other
22 construction project -- or project that they've
23 had. That's what --

24 MR. SLINGLUFF: Yeah.

25 MR. COX: Okay.

45

1 CHAIRMAN GREEN: Yes, sir?

2 MR. WARNER: My name's Henry Warner. I'd
3 like to know whether any summaries --

4 CHAIRMAN GREEN: Mr. Warner, could we have
5 you come up to the podium?

6 MR. WARNER: Okay.

7 CHAIRMAN GREEN: Thanks. You speak quite
8 loudly, but our court reporter sometimes can't

9 hear all the way in back.

10 MR. WARNER: As I said, my name is Henry
11 Warner, and I was wondering whether any summaries
12 of these proposals for contracts will be
13 available to the public for review prior to a
14 decision being made on the contract?

15 MR. WUELLNER: They certainly will be public
16 information. We won't have them till the 17th.
17 And anytime after that, we can make copies of any
18 or all of them. There'll be a set here you can
19 inspect at no cost to you. If you want actual
20 copies of all these, we'll have to charge you by
21 the copy, but --

22 MR. WARNER: No, I was more interested in
23 having it available to the Pilots Association.

24 MR. WUELLNER: After the 17th, you're
25 welcome to them.

46

1 MR. WARNER: Okay.

2 CHAIRMAN GREEN: Thank you. Yes, sir.

3 MR. KLINE: We're a little -- my name is
4 Bill Kline again. We're a little bit confused.
5 Are you talking about consultants to supervise
6 further construction or contractors to complete
7 construction?

8 MR. WUELLNER: It's not contractor related.
9 It's professional services looking for a planning
10 and engineering consultant. They would do design
11 work, planning work, any type of --

12 MR. KLINE: On future or --

13 MR. WUELLNER: Future projects, yes, sir.

14 MR. KLINE: -- current ones?

15 MR. WUELLNER: Future projects.

16 MR. KLINE: On future projects.

17 MR. WUELLNER: Yes.

18 MR. KLINE: Okay. Thank you.

19 CHAIRMAN GREEN: Uh-huh. Anything else from
20 the public?

21 (No public comment.)

22 CHAIRMAN GREEN: Okay. I'll close public
23 discussion. Mr. Gorman?

24 MR. GORMAN: I have just two points. I was
25 just curious as to how did we comprehensively

47

1 advertise for this request for proposal? In
2 other words, if we actually have gotten the word
3 out sufficiently to make sure that we have
4 enticed all competent replies from all competent
5 firms.

6 And, two, I was just concerned then, along

7 with that, if we allowed enough time to get those
8 replies. It seems that we're closing this up a
9 bit quickly, being the 17th. It's only since the
10 last board meeting that we've actually put this
11 out for bid. It doesn't seem to be a
12 tremendously long time for any and all companies
13 involved to be able to respond.

14 MR. WUELLNER: Actually, the response time
15 is pretty typical, if not fairly generous for
16 these things, as is typically done.

17 It was advertised in publications of the
18 Times-Union, as well as locally, on two separate
19 occasions, a week apart. It's also been
20 advertised or placed in the general circulation
21 publication which most consultants that do
22 business in Florida are members of, of the
23 Florida Airports Council publication, that they
24 have access to the information, too.

25 I think, judging by the response of 70

48

1 inquiries already, that's -- that's a fairly
2 significant -- that's more than I've run across
3 recently. You'll -- you should generate, I'm
4 going to bet, 15 to 20 specific responses back.
5 As a minimum, you'll have 15 or 20 packets of

6 information from firms.

7 MR. GORMAN: So, the rest of the board is
8 comfortable with just a 40-day or so response
9 time for this?

10 MR. COX: How long would you -- just out of
11 curiosity, what would you --

12 MR. GORMAN: I was only concerned that we
13 just covered all the bases, that's all. In other
14 words, this -- the Florida Airport Council
15 publication sounds like a good one, but if there
16 was any -- any other means to actually advertise
17 that this was available to other firms, just to
18 make sure you've covered all the bases. I
19 don't -- The Florida Times-Union, I don't know
20 how effective or how -- you know, how effective
21 that is. It's just quite regional.

22 CHAIRMAN GREEN: My question to
23 Mr. Wuellner, the most reputable and good
24 qualified companies would be reading the -- the
25 periodicals --

49

1 MR. WUELLNER: Another -- another piece of
2 information, I -- slipped my mind when you were
3 asking the question, but we did direct mail to
4 what was it, 30 -- 35, I believe it was, 35

5 consultant firms that we know of that have, over
6 the last couple of years, submitted information
7 or responded the last time to the solicitation.

8 So, they received a direct mail package of that,
9 all that information. Didn't even have to wait
10 on an advertisement.

11 MR. GORMAN: So, that information as far as
12 direct mail --

13 MR. WUELLNER: In addition to. I'm sorry,
14 I didn't -- I was thinking --

15 MR. GORMAN: -- is available to the board?

16 MR. WUELLNER: I'm sorry?

17 MR. GORMAN: That would be available to the
18 board?

19 MR. WUELLNER: Yeah. Yeah. In fact, she
20 could provide you a list right now of all 70
21 firms.

22 CHAIRMAN GREEN: Any other board discussion?

23 MR. COX: Question.

24 CHAIRMAN GREEN: Uh-huh.

25 MR. COX: It says that the contract can be a

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1 max of five years. Does that mean we negotiate
2 anything up to five years in the contract or --

3 MR. WUELLNER: Yes.

4 MR. COX: -- it's typically a five-year

5 contract?

6 MR. WUELLNER: It's typically structured in

7 a five-year, or you can --

8 MR. COX: Right.

9 MR. WUELLNER: -- either automatically renew

10 it annually or short -- give it an initial term

11 of two years and do it annually after that or

12 whatever is -- whatever you deem fit.

13 MR. COX: Is it a ridiculous question to ask

14 what this contract would mean to the company that

15 we decide on? I mean, what type -- what's the

16 ceiling?

17 MR. WUELLNER: The value of the basic

18 contract has no dollar value.

19 MR. COX: Okay.

20 MR. WUELLNER: The -- which you -- I've

21 provided you a copy you haven't had a chance to

22 look at, but Mr. Burnett here has reviewed the

23 prior -- the previous agreement, has suggested

24 some modifications which are in this suggested

25 package here.

51

1 There's a base contract that sits there,

2 that has no dollar value in and of itself. Then

3 as projects are brought forward, there's specific
4 dollars and task-specific-related information
5 that essentially becomes appended to that
6 agreement. Each time you sign on for a new piece
7 of taxiway work or building or whatever the
8 project might be, there's a specific value, a
9 specific time, a specific number of hours
10 allocated.

11 MR. COX: Each major project, we would be
12 having --

13 MR. WUELLNER: Oh, absolutely. Each -- each
14 subitem you see specifically. You'll see this
15 agreement, the base agreement one time. That
16 will sit out there and covers everything that's
17 attached to it.

18 MR. GORMAN: Just to put a number on this
19 thing, what was Earth Tech paid last year?

20 MR. WUELLNER: I don't know. It's not
21 unusual --

22 MR. GORMAN: Just a guess.

23 MR. WUELLNER: It's in the \$2- to \$300,000
24 annually, probably --

25 MR. GORMAN: Okay.

52

1 MR. WUELLNER: -- is close.

2 MR. CIRIELLO: Yeah, I have a bunch of
3 questions -- a few of them, anyhow.

4 Ed, a few months ago, there was a committee,
5 I was one of them, that you gave us a stack this
6 high of --

7 MR. WUELLNER: Yes, sir.

8 MR. CIRIELLO: -- resum,s from companies,
9 engineering companies --

10 MR. WUELLNER: Yes, sir.

11 MR. CIRIELLO: -- and we whittled it down
12 and picked four. This worksheet and all you're
13 going to give us is similar to that.

14 MR. WUELLNER: Yes, it is.

15 MR. CIRIELLO: Well, what -- I don't exactly
16 remember; what was the reason we did that for
17 that particular time? Was that just for the two
18 projects --

19 MR. WUELLNER: It was --

20 MR. CIRIELLO: -- for the Phase II and
21 completion of Phase I that they were to be
22 involved with or --

23 MR. WUELLNER: Are you talking a couple of
24 years ago, or the we did --

25 MR. CIRIELLO: No, just a few --

1 MR. WUELLNER: -- recently? That was for
2 the design/build firm.

3 MR. CIRIELLO: To me, it was a couple of
4 months ago.

5 MR. WUELLNER: That was in the selection of
6 the design/build firm.

7 MR. CIRIELLO: That's -- that's not related
8 to this.

9 MR. WUELLNER: No, sir.

10 MR. CIRIELLO: Okay. Now, right now, our
11 consultant is Earth Tech.

12 MR. WUELLNER: Correct.

13 MR. CIRIELLO: So now, when we go through
14 this process and whittle things down, are we in a
15 sense either retaining Earth Tech if they are
16 voted, or replacing them, or is this for special
17 projects?

18 MR. WUELLNER: You elected to defer that
19 decision until May, at which time you decided you
20 would either select one new firm, award a second
21 firm, so that you have two firms to choose from
22 in future work, or to simply continue your
23 agreement with Earth Tech without award.

24 You've -- you deferred all those decisions,
25 had us go through the process, and you'll make

1 that decision in May.

2 MR. CIRIELLO: Okay. Thank you.

3 CHAIRMAN GREEN: Any other board discussion?

4 Mr. Cox?

5 MR. COX: I have another question. So,
6 Earth Tech will be in the rating process with all
7 of the other people or what?

8 MR. WUELLNER: It didn't seem to make any
9 sense to put them in the mix again. You have
10 the -- you already have them under -- I don't
11 want to use the word "retainer." But you have
12 them under contract on the current -- currently.
13 That contract has several more years that it
14 could run out. You really didn't need to do
15 anything in terms of the contract agreement,
16 unless you choose to.

17 MR. COX: Right.

18 MR. WUELLNER: So, while they're welcome to
19 submit, we didn't -- internally don't see much
20 merit to it.

21 MR. COX: That's all.

22 CHAIRMAN GREEN: Okay. I don't think you're
23 asking for any action. This was just informative
24 policy.

25 MR. WUELLNER: Want to make you aware of it,

1 and again, you have a copy of the draft contract.

2 So, if you've got input you want to get included
3 into that, it will move that process along much
4 quicker between April and May if we have those
5 comments between now and the April meeting.

6 CHAIRMAN GREEN: Okay. And that's on the
7 draft memorandum.

8 MR. WUELLNER: Correct.

9 CHAIRMAN GREEN: Okay. All right. Next
10 action item would be Terminal Project - Phase II.

11 7.D. - Terminal Project - Phase II

12 MR. WUELLNER: Yes, ma'am. We -- item 7.D.
13 is the revised Phase II terminal project, which
14 is a proposal from the Fannin Danis Corporation,
15 to do design/build of a Phase II work or Phase II
16 project over in the terminal area.

17 It's an approximately 16,000-square-foot
18 structure that's proposed. It's probably best
19 described as a modified shade hangar. The roof
20 height and all that would be fairly complementary
21 to just about everything that currently uses the
22 airport and would provide some shade and shelter
23 utility for aircraft at the FBO operation.

24 The total project as presented was \$791,000.

25 There's a sketch, by the way, toward the back of

1 the package that shows a -- just a very -- and
2 I'd use the word -- want to use the term
3 "sketch," just giving you a basic idea of what
4 they're thinking for both a planned view and a --
5 and an elevation, side elevation, of what -- what
6 they're thinking for the facility.

7 We have -- anyway, base bid or base
8 discussion is \$791,000 for the project. There's
9 an alternate here to -- to deduct \$2,800, which
10 is alternate 1, which would be Staff's
11 recommendation, which would be to pull the split
12 face block out of there, which is a fairly pricey
13 item, and replace it with the material used on
14 the exterior of the new vault and tower, which is
15 a very durable product called Acrocrete, which
16 just is a very thin, almost veneer thing that's
17 applied to standard block versus the high-end
18 decorative block.

19 The other, we thought, was probably a
20 prudent alternative to look at, was alternate 4B,
21 which substituted a -- a standard membrane roof
22 on this structure with a lightweight concrete
23 with a membrane over the top of it.

24 One of the primary advantages here is the

25 elimination of the requirement for insulation

57

1 underneath the roof relative to condensation.
2 So, it eliminates the recurring problem of
3 keeping insulation attached to the roof, as well
4 as condensation. It's a recurring problem in all
5 our hangars, is the insulation. Can't -- can't
6 seem to keep it on the ceiling because it's
7 attached differently than you might expect in a
8 home.

9 With those alternatives, the price would be
10 \$876,000. The only other item we at this point
11 would anticipate possibly coming out of the
12 woodwork is the alternate 3, which is a trench
13 drain additive.

14 The Fire Marshal's Office agreed to review
15 whether this requirement would be required or
16 not. They're going to do some -- some phoning of
17 some other municipalities in some other places
18 across the country that have done similar
19 projects and try to get some handle on whether
20 they think it's going to be a requirement or not.

21 There's typically in this case a requirement
22 to have positive drainage, and then that has to
23 be either done by explosion-proof piping or it

24 can be done in this trench drain, which would run
25 basically the front edge of the structure and

58

1 would put it through a oil-water separator that
2 exists out there or will exist by the end of the
3 Phase I project.

4 So, it -- and it's fairly pricey,
5 unfortunately. It's a -- very few sources for
6 the material. Plus, it has to get poured into
7 the concrete slab in order to work. So, it would
8 be an additional \$29,000, should it come up at
9 the time of permitting as a requirement.

10 You had asked and we typically provide some
11 information relative to funding expectations.

12 Using the \$876,000 number, there's approximately
13 \$350,000 that could be -- that you currently have
14 identified funds for.

15 One is the \$200,000 first-phase bonding
16 payment that was made; \$150,000 of FDOT grant
17 funds that exists relative to this phase; the
18 balance of funds, which is \$526,000. I see
19 there's an additional \$60,000 that could be
20 applied to this, which is the difference between
21 what we had budgeted in current year to do the
22 rehab of the bulk hangar, was budgeted at

23 \$150,000, and ended up costing just under \$90,000
24 total with the painting and reroofing.
25 So, there's another \$60- that could be

59

1 applied, leaving about a \$466,000 balance that
2 would -- based on your determination, would come
3 out of reserves until which time as the
4 litigation with Earth Tech is solved.

5 I assumed that we were going to apply those
6 proceeds of any litigation, should they come
7 about, to Phase II. And rather than hold the
8 project, which seemed to be consistent with your
9 desires, we'd go ahead and fund the \$466- out of
10 reserves and get this thing off dead center and
11 moving.

12 The project price will likely come down
13 slightly as they get into actual design and
14 can -- can see what they're up against. This is
15 way short of any -- any hard design.

16 The price does include design. The price
17 would not go up; it could come down during the
18 project as a design/build project.

19 CHAIRMAN GREEN: Thank you. Any public
20 comment? Yes, sir.

21 MR. MARTINELLI: I just have a question. My

22 name's Victor Martinelli, 24 Carriage Lane, Ponte
23 Vedra Beach, Florida. Is any portion of this
24 participant funds from FDOT, or in other words,
25 \$800,000, how much -- how much of that actually

60

1 is Airport Authority and how much of that is FDOT
2 or whomever?

3 MR. WUELLNER: It's kind of hard to get to,
4 because a portion of the money that would be
5 appropriated to it was a DOT project and has been
6 reimbursed at 50 percent. So, in fairness, it's
7 still somewhat close, if not exactly close to
8 50/50 with DOT. Exact percentage, I don't know.
9 A lot will depend on what the actual, hopefully
10 settlement with Earth Tech is. But that -- with
11 those funds being appropriated to the project
12 when they do become available, it basically
13 reestablishes the original 50/50 funding.

14 MR. MARTINELLI: Okay. Thank you.

15 CHAIRMAN GREEN: Thank you. Further public
16 comment? Mr. Slingsluff?

17 MR. SLINGLUFF: Ed, what was the original
18 Phase II budget?

19 MR. WUELLNER: Phase II's original low bid
20 was \$660,000.

21 MR. SLINGLUFF: And what -- what is the
22 total amount of the current Phase II as it was to
23 be built? \$6 -- \$600,000 you say?

24 MR. WUELLNER: Six -- I'm not sure I
25 understand the second part.

61

1 MR. SLINGLUFF: Well, the Phase II of the
2 four individual hangars, once they start
3 construction --

4 MR. WUELLNER: That was originally low bid
5 at \$660,000.

6 MR. SLINGLUFF: Okay. Thank you.

7 CHAIRMAN GREEN: Anything else from public?

8 (No public comment.)

9 CHAIRMAN GREEN: Close public comment.

10 Board comment? Mr. Cox? Oh, I'm sorry.

11 MR. WUELLNER: I probably should note one --
12 you had one more item. I mentioned it in your
13 memo but didn't say it.

14 When -- when this was solicited by the
15 bonding company to build Phase II, their bids for
16 the original Phase II work, all of the bids they
17 received exceeded \$1 million. So, it had -- is
18 that what you were trying to get to? I
19 couldn't --

20 MR. SLINGLUFF: Right.
21 CHAIRMAN GREEN: Mr. Cox?
22 MR. COX: So that the figure now, Ed, is --
23 with the alternate we put in there, is \$860-
24 what?
25 MR. WUELLNER: \$876- --

62

1 MR. COX: \$876-.
2 MR. WUELLNER: -- excluding whatever might
3 happen with the trench drain. That could be an
4 add-on later when we get to permitting.
5 MR. COX: And you're -- the block, standard
6 block?
7 MR. WUELLNER: Yes. That's with the
8 Acrocrete. That's taking the deductions I
9 recommended and the additions I recommended.
10 That's the \$876- number.
11 MR. COX: Okay.
12 CHAIRMAN GREEN: Mr. Gorman?
13 MR. WUELLNER: As usual, you can do what you
14 want.
15 MR. GORMAN: Yes. I just -- and I looked.
16 All of these documents here are from Fannin
17 Danis? This concept has been presented to other
18 firms for their --

19 MR. WUELLNER: No, sir. You -- you selected
20 this firm to do this work as a design/build
21 back --

22 CHAIRMAN GREEN: Last year.

23 MR. WUELLNER: -- several months ago. I
24 don't exactly remember when. It was one of four
25 projects.

63

1 MR. GORMAN: This is a completely different
2 project.

3 MR. WUELLNER: This was what we indicated in
4 the advertisement, not this specific work, but a
5 redo of Phase II.

6 MR. GORMAN: A redo of Phase II.

7 MR. WUELLNER: Yeah. It was generically
8 done.

9 CHAIRMAN GREEN: I have a question. Do we
10 have any undisbursed funds from Phase I?

11 MR. WUELLNER: That's that hundred -- from
12 I?

13 CHAIRMAN GREEN: From I.

14 MR. WUELLNER: None that you're -- that
15 won't be disbursed as a part of your settlement
16 agreement.

17 CHAIRMAN GREEN: Okay. I just wondered if

18 there was anything that was held back. I
19 don't --
20 MR. WUELLNER: Basically, it was retainage
21 on Phase I.
22 CHAIRMAN GREEN: Right.
23 MR. WUELLNER: That's --
24 CHAIRMAN GREEN: Would have gone to --
25 MR. WUELLNER: Correct.

64

1 CHAIRMAN GREEN: Mr. Cox?
2 MR. COX: I don't know if it's in here.
3 What -- are we going to talk about what the
4 status is of the litigation for the funds that we
5 may be getting?
6 MR. WUELLNER: Actually, that --
7 MR. COX: Is that coming up or not?
8 MR. WUELLNER: No, I think they're providing
9 that in your weekly updates --
10 MR. COX: Okay.
11 MR. WUELLNER: -- as to where that is
12 exactly. But I'm sure he can speak --
13 MR. COX: Okay. The weekly updates we get,
14 you know, the folks out here don't get.
15 MR. WUELLNER: I understand.
16 MR. COX: So maybe if you just update them.

17 CHAIRMAN GREEN: It's discussion. You can
18 ask Mr. Burnett, since we're on Phase II of the
19 project --

20 MR. COX: Okay.

21 CHAIRMAN GREEN: -- right? Do you want an
22 update?

23 MR. COX: Oh, yeah, please.

24 CHAIRMAN GREEN: Okay.

25 MR. BURNETT: I apologize for not being able

65

1 to provide that update, the weekly update sent
2 from the folks that are handling the litigation,
3 and although I've reviewed it, I'm -- I can't say
4 that I'm particularly up on it enough to speak on
5 that issue. Mr. Wuellner may be able to, at
6 least somewhat from his knowledge of the weekly
7 updates; otherwise, we'd be happy to provide that
8 next month and make sure that that's available --

9 MR. COX: Yeah.

10 MR. BURNETT: -- at the monthly meeting from
11 here on forward.

12 MR. WUELLNER: I think the last
13 communication or maybe the one before, or within
14 the last two weeks, you got a copy also of the
15 response from -- from Earth Tech relative to

16 the -- to the lawsuit.

17 It's my understanding they're trying to
18 schedule some sort of settlement conference
19 within the next several weeks so that -- I'm
20 hopeful we'll have at least something to talk
21 about in detail by the April meeting.

22 MR. COX: Thank you.

23 CHAIRMAN GREEN: Okay. Any further
24 discussion? Oh, yes, Mr. Ciriello?

25 MR. CIRIELLO: Yeah. Ed, do we have the

66

1 complete amount of money, if we go ahead with
2 this project, to start it and finish it, or are
3 we going to start it and then somewhere along the
4 construction phase be looking for money from
5 maybe Earth Tech or somebody to help finish it?

6 MR. WUELLNER: We have -- we have reserves
7 that can be all -- that can be allocated by this
8 board's motion to fund that -- that portion of
9 the project.

10 In the event you settle with Earth Tech, you
11 can just essentially place those funds in reserve
12 or they can be appropriated specifically to this,
13 and use the word "de-allocate," but you could
14 return the funds you currently would be

15 allocating to this project.

16 MR. CIRIELLO: So, we can go ahead and do
17 the project and it would --

18 MR. WUELLNER: Yes, sir.

19 MR. CIRIELLO: -- be completed. We wouldn't
20 have a stall in the middle of it like we do now.

21 MR. WUELLNER: Correct. You -- you have
22 funds in hands to do the project.

23 MR. CIRIELLO: Okay.

24 MR. WUELLNER: That is correct.

25 CHAIRMAN GREEN: What type of budget impact

67

1 on the front end does that do to us? I mean, are
2 we tying our hands anywhere else or --

3 MR. WUELLNER: Well, the -- the reality is,
4 this would be hard-pressed, if -- there's a
5 five -- if I remember my notes here, there are
6 five -- there's a five-month construction period
7 from issuance of the building permit.

8 Conservatively, you're looking at probably
9 60 days to get to the point where you can submit
10 a building permit to the county. There's about a
11 30-day review process that they reserve to
12 themselves. Assuming that were issued in the --
13 in the shortest possible time, 90 days from now

14 puts you to what, the end of June?

15 CHAIRMAN GREEN: Uh-huh.

16 MR. WUELLNER: Five months of -- in fact, a
17 good portion of these funds wouldn't even be
18 expended until your next fiscal year in October,
19 or it'd be real close.

20 CHAIRMAN GREEN: That's why I was wondering
21 more what the front-end impact would be on us if
22 we've tied ourselves other places. Any more
23 discussion from the board?

24 (No further discussion.)

25 CHAIRMAN GREEN: All right. I'll close

68

1 discussion. Do we have a motion with regards to
2 the recommendation for the design/build contract?

3 MR. CIRIELLO: Who made the motion? Nobody
4 did.

5 CHAIRMAN GREEN: I said do we have a motion.

6 MR. CIRIELLO: Oh, okay. I'll make it.
7 I'll make the motion that we accept the staff
8 recommendation.

9 CHAIRMAN GREEN: Do I have a second?

10 MR. COX: I'll second that.

11 CHAIRMAN GREEN: Mr. Cox second it? Any
12 further discussion?

13 (No discussion.)

14 CHAIRMAN GREEN: All in favor?

15 MR. CIRIELLO: Aye.

16 CHAIRMAN GREEN: Aye.

17 MR. COX: Aye.

18 CHAIRMAN GREEN: All opposed?

19 (No opposition.)

20 CHAIRMAN GREEN: Okay. Staff recommendation

21 would pass. The motion would pass, then.

22 7.E. - Embry-Riddle Presentation by Guy McClurkan.

23 MR. WUELLNER: The next item I have is

24 Embry-Riddle. Mr. Guy McClurkan is the vice

25 president of affiliate operations for the school.

69

1 We have been, from a staff side for quite a

2 while, working with Embry-Riddle to facilitate

3 the development of a -- I think it's a new

4 program to them, First Officer Training Program.

5 You have some background information that they've

6 provided you today. And I think there's a copy

7 of the presentation also, not to steal all your

8 thunder there. But we've been working with them

9 to try and facilitate this project in the -- in

10 the -- using the Regency Electric hangar that

11 would be vacated with the completion of the

12 northeast area.

13 It would require the development of
14 additional facilities to complement the existing
15 Regency hangar and the development of quite a few
16 square foot of office related over the next
17 several years in order to meet their projected
18 demand and requirements.

19 We have a very, very preliminary draft of a
20 lease that's -- that we've gotten through using
21 standard form. I think they would like to get
22 y'all comfortable with what it is they intend to
23 do here or would like to do here before we move
24 into final -- what I would call final lease
25 negotiations that would be presented back to

70

1 you-all for approval hopefully at the April
2 meeting. With that, I'd like to introduce Guy
3 McClurkan with Embry-Riddle.

4 CHAIRMAN GREEN: Just one moment.

5 MS. GLASSER: We need audible answers on the
6 votes. Janet doesn't know what the vote count
7 was on the last motion --

8 CHAIRMAN GREEN: On the last motion --

9 MS. GLASSER: -- if it was 4-0 or --

10 CHAIRMAN GREEN: I believe all were in

11 favor. I heard no nays.

12 MR. GORMAN: Can I ask a rather silly

13 question at this point? Can I abstain from

14 voting on that?

15 CHAIRMAN GREEN: I think you have to put on

16 the record what your reason for it is. You have

17 to have a valid, maybe a conflict of interest or

18 something, but normally you have to vote one way

19 or the other.

20 MR. WUELLNER: Yeah, you would have to have

21 a --

22 MR. GORMAN: At the time that we voted for

23 Fannin Danis as design/build, I did not realize

24 that that would be the only quote that would come

25 in and that would be the only quote that would be

71

1 considered cost and price-wise. And so, on that

2 basis, then, I suppose that I will oppose it.

3 CHAIRMAN GREEN: Okay. Then it would be 3

4 to 1. Thank you.

5 MR. McCLURKAN: We'll try to get through the

6 technical issues with the presentation. But my

7 name is Guy McClurkan. I am the vice president

8 of affiliate operations for Embry-Riddle.

9 As Ed mentioned, we've -- we've discussed

10 for -- for quite some time, several months now,
11 the -- the First Officer Flight Training
12 operation that we plan to -- we plan to initiate.

13 We have -- we assessed several different
14 airports in the central and southern Florida
15 areas to see which -- which areas would be best
16 for our new flight training operation. I might
17 add that this is not a replacement for any of the
18 things that we do in Daytona Beach or Prescott,
19 Arizona at our -- at our other campuses, but this
20 is a new program that -- that would require some
21 additional airspace.

22 We -- again, we looked at -- we looked at
23 several airports. The St. Augustine Airport is
24 ideal for several reasons. Obviously, there are
25 wonderful facilities up here. The infrastructure

72

1 is fantastic. The airspace is open and much,
2 much clearer than -- than further south at the
3 airports we looked at there. It's not a gigantic
4 operation we intend to build here, but it's a
5 significant presence, a fleet of 13 aircraft and
6 roughly 144 students in rotation at any given
7 time.

8 I would ask the, Madam Chair, how much

9 detail you might want in the verbal part of this
10 presentation. It goes into -- the printed
11 information that I've given you goes into quite a
12 bit of detail. It may be overkill.

13 What I've attempted to do is to explain what
14 exactly the program is itself, and then the
15 process that we've gone through, and look at
16 the -- the impetus behind the industry support
17 and so forth for the program itself.

18 CHAIRMAN GREEN: I think if you can give us
19 the cursory review. Despite myself, we have four
20 very experienced pilots around here --

21 MR. McCLURKAN: Right.

22 CHAIRMAN GREEN: -- that could probably
23 follow you quicker than I, but then we're going
24 to open up for discussion, anyway, so I'm sure
25 the questions will come.

73

1 MR. McCLURKAN: Sure. Absolutely. I'm not
2 sure if we're going to be able to get the
3 projector to work here.

4 MR. WUELLNER: It's counting down. It'll be
5 just a few seconds, unless you play with it.

6 MR. McCLURKAN: I'll grab a printed copy
7 so -- in the interest of time here, if there is

8 one.

9 MR. WUELLNER: Is that our computer or his?

10 On your -- on your main screen, get into a clear

11 area, right mouse. It says "Settings" at the

12 bottom. Got to make sure the screen size is 800

13 x 600.

14 MR. COX: Did you boot it with the camera

15 connected with the computer first, or how did you

16 do it?

17 MR. McCLURKAN: No, it was booted here and

18 then plugged in.

19 (Whereupon, there was a pause in the proceedings.)

20 MR. McCLURKAN: In the interest of time --

21 CHAIRMAN GREEN: I was going to ask, can we

22 go ahead?

23 MR. McCLURKAN: Absolutely. I wanted to get

24 a copy. You guys have a copy of the written

25 presentation here. I'll walk through it briefly

74

1 and obviously entertain questions about when and

2 ever you may have some.

3 The first page, the -- one of the important

4 things about what we are doing with this program

5 is teaching to the -- to the regional airline

6 level. This is not the typical flight-training

7 product that we train at our campuses in Arizona
8 and Daytona Beach. It's -- it's a small program
9 targeted specifically for the regional airline
10 domestic industry.

11 We didn't create the program and then go to
12 try to sell it to the regional airlines; we went
13 to the regional airlines first, in fact, all of
14 the major ones in the country, and asked them
15 what it was that they were looking for in terms
16 of a new pilot.

17 What they told us was they wanted a pilot
18 who was employable. They wanted he or she to be
19 screened before they -- before they hit the front
20 door of the regional airline, to make sure that
21 they're employable from a -- from a background
22 check point of view, from a mental and logic and
23 reasoning and judgment point of view, as well as
24 being obviously a very well-trained pilot with
25 all the modern avionics and modern -- modern

75

1 systems of the aircraft.

2 The other thing they're looking for are --
3 are pilots who are trained with the crew resource
4 environment, crew management. They want a lot of
5 CRM and they want these people to come in the

6 door very knowledgeable firsthand.

7 So, the key elements -- looks like we're
8 getting close here. But the key elements of the
9 First Officer Flight Training program are those
10 things. It's a stringent prerequisite
11 qualification point of view, and you may wonder
12 why we would initiate a new program when we
13 already have two flight lines, now three, across
14 the country.

15 We don't want to compete with ourselves, so
16 all the people who come into this program will be
17 a minimum of 21 years of age. They'll already
18 have a four-year degree, so we won't compete with
19 our other campuses. They will have gone through
20 a PRIA-compliant background check, which is the
21 airline industry standard.

22 They will have, once they go through this
23 initial phase, which is the background check
24 process, which is done out house -- out of the
25 house in a third-party way, they go through a

76

1 skills and eligibility screening process, which
2 includes some psychological and personality test
3 batteries that they go through, computerized
4 tests that are validated within -- within the

5 industry. They also go through a simulator ride
6 on our Daytona Beach campus, and they also enter
7 into an interview process.

8 Once they pass through that second screen,
9 they go on to obtain their financial aid. It's
10 fully -- fully capable of that. And the program
11 is fully funded through banks, through loans, or
12 through other financial aid programs.

13 The other thing that's different about
14 our -- about our program is not just the flight
15 training piece, but we include integrated
16 aeronautical academics. The academics are the
17 core, essentially, of what we teach at our
18 campuses in the aeronautical sciences programs,
19 but they are -- they are streamlined and cut down
20 substantially.

21 We don't teach for-credit courses, but we
22 want to make sure that all the pilots that we
23 graduate come into -- come into the regional
24 airlines with a -- with a good understanding of
25 the entire gamut of the operation.

77

1 And then, finally, of course, we teach jet
2 transition and simulation, both here -- we
3 propose it to be here, also in Daytona Beach, and

4 also in Montreal, with Bombardier (phonetic) --
5 Bombardier, rather, Aerospace, who create -- who
6 build the Canadair Regional Jet.

7 All right. I think I can get it from there.

8 Thanks. So, again, the prerequisites, you have
9 to be 21 years old, four-year degree, first-class
10 medical background check, and the aptitude and
11 screening tests and obviously the interview and
12 simulator.

13 The background check, the -- the purpose is
14 to determine eligibility or employability to the
15 regional airline domestic standards. It's not
16 to -- to dig deeply into someone's personal life
17 and their background.

18 Next. And the test battery, again, it's not
19 to -- it's not to tweak too much and look too
20 much under the hood, but we want to get a good
21 look. And we've set up -- through our interviews
22 and our discussions with the regional airlines,
23 we've gotten a standard level of what their
24 successful pilots look like in terms of the --
25 the items you see listed there, logical

78

1 reasoning, decision-making judgment, essentially.

2 And there is a band width within these tests

3 which -- which the people come out very, very
4 equally.

5 Finally, again, there's the interview and
6 the simulator ride. We're not -- we don't put
7 them in a simulator -- these people come in with
8 no flight experience, in most cases. We don't
9 put them in a simulator to see if they can fly an
10 airplane instinctively. We put them in there to
11 see how well they learn, how they -- how they
12 respond to instruction and direction.

13 Next. The academics I mentioned are in the
14 bulleted items there. It is essentially all of
15 the aviation -- or the aeronautical science
16 degree program, again, generated specifically and
17 targeted toward the regional airline industry.
18 And, again, they're not for credit.

19 The jet transition training, we won't be
20 flying jets out of here, but the simulation, the
21 flight simulation industry has gone well beyond
22 where it was even -- even last year in terms of
23 fidelity and affordability, and the FAA even
24 allows you to -- to get -- to be able to log
25 hours in full flight-simulation devices.

79

1 We have devices in Daytona Beach. We're in

2 the process of acquiring another one. And again,
3 we will use -- the standard right now in the
4 regional airline industry is moving toward
5 regional jets. The standard that's a successful
6 example of one of those is the Canadair Regional
7 Jet, which is built in Canada with Bombardier
8 Aerospace in Montreal. They have flight
9 simulation, full flight-simulation devices, and
10 we've negotiated agreements with them to use
11 theirs as well.

12 So, what will the First Officer Flight
13 Training program produce? It's a
14 commercially-rated pilot with multi-engine
15 instrument privileges who has passed all the
16 written exams, including the ATP, Airline
17 Transport Pilot.

18 And the graduates will be completely
19 familiar with the -- the current technology and
20 automated flight decks. They call it the glass
21 cockpit. We'll have all of those devices on
22 board. And, of course, the CRM concepts.

23 Next. So, the process that we've followed
24 at the university is really to build the program
25 in conjunction with the industry and to go

1 through our own -- our own process of, is the
2 business plan worthwhile? Do we have the
3 industry's support? Is the business there? Will
4 the students come? Can we afford it? Et cetera,
5 et cetera.

6 We've been through that. We've began, you
7 know, a little over a year and a half ago, now
8 beginning the concept itself. It has been proven
9 time and time again that the business will work.

10 We unveiled it last year at the EAA AirVenture
11 fly-in in Oshkosh, Wisconsin, which for the
12 uninitiated is the big general aviation air show
13 in the United States. We unveiled it on the 23rd
14 of July last year, launched it. We received
15 features in 200-plus publications worldwide. The
16 inquiries were -- were all over the place. It
17 was exactly what the industry was asking for.

18 We also included a plug for the St.
19 Augustine Airport, because at that time I think
20 we had made the decision and spoken with Ed about
21 that. And also, that the Diamond Aircraft is the
22 primary single-engine trainer that we'll be
23 using.

24 Next. So, on August 30th of last year, we
25 went to our own executive committee of the board

1 of trustees, gained the funding and support for
2 that, which is up to a million dollars of paid-in
3 capital, and we deferred the start date -- given
4 September 11th, 2001 and several of the industry
5 impacts, we delayed the start date until August
6 of this year. We also created a wholly owned
7 subsidiary company to house the operation here as
8 well.

9 Several items there, I won't go through all
10 of them, but suffice it to say on the next two
11 pages of -- pages of this presentation, we've
12 gone through the necessary steps to -- to build a
13 new business, a new operation, to support the
14 flight line, to make sure we have the -- the
15 aircraft, make sure we have the FAA
16 certifications under Part 141, Part 145, Part 142
17 in place to conduct training operations legally.

18 Obviously, the aircraft, the simulators, the
19 business plan, the staffing, you name it, we've
20 gone through it, and on our -- and are on target
21 for an August 2003 start.

22 Next. So, will the students come? Will we
23 get the people we plan to take? The answer, I
24 think, is an overwhelming yes. Since we -- since
25 we at first came out July 23rd, we received the

1 first paid applicant the next day. The inquiries
2 through I think that's February 14th, was a
3 little over 2,100 students had inquired
4 officially and requested additional information.
5 Total completed applications were 189, and paid
6 applicants were 65. Those are for class start
7 sizes of 12, per month, beginning again in
8 August. That's the applicant distribution if
9 you're interested in where our students are
10 coming from.

11 Next. And the forecast is pretty rosy as
12 well. We -- we haven't done a great deal of
13 advertising in the -- in the industry
14 publications, although we did soon after the July
15 announcement. We will ramp up very soon an
16 advertising campaign on a nationwide basis to get
17 the information about the program out. I don't
18 think we foresee any problems with getting the
19 students in right now.

20 We have -- again, there are 65 in process
21 right now going through the screening process.
22 We have our first class of 12 filled in August.
23 And I think the second in September is almost
24 full, as well. So, I think just the people in
25 the pipeline right now, if nobody else entered

1 today, we would have classes full through
2 December.

3 Next. Does the industry support it?

4 Absolutely. We -- we have gone to them time and
5 time again. In fact, as late as last week, we
6 met with Atlantic Coast Airlines, which is the
7 big East Coast Delta Connection, United Express
8 regional airline carrier. They're a major
9 partner of ours.

10 AirTran in Orlando is also a big partner of
11 ours in developing the program itself. We also
12 have the Air Line Pilots Association, or ALPA,
13 has provisionally agreed to endorse the program
14 as proposed right now as a certificate program
15 within ALPA itself. So, we absolutely have
16 the -- we've hit the target that we intended to
17 hit.

18 Our planning assumptions, we've again gone
19 through all of the necessary things that we
20 needed to do. Again, it's built on a new
21 enrollment of 12 students per month. We have two
22 starts, one ab initio, who have no flight
23 training. We have another who -- another entry
24 point, if they have a commercial multi-engine

25 instrument license, they can come in under that

84

1 as well.

2 The last bullet there, I want to address the
3 aircraft just a little bit. We -- the aircraft
4 is from Diamond Aircraft, which oddly is another
5 Canadian company. Actually, it's an Austrian
6 company. Their manufacturing facilities are in
7 Canada.

8 The important thing about this primary
9 training plane is it's the single-engine trainer.
10 There's a picture of it at the first of the
11 presentation. There's also, on the back of the
12 blue sheet that I gave you, a picture and some of
13 the statistics about it.

14 The important thing for the Authority and
15 the community to know is that that aircraft is a
16 very quiet aircraft. It's the same one that we
17 are using, we recently won and have started up
18 the -- all the flight training at the U.S. Air
19 Force Academy in Colorado Springs, which is a
20 very densely populated area in and around the
21 academy.

22 Their big concerns were noise abatement
23 around the airport. We selected this aircraft

24 mainly because, a bonus really is -- is that it's
25 a very quiet and very efficient and very

85

1 maneuverable aircraft. And as a -- the
2 characteristics with the avionics we'll build
3 into it are very similar to teach the things that
4 we need to teach in automated flight decks. So,
5 we've addressed, I think, one of the concerns
6 that the community may have to begin with.

7 Next. That's really not so relevant to
8 this -- to this conversation. Again, the
9 financial is -- the program is financially
10 approved and financially sound from a business
11 point of view.

12 Next. You might wonder in today's
13 environment with the -- with the airline industry
14 and -- and flight aviation industry is sort of in
15 the doldrums all over the place, why we think we
16 should start a new flight training program now.

17 I have answered that question several times.

18 We -- there is an absolute need. It's sort
19 of a shell game right now. The majors are
20 facing -- the major airlines, meaning Delta,
21 American, United, those are facing major problems
22 nationally. But the demand for aircraft travel

23 has not wavered substantially.
24 If you look at it, if you chart it over the
25 several years, it goes up and down a little bit,

86

1 but the major trend line goes up because I think
2 the American public now sees airline travel as a
3 commodity. It's simply moved from large jets to
4 small jets. And that's -- that's where you see.

5 Another big factor playing in is the
6 Vietnam-era pilots who -- who flew the commercial
7 jets for many, many years are now at a mandatory
8 retirement age, which is -- which is
9 unfortunately a little young, I think, at 60.

10 But there's going to be a big -- there's going to
11 be a big need for additional pilots into the
12 system, that simply the retiring military folks
13 cannot -- cannot fill right now. So, the demand
14 for new pilots, industrywide, is going to go up.

15 Next. That's simply a graphical
16 representation of fairly recent statistics.

17 Next. And so finally, that's another
18 financial projection. Even if we don't get the
19 number of students to fill the classes
20 operationally, from a business point of view, we
21 can be successful from a -- and break even,

22 financially, with a very small number of students
23 if we -- if we allocate our resources correctly.
24 And I think that's the end of the slides.
25 If you have any questions about the program

87

1 itself or -- or how we selected St. Augustine or
2 anything, please feel free to let me know.
3 Again, we feel like the business itself is a --
4 is going to be a successful one.

5 We're very pleased to have been working with
6 Ed and Bryan and the crew over the past year or
7 so to assess the -- the airport and the airspace,
8 and we hope to be here as soon as possible.

9 CHAIRMAN GREEN: Thank you. I'd like to
10 open it to public comment.

11 MR. MARTINELLI: Just a question.

12 CHAIRMAN GREEN: I'm sorry. We're going to
13 need you to stand --

14 MR. MARTINELLI: I'll tell her right here.

15 CHAIRMAN GREEN: That's fine.

16 MR. MARTINELLI: She knows who I am. How
17 many operations per day on an average would you
18 be adding to the field?

19 MR. McCLURKAN: It really depends between
20 the single and the multi-engines. We'll have 12

21 new students a month, which equates with
22 graduations, incoming and outgoing, there's about
23 84 students. Not all of those are
24 flight-training every day. I can't give you a
25 solid number. I certainly will.

88

1 MR. MARTINELLI: Okay. I would assume you'd
2 want to be interested in that.

3 MR. McCLURKAN: Uh-huh.

4 CHAIRMAN GREEN: Yes, sir?

5 MR. FLEMING: You want me to go?

6 CHAIRMAN GREEN: Yes. Or -- if you could,
7 so we could get your name for the record, because
8 we tape this, as well as the court reporter.

9 MR. FLEMING: Robert Fleming. I have a
10 question, what, if any, impact this might have on
11 our current flight school that we have at the
12 airport.

13 MR. McCLURKAN: That's for me? I don't
14 think there -- I don't think that the -- the
15 program itself is not a traditional
16 flight-training program. So, I think that the
17 program that you have here, although I'm not
18 completely familiar with it, I assume it teaches
19 private pilot certificates and training under FAA

20 regs.

21 We're not going after the same market. We
22 probably wouldn't pull in fact very much at all
23 from the local market. In fact, the large -- the
24 largest portion of our -- of our folks are career
25 changers, who would not go typically the

89

1 traditional route of flight training. So, I
2 think my short answer is that I don't think it
3 would have much impact at all on your -- on the
4 existing school on the field.

5 CHAIRMAN GREEN: Yes, Bjorn.

6 MR. OTTESON: I'm Bjorn Otteson, Florida
7 Aviation, the flight school. I tend -- I tend to
8 agree with you on that one.

9 I have a concern with the airport's
10 capacity, 13 -- 13 more flight school training
11 airplanes sometimes doing 20 operations an hour.
12 Right now, that's not going to work. There -- I
13 don't fly every day and all day, but I have
14 numerous times heard the tower says, "The pattern
15 is full; stay clear of Class D."

16 So, this is something we haven't addressed
17 at all, I think. But that's a problem. Thank
18 you.

19 CHAIRMAN GREEN: Thank you. Yes, sir.

20 MR. SMITH: My name is Hoke Smith, SK

21 Logistics. I operate a few aircraft here. I

22 have one question for you. First of all, what

23 are you going to use for your multi-engine

24 trainer? I mean, what -- what will be the next

25 aircraft we'll see?

90

1 MR. McCLURKAN: It's a Piper Seminole.

2 MR. SMITH: Okay. And I want to echo what

3 Bjorn said. I'm extremely concerned about days,

4 about the ability of the tower to handle the

5 traffic we have now. I think a careful analysis

6 needs to be done about how many takeoffs and

7 landings they're going to make.

8 I need pilots all the time, so I like to see

9 people being trained, but when I'm -- when I'm

10 burning 300 gallons an hour, I don't like

11 circling out there waiting for somebody to let us

12 in. And it's -- you run the risk of running

13 off -- if the tower can't learn to deal with it,

14 and they should be able to, I think you run the

15 risk of running off your high-valued customers

16 that Aero Sport and everybody else likes to get

17 cause we buy a lot of fuel.

18 And we've already had some problems, nothing
19 serious, but I can see it getting worse, because
20 we're in something that some of you may not know
21 if you aren't pilots or don't fly a lot of IFR,
22 St. Augustine's a great airport. We're kind of
23 on the edge of the Jacksonville control and the
24 Daytona control. Sometimes they can't make up
25 their mind, which one -- which one wants to

91

1 handle you, and then throw in the tower, they'll
2 send us 15 miles out over the ocean, burning a
3 lot of expensive jet fuel, because they can't
4 deal with some guys in the pattern.

5 So, we really need to understand how -- how
6 we're going to handle that. Thank you.

7 CHAIRMAN GREEN: Thank you. Yes, sir?

8 MR. MARTINELLI: I guess I better come up
9 there. The number of operations I think is
10 extremely important --

11 MR. McCLURKAN: Absolutely.

12 MR. MARTINELLI: -- and I really think that
13 another very, very important issue for the tower
14 is radar. And obviously at the present time,
15 without radar, the tower is limited as to what
16 they can handle, because they have to see what

17 they're going to handle. So, is there any
18 further development on radar for the tower that
19 we know of?

20 MR. WUELLNER: None since the last time,
21 which put it out at least March or April. Till a
22 display is available or potentially available,
23 that's the last dates I heard.

24 But more fundamental to that is the
25 relocation of the antenna in the Jacksonville

92

1 area to something that will provide
2 lower-altitude coverage for this area. Even with
3 the display, it's still relatively -- relatively
4 high. I don't know the number, but I know it's
5 well over --

6 MR. MARTINELLI: I think it's 2,000.

7 MR. WUELLNER: Yeah. I knew it was well
8 over a thousand feet, is where they can even see
9 you on radar here. So, even if we do have the
10 display, you still can't find you. I do not know
11 what the status of the antenna movement is. I
12 know they were discussing it.

13 MR. MARTINELLI: Okay. I -- I second what
14 these folks have said, too, because I have been
15 vectored in the pattern and then out of the

16 pattern, and out 10, 15 miles and then back in

17 because of traffic. So, it can get very busy.

18 CHAIRMAN GREEN: Thank you very much. Any

19 further public discussion? Yes, sir?

20 MR. MESMER: You want me up there?

21 CHAIRMAN GREEN: I think so, if that's okay.

22 Thanks.

23 MR. MESMER: Does this thing work? I'm Fred

24 Mesmer and a St. Augustine resident. I've been

25 involved in this before. And what you're going

93

1 to get involved in here -- and believe me, I'm

2 all for advancing the flying aspect of this

3 thing; however, you're going to be dealing with

4 airport congestion, and you're going to be

5 dealing with -- I guess perhaps maybe the first

6 question I might have to ask you is, what is St.

7 Augustine going to get from this?

8 Are we going to get a return? Are we going

9 to be starting with landing fees? Are we going

10 to start upgrading the system to say class C?

11 Are these proposals going to be in the future?

12 Because as the airport congestion -- when you

13 become involved in this, the FAA becomes involved

14 in it, and they -- you whack one aircraft here

15 and they are going to get involved in this thing.

16 I mean, it -- you've got professional pilots
17 coming in here and you've got pilots that are
18 private pilots.

19 A system like this intimidates them. From
20 the people that I've dealt with, intimidating
21 factors are -- it drives them out. We have -- I
22 don't know. I've come down here to retire.

23 I've been a professional pilot all my life,
24 and for some reason, I don't want to be involved
25 in it. That's personal for myself. I would just

94

1 like to go out and fly and enjoy myself, rather
2 than sit on a ramp getting airport information
3 and taxiing out and holding for some people that
4 are probably outsiders coming in -- and I know
5 I'm probably going to be criticized on this --
6 intruding on our airspace. That's probably a
7 hard thing to say.

8 I hope that you'll take into consideration
9 the congestion aspect of this thing and the
10 potential to where it leads. We're already
11 talking about radar. We're already talking about
12 congestion. And I am willing to bet you a dime
13 to a dozen you're going to be talking about class

14 C airspace also. Thank you.

15 CHAIRMAN GREEN: Thank you.

16 MR. McCLURKAN: One -- one comment along

17 that vein: I certainly appreciate airport

18 congestion, coming from the Daytona Beach

19 airspace, which is -- which is horribly

20 congested.

21 One benefit of this program, I think, is

22 certainly that it is limited in size. It will

23 not get bigger. We don't -- we don't plan to

24 build a Daytona Beach North. It is limited

25 forever at 144 students per year. So, what you

95

1 get when you come in is not going to change.

2 Yes, sir?

3 MR. KLINE: Prior -- prior to the Vietnam

4 War, in Opa-Locka, they had a training and they

5 were landing students every 30 seconds. If the

6 tower here cannot handle this addition, they

7 shouldn't be here.

8 This is not a big impact. And if the pilots

9 cannot get into the pattern and handle themselves

10 like they do at the Fun `N Sun (sic) and Oshkosh

11 where they're landing every ten seconds, they

12 shouldn't be in the air. This is not a big

13 impact. Thank you.

14 CHAIRMAN GREEN: Mr. Slingluff?

15 MR. SLINGLUFF: Just a couple of questions.

16 Embry-Riddle University is a for-profit school,

17 correct?

18 MR. McCLURKAN: Not, not-for-profit,

19 501(c)(3).

20 MR. SLINGLUFF: And the operation here,

21 though, is a commercial operation, for-profit?

22 MR. McCLURKAN: It -- right now, it's housed

23 under the 501(c)(3) status. There's a

24 possibility that it will go under to a for-profit

25 company status, yes.

96

1 MR. SLINGLUFF: Okay. And it's -- it is ab

2 initio training?

3 MR. McCLURKAN: There's a combination of ab

4 initio and there's a second entry point, as I

5 mentioned, with -- with some experience.

6 MR. SLINGLUFF: Okay. And ab initio

7 training, for those who don't know, is from off

8 the street into the airplane, right through

9 getting your licenses.

10 I would just urge the board to ask for, you

11 know, a complete impact analysis for -- you know,

12 airspace, we do have a tower. I think that it --
13 it can be brought up. There are controls.
14 Airports are a lot more congested than this.

15 But I am very concerned with the local
16 environment around the airport, the impact that
17 that will create, the negative PR that that will
18 create for all of us, and also, the
19 infrastructure impact at the airport itself. Not
20 necessarily the airspace, but the ground
21 infrastructure and the way that's all handled. I
22 think we have to look at that very carefully.

23 ATA, just last week closed doors. This is a
24 similar flight-training school at Orlando
25 Executive, went bankrupt, offering the same sort

97

1 of training. Can you shed any light on that?

2 MR. McCLURKAN: As to why they went
3 bankrupt?

4 MR. SLINGLUFF: Yeah.

5 MR. McCLURKAN: No, I can't. I can -- I can
6 see an obvious desire to compare us to ATA, but
7 we've been around for 75 years and have weathered
8 several storms in both Prescott and Daytona.
9 We've also been selected to be the sole provider
10 of introductory flight training for the U.S. Air

11 Force Academy for the next eight years. I think
12 the stability of the university stands sort of
13 undaunted.

14 Yes, absolutely, we have to make adjustments
15 to -- to the industry, which we think we've done
16 and will continue to do. But we wouldn't be
17 launching off into this if we didn't think that
18 it was the right thing to do at the right time.

19 MR. SLINGLUFF: I -- I would just like to
20 advise the board that the flight-training
21 industry is very cyclical and so any
22 infrastructure buildup to accommodate the
23 flight-training impact has to be looked at very
24 carefully because it does have very precipitous
25 drop-offs with the economy. Thank you.

98

1 CHAIRMAN GREEN: Thank you. I'll close
2 public discussion. Board discussion?
3 Mr. Ciriello?

4 MR. CIRIELLO: Yeah. I'd like to ask Bjorn
5 a couple of questions. Bjorn, on a normal day,
6 how much time does your instructors put in and
7 your students fly? I mean, your heaviest
8 scheduling during the day. The hours.

9 MR. OTTESON: Let me put it this way: We

10 fly an average of a thousand hours a month.

11 MR. CIRIELLO: Oh, okay. What I'm getting
12 at, this gentleman here was saying he's talking a
13 maximum of 124 (sic) students per year, which
14 doesn't seem like a big impact. It's not like
15 it's going to be 50 airplanes in the pattern out
16 there at one time. But also, most of his
17 students, it sounds like, are going to be already
18 almost professional. I mean, they're going to be
19 more than just guys like me who can just barely
20 get around a pattern.

21 So, if that's the case, couldn't their
22 outfit schedule their more experienced pilots for
23 later in the evening training when you're almost
24 done so that -- to lessen the load during the
25 best part of the day? Do you get what I'm

99

1 getting at? Either one of you?

2 MR. OTTESON: I can't -- I can't answer that
3 one, Joe. What I'm -- I think you have mostly ab
4 initio students, though. They have to learn to
5 land, for instance. So, they'd be doing
6 touch-and-goes and do ten traffic patterns in an
7 hour at one point in their training.

8 MR. McCLURKAN: We have planned for half and

9 half, taking six ab initio a month and six people
10 with experience. What we're learning, that the
11 heavier desire, the heavier demand is for ab
12 initio, no experience. So, we're probably
13 looking at maybe -- maybe a 8/4, 9/3 kind of
14 split.

15 MR. OTTESON: Because that's heavy demand on
16 the airport and the air -- ATC where we fly, you
17 know, 10 -- 20 operations in an hour.

18 MR. McCLURKAN: Correct.

19 MR. OTTESON: And after they have soloed and
20 do other things, then they leave the airport and
21 come back.

22 MR. McCLURKAN: Right.

23 MR. OTTESON: That's different. But we all
24 have to go through that process or stage, so...

25 MR. McCLURKAN: Absolutely. I will -- let

100

1 me mention one thing.

2 CHAIRMAN GREEN: I just want to make --
3 this is board discussion. We've closed public
4 discussion. So, if there's another --
5 Mr. Gorman, I think, had a question.

6 MR. GORMAN: I just wanted just to guess
7 again, Bjorn, if you would, when is the pattern,

8 traffic pattern full, you know, when you really
9 feel that you're -- the cycles per hour are
10 there?

11 MR. OTTESON: What I was referring to was
12 that the tower controller's statement that the
13 pattern is full.

14 MR. GORMAN: When would you feel the pattern
15 is full? Just guess. I mean, it's -- I know
16 it's hard to quantify.

17 MR. OTTESON: I know we have had eight
18 planes in the pattern before we had a tower --

19 MR. GORMAN: So, you say eight --

20 MR. OTTESON: -- and could handle that, but
21 I don't think it worked that way with the tower.

22 MR. GORMAN: So, you would say eight's more
23 than the tower would contemplate --

24 MR. OTTESON: The way it works now, yes.

25 MR. GORMAN: Yes. Eight is more. Okay. I

101

1 just wanted some --

2 MR. OTTESON: I think --

3 MR. GORMAN: That's fine.

4 MR. OTTESON: -- yesterday, it was referred
5 to as the pattern being full. It was five
6 airplanes.

7 MR. GORMAN: Okay.

8 MR. OTTESON: One -- once it was said, "I
9 have 15 airplanes," but that was definitely a
10 miscount.

11 CHAIRMAN GREEN: Thank you. Any other board
12 questions? Mr. Cox?

13 MR. COX: Yes, I have questions.

14 CHAIRMAN GREEN: Thanks --

15 MR. COX: Several, actually. Are you done?

16 MR. GORMAN: Well, I've got two more after
17 you. Go ahead.

18 MR. COX: No, actually, because I want to be
19 able to go right down the list, so go ahead with
20 your questions.

21 MR. GORMAN: Real quick -- two quick
22 questions. One, when you're training your
23 people, there's some legitimate concerns with the
24 S & K (sic) and with the FBO and their jet
25 traffic.

102

1 Do you train your students to break out of
2 the pattern for jet traffic, you know? In other
3 words, some type of concession the students make
4 for heavy jet traffic? In other words, where
5 they're used to that situation or they're trained

6 for it, or is this just -- I mean, is that really

7 something that doesn't happen?

8 MR. McCLURKAN: Well, the answer is you

9 follow the control of the tower. The -- and

10 we're trained -- we're trained to do that. Our

11 instructors are not -- are not the same

12 instructors we have at our campuses. They are

13 not -- they will not be the people who are trying

14 to build time. They're not new, fresh

15 instructors.

16 We're hiring NAFI master instructors who

17 have at least 3,000 hours minimum, dual

18 instruction given. So, you -- you would have

19 very experienced pilots in the instructional

20 role. So, I would assume that he or she would be

21 able to -- to manage the traffic.

22 MR. GORMAN: So they're used to congested

23 areas. And the question -- last question, you

24 have -- when you're training, you've got -- of

25 course, you've got to have the navigational aids

103

1 and you have an ILS here. Is a VOR or a terminal

2 VOR useful to you for the training purposes?

3 MR. McCLURKAN: Sure. I mean, the more --

4 the more you have, the more you can train to.

5 The ultimate goal is to have -- is to have these
6 people flying in and out of heavily congested
7 metropolitan airports in fast regional jets. So,
8 the more --

9 MR. GORMAN: Would you say you would use a
10 TVOR for safety training? In other words, yes --
11 I mean, that would be an enhancement?

12 MR. McCLURKAN: Uh-huh.

13 MR. GORMAN: Okay. Mr. Cooper?

14 CHAIRMAN GREEN: Mr. Cooper? Sure.

15 MR. COOPER: I know in Embry-Riddle, you
16 have a policy -- or used to have a policy where
17 you had a maximum number of aircraft that
18 Embry-Riddle would put in a pattern and then
19 another number, a maximum number of aircraft that
20 would be in the pattern, and if it reached that,
21 then you didn't put any more airplanes there.

22 Would that policy apply here? I think that was
23 five and seven, if I remember right.

24 MR. McCLURKAN: You know, as far as the
25 policy at Daytona Beach right now, I think you're

104

1 right. I don't know the policy for certain,
2 because I don't -- I don't fly the routes or
3 dispatch the planes. But the important thing is,

4 is that in a training operation, what we do is
5 negotiate with the airfield and the tower. And
6 that's the same thing we've had to do in Colorado
7 Springs at the Air Force Academy as well.

8 All of the same issues -- I think anytime
9 we -- we talk about any -- any sort of flight
10 operation of any size, you have to do the same
11 things. So, the answer is yes; to the extent
12 that we need to establish dispatch policies based
13 on congestion and -- and airspace, absolutely.

14 MR. COOPER: Well, the policy, as I remember
15 it, which referred to all of the airports that
16 Embry-Riddle operated in was that they would not
17 put more than five Embry-Riddle aircraft at that
18 airport at any one time, and once there were
19 seven aircraft in the pattern, they would not put
20 any more, and if another plane came that was not
21 an Embry-Riddle, they would have one of theirs
22 leave. And that worked quite well. And I think
23 that that kind of policy, if that's still in
24 place, answers all of those concerns and
25 questions.

105

1 MR. McCLURKAN: Right. And all of our
2 flight lines operate on same level policies. So,

3 I mean, whatever's happening at Daytona Beach,
4 Prescott, and Colorado Springs right now would
5 apply here as well. So, assuming that policy is
6 correct, absolutely; it would apply here.

7 CHAIRMAN GREEN: Mr. Cox?

8 MR. COX: Where'd the number of 20
9 operations a day -- did you say that, 20?

10 MR. McCLURKAN: (Shakes head.)

11 MR. COX: Somebody said 20 ops a day,
12 because I wrote it down. I don't know where that
13 came from, but --

14 CHAIRMAN GREEN: Bjorn?

15 MR. COX: Pardon me?

16 MR. OTTESON: I said 20 operations an hour.

17 MR. COX: An hour.

18 MR. OTTESON: When we are doing
19 touch-and-goes. Each touch-and-go are two
20 operations.

21 MR. COX: That's kind of an interpolation
22 from your experience with your training?

23 MR. OTTESON: Yeah.

24 MR. COX: Okay. We'll take that as an
25 assumption. You're going to have 13 aircraft

1 based at the field, 144 possible students that

2 will be ground-training, simulation flying, et
3 cetera, et cetera. And so, you think that we
4 could -- because of the impact we're all
5 concerned about, we could negotiate the flight
6 operations per day, as far as that goes, and
7 that's not going to be a problem with
8 Embry-Riddle; is that right?

9 MR. McCLURKAN: Within reason, obviously. I
10 mean, it has to make sense -- we can't be
11 restricted to one flight.

12 MR. COX: Cost-effectiveness.

13 MR. McCLURKAN: Correct.

14 MR. COX: Yeah, you're right. I agree.
15 What's the total amount of time, just for
16 curiosity, that you're going to turn a student
17 out to go to a regional airline as a first
18 officer? What -- for an ab initio student come
19 in -- came in, total time when he leaves your
20 facility?

21 MR. McCLURKAN: He or she comes in, it's a
22 10- to 12-month program, you know, and then
23 they're gone.

24 MR. COX: I mean, total -- so, from --
25 somebody walks in off the street with no

1 flight-training time, in 12 months, they become a
2 first officer for a regional airline?

3 MR. McCLURKAN: They will have completed our
4 program and they go through the --

5 MR. COX: How much total time is that?

6 MR. McCLURKAN: It's about -- total
7 experience, about 550 hours. Now, a lot of that
8 is in jet simulation, right-seat time, left-seat
9 time, pilot in command, pilot not in command.

10 MR. COX: And on the background check, when
11 I -- I saw one of your advertisements in a
12 magazine several months ago, and I went in and
13 talked to Ed about it.

14 The background check, because I know
15 Embry-Riddle at one time was keeping students on
16 the property that hadn't passed the background
17 check and continued to train them, waiting for
18 TSA to get the background check and say, "Yes,
19 they're okay."

20 We're not going to do that here. I want to
21 know if the student, before he comes through your
22 doors, is going to pass the background check
23 according to TSA, FBI, law enforcement, et
24 cetera, et cetera, before we start training.

25 MR. McCLURKAN: From an INS standpoint or

1 what sort of --

2 MR. COX: No, no, no. I'm just -- all the
3 background checks. Because -- and ERAU may not
4 be doing it now, I don't know. But for
5 whatever -- because there was some consternation
6 about the rule and regulation at that time. So,
7 the student, before he comes through your door
8 and starts training on our property here, will
9 have completed a successful background check.

10 MR. McCLURKAN: Yes.

11 MR. COX: Criminal background check and
12 everything else.

13 MR. McCLURKAN: Yes.

14 MR. COX: Okay.

15 MR. McCLURKAN: The students -- that is the
16 first, after -- after their application and
17 they've met the other prerequisites, that's the
18 first step they have to get through. They won't
19 even interview for our program without passing a
20 background check.

21 MR. COX: Very good.

22 MR. WUELLNER: I don't think it was
23 mentioned in the presentation, but they have
24 asserted to us in our discussions that there's a
25 total of 13 aircraft to be based here. That's

1 all. And that number will not increase. That's
2 what we've been told.

3 MR. McCLURKAN: That's correct. And they
4 will not be in the pattern at the same time. I
5 mean --

6 MR. WUELLNER: To include nine singles and
7 four multi's, if my memory's correct.

8 MR. McCLURKAN: Actually, 10 and 3.

9 MR. WUELLNER: 10/3?

10 MR. McCLURKAN: The ten singles, that
11 includes over capacity for rotation and
12 maintenance, hundred-hour checks, engine
13 maintenance, any kind of overage to double up on
14 weather, whatever.

15 CHAIRMAN GREEN: Okay. All right. That's
16 all the discussion. I don't think there's any
17 action we need to take, right, Mr. Wuellner?
18 This is just informative at this point in time?

19 MR. WUELLNER: I guess, if -- no, not
20 specifically, unless you don't want us to finish
21 negotiating with them and bring something back to
22 you.

23 CHAIRMAN GREEN: I think my
24 recommendation -- I don't want to speak for the
25 entire board -- is that when you enter into

1 negotiations, which obviously the lease and
2 everything would have to be approved by the
3 board, that you consider the limitations that
4 have been brought up here by the public and by
5 the board with regards to background checks and
6 limiting planes and flight patterns and
7 congestion. Mr. Cox --

8 MR. WUELLNER: We'll try to get a better
9 handle on total operations, too, that are daily
10 and hourly scenarios, too.

11 MR. COX: Yeah. I -- I don't have a problem
12 with negotiations continuing forward, but I would
13 like for -- for you to take into account the
14 comments we've had, both from the flight school,
15 SAPA, and some of the other people, and the
16 tower, specifically, to see if -- if we continue
17 in negotiations, secondary negotiations for the
18 impact of traffic are going to affect us and make
19 it a moot point. Does that make sense?

20 MR. WUELLNER: Uh-huh.

21 CHAIRMAN GREEN: And also the financial
22 impact to the airport.

23 MR. CIRIELLO: Can I ask one question just
24 on it, and make it real quick?

25 CHAIRMAN GREEN: Yeah.

111

1 MR. CIRIELLO: These 13 aircraft you're
2 going to base here, where are they going to be?
3 I mean, are they going to be on Aero Sport's
4 leasehold so they can make some money out of it,
5 or are you going to expect us to give you hangars
6 or what?

7 MR. McCLURKAN: Part of -- I think part of
8 the deal we're negotiating is to lease space,
9 hangar space and ramp space, so they would be
10 on -- they would be our property on our
11 leasehold.

12 MR. CIRIELLO: I don't know if we have room
13 for that. Okay.

14 CHAIRMAN GREEN: All right. Thank you very
15 much.

16 MR. McCLURKAN: Thank you.

17 CHAIRMAN GREEN: Close discussion. Do we
18 need to take a break? We have one more project
19 update. Are you okay?

20 Okay. We'll go to our last agenda item,
21 which is the project update. Mr. Wuellner?

22 7.F. - Project Updates

23 MR. WUELLNER: Yes, ma'am. Just briefly on

24 each of the five items I have. Web site is up
25 and running. Those of you that haven't had a

112

1 chance to check that out, please do. It's at
2 staugustineairport.com. No other punctuation in
3 that.

4 And we have asked -- we had inquiries from
5 at least one, I think it might have been two,
6 members about being able to receive e-mail
7 directly off that web site relative to the
8 Authority, that we can do that. That's -- we
9 basically have the ability to add unlimited
10 addresses to that. So, if that's something as
11 individual members you want to do, let me know
12 and we'll get that set up for you and then
13 they'll have a link you can get to the e-mail
14 directly by your member name or picture area on
15 the web site.

16 TVOR, it's my understanding they're trying
17 to get the meeting set up. But one of the things
18 they were doing in the interim was trying to get,
19 and I understood they were supposed to have it by
20 the end of last week, was the -- the actual
21 flight data out of Oklahoma City on the original
22 flight check, and they were going to use that

23 data and plug it into the model and compare that
24 to what they had modeled for the site also and
25 see if that doesn't provide some insight also.

113

1 The feeling that that data would be some --
2 somewhat important in discussing the matter with
3 Atlanta.

4 I did find out -- you had asked me the
5 question about the model itself. I did ask that
6 question. It is not an FAA model, as I thought
7 it might not be. But we were talking about where
8 that came from. Apparently, it was developed by
9 Ohio University and is used for VOR modeling
10 and --

11 MR. GORMAN: We need public comments,
12 because we have Mr. Roderick and would like --
13 who needs to comment about the condition of that
14 evaluation. In other words --

15 CHAIRMAN GREEN: I'll open to public comment
16 after the presentation.

17 MR. GORMAN: Okay. Thank you. I just want
18 to put that in there, so it didn't get passed
19 over, because we're at the end --

20 CHAIRMAN GREEN: It's on our agenda.

21 MR. GORMAN: That's fine.

22 CHAIRMAN GREEN: We have presentation and
23 then public comment.

24 MR. WUELLNER: Okay. Northeast development
25 area, other than unusually wet weather and some

114

1 delays relative to the door system, everything is
2 now back on track again, and assuming it dries
3 out enough to actually get work, Bobby, I notice
4 you are in the audience with DiMare and will be
5 back working on the slabs? Get a little -- get a
6 little dryer over there.

7 MR. GARDNER: As soon as it starts drying up
8 a little bit.

9 MR. WUELLNER: I think it's certainly fair
10 to say that all the underground utility and
11 drainage work and core infrastructure items are
12 completed and, you know, we're probably looking
13 at --

14 MR. GARDNER: We'll start vertical
15 construction.

16 MR. WUELLNER: Start vertical construction
17 as soon as possible.

18 All right. Terminal project, you have been
19 receiving weekly briefings on, so I'm not going
20 to try to cover again.

21 Taxiway B, as way of update, the project is
22 currently on hold, as requested by the board. At
23 the time of the instruction last month, we were
24 still waiting, as we are today, on provision of
25 bonds. And since we did not have those, we had

115

1 not actually executed the construction contract,
2 because we didn't have the bonds in hand yet.

3 So, there's been no contractual problem
4 sitting there waiting. As just a matter of
5 process, we gave the original contract till the
6 end of March to be able to provide those bonds.

7 MR. GORMAN: I thought we were going to get
8 sued, Mr. Wuellner. If I remember, we were
9 supposed to be notified if we were going to be
10 sued because we were -- they were going to be in
11 breach of contract, and all of a sudden, we don't
12 have a contract now?

13 MR. WUELLNER: Well, might want to -- might
14 want to read your minutes.

15 MR. GORMAN: Go ahead.

16 MR. WUELLNER: Anyway, by the end of March,
17 if they don't provide the bonds, then the next
18 recommended step would be to put the project back
19 out and rebid it at this point, which certainly

20 will give us, I would hope, ample time to resolve

21 the VOR issue relative to the site.

22 CHAIRMAN GREEN: Okay. Public comment?

23 Mr. Slingluff?

24 MR. SLINGLUFF: We're not privy to the daily

25 e-mails on what's going on with the terminal

116

1 project, so we would certainly like a public

2 update.

3 MR. WUELLNER: They're weekly.

4 MR. SLINGLUFF: -- or a weekly update. So,

5 if we could have at least a monthly update on

6 what's happening there.

7 CHAIRMAN GREEN: Thank you. Yes, sir?

8 MR. MARTINELLI: Victor Martinelli, 24

9 Carriage Lane, Ponte Vedra Beach. Taxiway Bravo,

10 am I to understand that that whole project is now

11 in abeyance? Is that what has been done?

12 MR. WUELLNER: I think it's temporarily in

13 abeyance while we resolve the VOR issues.

14 MR. MARTINELLI: Okay. I'm -- I wasn't here

15 for all of the discussion about the VOR issues

16 and I don't want to go back over that, but it

17 would seem to me that -- that Taxiway Bravo is a

18 very important project. And whether or not the

19 VOR is put on the island at the approach end of
20 31 or wherever it is, I don't see where that
21 should hold up the -- the construction of Taxiway
22 Bravo. Just a question.

23 CHAIRMAN GREEN: Thank you.

24 MR. GORMAN: Can a board member say
25 something?

117

1 CHAIRMAN GREEN: No, sir. It's public
2 discussion --

3 MR. GORMAN: Public discussion.

4 CHAIRMAN GREEN: -- and then we'll have all
5 the time. Thank you. Yes, sir.

6 MR. RODERICK: John Roderick. I looked at
7 the THALES report at the request of the last
8 meeting and worked some technical issues. And I
9 don't want to go into great detail, but from what
10 I know, just from the content of the report, not
11 knowing the data input or the computer modeling,
12 it sort of defied common sense that this one --
13 one in particular radial would be -- would be off
14 by 9.7 degrees. When -- if I may use the map
15 behind you, ma'am?

16 CHAIRMAN GREEN: Sure.

17 MR. RODERICK: And I'm wobbly because of

18 brain surgery. I'm not drunk.

19 CHAIRMAN GREEN: Careful.

20 MR. WUELLNER: There's a pointer right

21 there, too.

22 MR. RODERICK: Oh, I've got my own.

23 Military training.

24 MR. COX: This one's an Army one, John.

25 Yours is an Air Force.

118

1 MR. RODERICK: That's right. This works
2 better. That's the radial we're talking about
3 (indicating). And just a reasonable person would
4 see that it's clear of obstructions either way,
5 which made us wonder -- question the entire
6 report, based on that one aspect.

7 And I -- one of the aspects you look at with
8 high frequency radio is multipath propagation.
9 If this was unobstructed water, that could be an
10 issue, but it's not unobstructed, as we all know.
11 It's full of marsh grass and changes constantly
12 with the season.

13 So, based on that, we feel that the people
14 who put forth this report should defend it and
15 explain it to us before we do anything else.

16 MR. COX: Good point.

17 CHAIRMAN GREEN: Thank you.

18 MR. RODERICK: Thank you.

19 CHAIRMAN GREEN: Any other public comment?

20 Okay. We'll close public discussion. Board

21 discussion, Mr. Gorman.

22 MR. GORMAN: Yes. To answer

23 Mr. Martinelli's question about the VOR and

24 the -- and the Taxiway B. Taxiway B is a good

25 project and needs to be eventually finished.

119

1 However, I think the whole thing is just

2 suffering from lack of planning. In other words,

3 if we had a VOR, which has been useful, which

4 provides guidance, at 2,000 feet, you drop off

5 the radar; you have no guidance until -- unless

6 you're going to intercept that ILS at 2,000 feet.

7 So, Taxiway B is a good project, but it

8 wasn't planned of course in -- in a coherent

9 effort, only because people didn't understand

10 that the VOR would go away. And it is -- I don't

11 think that actually the government funds will go

12 away, and I don't think that the Taxiway B

13 project is a bad project.

14 But I think the whole thing just needs to be

15 planned in one concert so that you've got the VOR

16 either reapproved in the original spot and you
17 run the taxiway below it, or you move the VOR and
18 you run the taxiway straight or whatever. But I
19 mean -- in other words, plan this whole thing in
20 concert and do the whole thing in concert, rather
21 than, you know, rush to do something here.

22 By the way, at the last meeting, I
23 understood from Mr. Wuellner that -- that we were
24 going to worry about a breach of contract because
25 we had a in-place contract for Taxiway B. Now I

120

1 understand that Taxiway B's been held up for the
2 VOR, and that wasn't the vote of the board. I
3 did propose that, but that was not the vote of
4 the board.

5 However, to answer your question, I think it
6 is a good project, but I think that it's -- when
7 we get all of the pieces of the puzzle in line,
8 that it can go forward in concert with the other
9 project, which is relocation, or keeping it in
10 the same place, if it's the only place that the
11 FAA will certify it.

12 MR. MARTINELLI: I can't respond, can I?

13 CHAIRMAN GREEN: No, sir. We've closed
14 public discussion. Any other board discussion?

15 The only comment I have is about the
16 contract. My understanding, we have a contract
17 which says they must perform their portion, which
18 is submit the bonds and make sure we have them
19 prior to us being responsible for performing
20 anything.

21 So, at this point in time, by looking into
22 the VOR, we're not going to be out of contract,
23 but we requested Mr. Wuellner to make sure of
24 that, that we would not be out of contract and
25 any liability of the board. And I think that's

121

1 what he's telling us, that in a contractual
2 performance situation, they have to perform
3 before we have to. And we have till the end of
4 March?

5 MR. WUELLNER: We've given them that as an
6 arbitrary date --

7 MR. GORMAN: Okay.

8 MR. WUELLNER: -- to try and get there. If
9 they're not going to be able to do that and they
10 can notify us sooner, we can even begin the
11 process of rebidding it so that it's -- because
12 that process will take several months.

13 CHAIRMAN GREEN: And again, my only concern

14 is, if we can at all move up our agenda, looking
15 to where the VOR should be located or relocated,
16 that we do not lose those funds we worked so hard
17 to get the last couple of years.

18 MR. GORMAN: Exactly, to plan this whole
19 thing in concert, to get the whole thing to work
20 in concert so that you're moving things, they're
21 planned, you're not losing funds, and you're --
22 if you have engineering changes, they're done in
23 concert with other changes. Thank you. That's
24 obviously the best --

25 CHAIRMAN GREEN: I think that's what we

122

1 make -- we need to make sure that we have enough
2 notice that we're doing things timely, not to
3 lose those funds.

4 Any other board discussion on project
5 updates? Okay. We'll close that, and we'll go
6 to Authority member comments.

7 8.A. - Ms. Suzanne Green

8 CHAIRMAN GREEN: And my comment I think I
9 alluded to in the beginning is every one of the
10 members has provided me their evaluation for the
11 Executive Director's employment contract. And
12 there were some comments as well, and also some

13 comments from our Executive Director as maybe his
14 input on his contract.

15 What I would like to do is disseminate that.
16 I've made some copies, but did not have time to
17 incorporate Mr. Wuellner's comments. And I want
18 to disseminate that all to the board for their
19 review so that they can be fully informed, put it
20 as an agenda item next meeting so that we can all
21 discuss it and that we know what our concerns
22 are.

23 And I think we've been provided, if you
24 haven't, a copy of the current employment
25 contract and job description. And if you

123

1 haven't, just let Christine know. We'll make
2 sure that's all in the packet.

3 And the other thing I had was we needed a
4 special meeting date? Did we decide on April 7?

5 MR. WUELLNER: The 7th is fine.

6 CHAIRMAN GREEN: And a time?

7 MR. WUELLNER: You need a time, if the 7th
8 is fine.

9 MR. COX: That's the last day of Sun `N Fun.

10 CHAIRMAN GREEN: Means you have to fly back.

11 MR. WUELLNER: Okay. So, we're looking at a

12 date and a time, apparently.

13 MR. COX: That's fine.

14 CHAIRMAN GREEN: How long do we anticipate
15 this meeting?

16 MR. WUELLNER: It's really up to you five.
17 You've got to shorten however many you get down
18 to three or four, I would suspect. You know --

19 MR. GORMAN: The meeting doesn't have to
20 be --

21 MR. WUELLNER: -- if you come prepared, it
22 doesn't have to be that long.

23 MR. GORMAN: The meeting doesn't have to be
24 conclusive at that time, does it?

25 MR. WUELLNER: No.

124

1 CHAIRMAN GREEN: No, no. I would think it's
2 for us to be educated to look at --

3 MR. GORMAN: Sure. That's fine.

4 CHAIRMAN GREEN: -- and kind of weed
5 through.

6 MR. WUELLNER: The intent is at the end of
7 that meeting, you should have whatever firms you
8 want to interview at the regular meeting. So,
9 that three or four firms, you should be able --
10 if you can get to there, that's as far as you go.

11 CHAIRMAN GREEN: Okay. I'll entertain a
12 date, since there is some objection to the 7th.

13 MR. COX: No, no. The 7th's good.

14 MR. GORMAN: Afternoon or evening, just --
15 afternoon or morning?

16 MR. COX: Afternoon.

17 MR. GORMAN: 2 p.m.?

18 MR. COX: Can I get back? Yeah, that's
19 fine.

20 CHAIRMAN GREEN: A motion to have it at 2
21 p.m. on the 7th?

22 MR. GORMAN: Seconded.

23 CHAIRMAN GREEN: Okay. A discussion? The
24 only discussion I have is I cannot be there.
25 Business hours during the day are almost

125

1 impossible for me with court appearances. So, I
2 mean, I don't want to -- it's going to be
3 difficult just about any day during the schedule
4 hours.

5 MR. COX: Well, I have a court appearance in
6 Lakeland.

7 CHAIRMAN GREEN: At Sun `N Fun?

8 MR. WUELLNER: You can do it in the evening,
9 I mean, if that's --

10 CHAIRMAN GREEN: Four o'clock would be --

11 MR. GORMAN: Four o'clock would work for
12 you?

13 CHAIRMAN GREEN: Yes, because --

14 MR. GORMAN: You -- you're the Chairman.

15 CHAIRMAN GREEN: -- most of the court
16 hearings are all morning into afternoon.

17 MR. COX: That's actually better.

18 CHAIRMAN GREEN: Is that 4 o'clock? Can I
19 amend your motion then to make it 4 o'clock?

20 MR. GORMAN: Please, amend it. Yes.

21 CHAIRMAN GREEN: As the motion's presented
22 and amended, we'll have a special meeting April
23 7, commencing at 4 p.m., to look at the proposals
24 for the -- engineering firm?

25 MR. WUELLNER: Correct.

126

1 CHAIRMAN GREEN: Do I have a second?

2 MR. COX: Second it.

3 CHAIRMAN GREEN: Any more discussion?

4 (No discussion.)

5 CHAIRMAN GREEN: All in favor?

6 MR. CIRIELLO: Aye.

7 CHAIRMAN GREEN: Aye.

8 MR. GORMAN: Aye.

9 MR. COX: Aye.

10 CHAIRMAN GREEN: All opposed?

11 (No opposition.)

12 CHAIRMAN GREEN: Okay. And that's all the
13 comments I have. Mr. Ciriello?

14 8.B. - Mr. Joseph Ciriello

15 MR. CIRIELLO: Yes, Madam Chair. Thank you.

16 I've been crunching some numbers on our self-fuel

17 facility that -- and I've had meetings with Ed.

18 I would like to get through all my numbers before

19 I get interrupted. But Ed sets the price

20 according to a formula that the board approved.

21 Of course, I don't know what the formula was, but

22 in any case, you always have to have a starting

23 point.

24 So, our first load of fuel was on 5/28/02,

25 7,839 gallons. We paid \$1.24.8 or 1.24.8 for the

127

1 gas. So, if you times the price per gallon by

2 the gallons, it comes out to \$9,798 and some

3 cents. So, now if we sold all that gas at \$2.05,

4 it comes out to \$16,069 and some cents, a

5 difference of \$6,271 that we should have

6 theoretically made. So, that's our jumping-off

7 point.

8 Now, our second load of gas, almost three
9 months later, was 7,896, just a few gallons more.
10 We paid \$1.27 a gallon for it. So, in effect, we
11 paid \$174.50 more for the second load than we did
12 the first. And we still charged the \$2.05. So,
13 if you take the \$2.05 by the gallons, it comes
14 out to \$10,027 that we paid for it, \$16,186 that
15 we should have made, you know, I mean, by selling
16 it, for a difference of \$6,158 and some cents.
17 We paid more for the gas and we made a few
18 dollars less by charging the same price.

19 Now, our third load of gas on the 11/18,
20 almost three months later, another 7,900 gallons,
21 we paid \$1.28 a gallon. So, if you times that
22 \$1.28 a gallon by what we got, it was \$10,276 we
23 paid for it.

24 If we sold it all at \$2.05 again, without
25 any increase, it came out to \$16,330. You

128

1 subtract those, you come out with \$6,054. So, we
2 made less on the third load than we did the
3 second load and we paid more for it. Actually, I
4 have here that the difference on the second load,
5 there's \$174 difference. On the third load, was
6 \$142.

7 Now, our fourth load was on 1/10, which is
8 approximately three months again, 8,000 gallons
9 at \$1.38, which is about a 10-cent increase. So,
10 we raised the price of our gas 4 cents. It cost
11 us 10 cents, but we raised it 4 cents to \$2.09.

12 So, the cost to us over the previous load
13 was \$809, and if you take the 4 cents off of that
14 because we raised the price of the gas, it still
15 comes out to \$320. It's a piddling amount, but
16 the three loads, I say we ate \$637. We
17 subsidized \$637 to the customers.

18 But when you take the fourth load at 8,000
19 gallons at \$1.38 a gallon, it comes out to
20 \$11,129. When we sold it all, we come out with
21 \$16,734, for a difference of \$5,604, which is
22 less than the previous load we paid more for.

23 Now, I told Ed that I'm disappointed in the
24 formula we have, that I don't think we should
25 ever, when we buy gasoline, if we pay even a

129

1 penny more for it than the previous time, then
2 something should go up with our fuel.

3 When we kept the price at \$2.05 for three
4 loads of gas, when each load cost us more money,
5 in a business, that's bad business. And if this

6 was a volume thing now where we were selling a
7 tank of gas a week, you know, 8,000 or 7,000
8 gallons a week, that would be a different story.

9 But when you're selling 8,000 gallons of gas once
10 every three months -- how much gas do you guys
11 sell? I mean, how often do you get 8,000
12 gallons?

13 MS. ANDERSON: Every three, four weeks.

14 MR. CIRIELLO: Once a month. And we're
15 getting once every three months. So, our volume
16 really isn't that great. We're not -- we're not
17 making money hand over fist.

18 But just the principle of the thing, from
19 our first load to the second, third, and fourth,
20 we made less money for ourselves while we were
21 giving the customers one terrific break, at \$2.05
22 for three times and a lousy \$2.09 for the fourth
23 time.

24 And I want the formula changed if the board
25 will go along with it. Ed and I discussed it.

130

1 He showed me three different ways. And the one
2 way would be, the way I feel, that every time we
3 pay more, our cost for the gas, it's going to go
4 up at the pump, no matter how small. And if it's

5 less, then it will go down. And I don't like the
6 formula we're using, whatever it is. And that's
7 what I want to see the board change.

8 CHAIRMAN GREEN: Do you want to make --

9 MR. CIRIELLO: I brought my figures; now,
10 you can do what you want with them.

11 CHAIRMAN GREEN: Well, no. Do you want to
12 make -- I think it would be an agenda item,
13 because I think we'd all need to discuss what the
14 formula is and how to readdress it. So, if
15 that's the case, we can -- depending on -- I'm
16 not sure what's on the agenda already for the
17 next month's meeting, but we could put it on
18 there so Mr. Wuellner --

19 MR. CIRIELLO: Now, wait a minute.

20 CHAIRMAN GREEN: -- can present the
21 formulas.

22 MR. CIRIELLO: I asked Ed the question. I
23 don't remember the answer he gave me. But I
24 don't know why, if he's setting the price, he
25 can't just automatically, without us having to

131

1 make some kind of a change in the formula or
2 anything, when he knows he has to pay more for
3 the gas, he just can't go ahead and make the

4 price of the gas reflect that.

5 Why do we have to take any special -- in
6 other words, you're talking putting it on next
7 month's agenda and talk about it, and by that
8 time, we're going to get another load of gas in
9 and it's going to be down where we're losing
10 money, and I want the price to go up right now,
11 just like the gas stations out there with the
12 cars.

13 I don't think it's fair for anybody, not the
14 customers now, not our customers, but anybody to
15 be buying this gas at that price, when everybody
16 else is suffering with it higher. I know the
17 pilots love it, but I don't like it.

18 CHAIRMAN GREEN: Mr. Wuellner, refresh our
19 memory, but did we not have a -- either a
20 resolution or something that the board passed --

21 MR. WUELLNER: You have a policy that we
22 administer relative to the pricing of it, which
23 is simply, it was this board's decision to use an
24 averaging method of the retail price. It's not a
25 function of what goes on at wholesale.

132

1 There are going to be times when the margin
2 is much better than others based on that average

3 method. There are other methods that would base
4 it on wholesale, but that's not what is currently
5 in place.

6 CHAIRMAN GREEN: So, if we needed to change
7 that policy, it has to come before this board.

8 MR. WUELLNER: Well, yeah. I mean,
9 otherwise --

10 MR. CIRIELLO: Why couldn't we just do it?

11 CHAIRMAN GREEN: Because it's not an agenda
12 item right now, Mr. Ciriello, and we need to have
13 the --

14 MR. CIRIELLO: Well, you allowed me to speak
15 on it. It's an agenda item.

16 CHAIRMAN GREEN: Absolutely. Absolutely.
17 It's a public comment --

18 MR. CIRIELLO: We can do whatever I ask.

19 CHAIRMAN GREEN: It's a comment item that
20 you've brought up and now it needs to be brought
21 up before the board so that we can vote on a new
22 policy and whatever types of other pricing that
23 are out there, accepting your approach, which
24 might be a good thing, to maybe look at it
25 differently now.

1 MR. CIRIELLO: My goodness. When the

2 taxpayers are subsidizing putting gasoline in
3 people's airplanes, plus they're doing it on ad
4 valorem taxes, I don't think it's a good thing at
5 all. We're shafting the taxpayers.

6 MR. WUELLNER: I have tried to make the
7 point about a dozen times, that we're dealing
8 with the aspect of the profit margin, not the
9 cost.

10 CHAIRMAN GREEN: Right.

11 MR. WUELLNER: The cost of the fuel is more
12 than covered in the sales price, as well as all
13 the costs associated with the sale.

14 MR. CIRIELLO: I don't understand it, Ed.
15 If we're paying more for it and -- and I don't
16 even see what difference it makes what other
17 airports around us are doing. That's their
18 business.

19 MR. WUELLNER: That's your call, not mine.
20 I'm just doing what --

21 MR. CIRIELLO: Well, I understand. I'm not
22 fighting with you, Ed. I'm not fighting with
23 you. Don't get me wrong. I know that you're
24 doing what we told you, but it --

25 CHAIRMAN GREEN: Let me -- this is our time

1 for comment, and I'm going to -- Mr. Cox is next

2 and then --

3 MR. GORMAN: I want to be brief, too,

4 because I think it's going to be a bit of a

5 discussion.

6 CHAIRMAN GREEN: Mr. Cox? For just your

7 comment for the end of the meeting?

8 8.D. - Mr. Cox

9 MR. COX: Sun `N Fun -- no. I'm curious

10 about something, if I may ask a question. Mike,

11 you said something about the ramp not being

12 completed early on in your first comments. Brief

13 me on that, because I'm not -- I'm not sure I

14 know exactly what it is we're dealing with.

15 MR. SLINGLUFF: Well, I think the -- the

16 goal was to have the ramp, the construction area

17 cleared and the ramp paved before TPC.

18 MR. COX: So...

19 MR. SLINGLUFF: This is not happening now.

20 MR. COX: Why? What's going on?

21 MR. WUELLNER: Multiple -- multiple things.

22 Some of the construction work that was done and

23 covered, in particular one of the items that's

24 kind of driving the schedule here, is the -- in

25 order to do the paving work, the flight school

1 needs to be relocated into the first-floor
2 building. A portion of the underground utility
3 work goes underneath that building. So, it needs
4 to get out of there.

5 One of the problems in getting them into the
6 new building is the -- the water supply in the
7 new -- in the new terminal work. One of the
8 lines that was built as a part of Phase I and
9 paved over has a problem relative to
10 pressurization. When they pressurized it last --
11 I believe it was last week, may have been early
12 the follow -- end of the previous week --

13 MR. THOMPSON: Last week.

14 MR. WUELLNER: -- it failed to hold
15 pressure. It will hold and then it residually
16 drops off, which indicates a leak in the pipe.
17 They are working on trying to find out where that
18 is. That has an impact on getting the service,
19 the water service turned on to the first floor.

20 The majority of the first floor is done. I
21 mean, it's probably 99.9 percent. There's
22 some -- some miscellaneous edge trim kind of
23 stuff going on right now; otherwise, it's -- it's
24 pretty much ready to go.

25 The other secondary issue is two-fold: One,

1 the water -- or the weather has set back the
2 finalization of the sewer installation that was
3 all underground in the area of the flight school,
4 which has kept that a perpetual mess over the
5 last, gosh, seems like forever, I know to them,
6 in the area of the flight school trailer right
7 now.

8 The third and side issue is that during
9 construction of Phase I, soil testing was done in
10 the area of some of the excavation, and it
11 determined that a higher-than-acceptable limit of
12 the -- the item arsenic was found in the soil, an
13 item common to Florida soil. However, the levels
14 were above that which is normally tolerable.

15 Testing was done in the vicinity of where
16 the pipe ran and some remedial requirements put
17 there. With the extension or the change in
18 direction of the -- of the fire line on the apron
19 side in order to accommodate a revised Phase II
20 out there, which is just simply a -- I don't
21 guess about 20 foot of change in the pipe
22 location, prompted the err on caution that they
23 do some additional soil borings along the route
24 of the pipe, so that if anybody handling that
25 soil, would be taking appropriate measures when

1 they did, and disposal would be done accordance
2 to DEP and EPA. All of those things take a
3 little bit more time than the schedule allows for
4 them --

5 MR. COX: Is there any way through
6 brainstorming we can reconcile the ramp before
7 TPC at all?

8 MR. WUELLNER: Well, what I proposed to kind
9 of Tracine on the way out, there's no way to
10 physically use the property, but there's a way we
11 think -- we're going to go on -- go ahead and
12 remove the fence along the area of the paving,
13 relocate the barrier slightly there, which should
14 allow some tail-end parking to some of that area.
15 I don't know that it's going to gain them a lot,
16 but it may give them a little more ramp
17 flexibility during PGA.

18 We also, at a meeting earlier today, an
19 operational kind of meeting, we expressed to them
20 that we will certainly cooperate in closing as an
21 example runway 2/20 to facilitate additional
22 parking or anything that we can do operationally
23 to give them some flexibility.

24 MR. COX: That will give us some

25 flexibility, won't it, or some --

138

1 MR. WUELLNER: It doesn't solve it. It's
2 not ideal.

3 MR. COX: Heavy metal stuff?

4 MR. WUELLNER: It's, you know, certainly not
5 the best case, but...

6 MR. COX: Okay. Another comment I had on
7 the web site issue, which is I've -- I've been a
8 strong proponent for the web site, even before
9 the Airport Authority thing.

10 I'd -- I'd really like to see -- we haven't
11 said -- in our web site, I couldn't find
12 anything, but there is nothing about our
13 businesses on the field. I'd like to see a link,
14 and it can be a common link, that would open up a
15 page which would have links to all the businesses
16 on it, if we could. And just say, Businesses On
17 The Field, whatever.

18 MR. WUELLNER: It's coming. It's coming.

19 MR. COX: It is coming.

20 MR. WUELLNER: You'll basically be able to
21 use the map where it pops up the name of the
22 businesses.

23 MR. COX: Right.

24 MR. WUELLNER: You'll be able to just click
25 that as a link.

139

1 MR. COX: And whatever link to their web
2 page, if they have a web page or whatever they
3 want to put on there. And I just really strongly
4 have to reiterate that if we change our meeting
5 schedule, because this meeting schedule's been
6 changed to the 10th for several weeks, but nobody
7 knows about it, and I've had half a dozen people
8 call and, "Good grief, I didn't know it was
9 today."

10 So, we have got to change our meeting
11 schedules on the web site, which is one of the
12 reasons I was a strong proponent of the web site,
13 so that the public knows that the meetings are
14 going on and have access to the information. So,
15 let's please try to get that, the meeting
16 schedules changed.

17 And the last comment is I do want to be on
18 an e-mail web -- you know, a web page there so we
19 can -- and don't have them send it to our
20 personal e-mail. I want to be able to go in the
21 web site and get our e-mail.

22 MR. WUELLNER: That's how it works.

23 MR. COX: That's -- thank you. I'm
24 finished.
25 CHAIRMAN GREEN: Thank you. Mr. Gorman?

140

1 8.E. - Mr. John "Jack" Gorman
2 MR. GORMAN: Real quick, because I think
3 Joe's got a valid point. He wants cost plus, and
4 Mr. Wuellner now has it set with a marketing. In
5 other words, you have an area and you -- and
6 because people buy on price, he's doing it on a
7 marketing issue, and the margins vary. And
8 that's what Mr. -- we do need to discuss that,
9 and Mr. Ciriello has a valid point. But it takes
10 a while to discuss it.

11 MR. COX: It's just a different way of
12 pricing --

13 MR. GORMAN: Exactly.

14 MR. COX: -- but we are not subsidizing
15 anybody by any means. We're making over 80 cents
16 a gallon.

17 MR. WUELLNER: It's not near that number,
18 but it's in the area.

19 MR. COX: Well, I mean, at the prices he was
20 talking about, if we were selling it for --

21 MR. WUELLNER: I wish.

22 MR. COX: -- if we're selling it for a
23 dollar -- if we're getting it for \$1.24 and
24 selling it for \$2.05, that's close. But, anyway,
25 whatever, we're making money.

141

1 MR. WUELLNER: I'd be selling it to them if
2 I were getting it for that price.

3 MR. COX: Well then, where am I off with the
4 24 --

5 MR. WUELLNER: The current -- the current
6 price is -- the current wholesale is like a
7 dollar sixty-ish.

8 MR. CIRIELLO: You go out and tell anybody
9 that runs a store or a business that when they
10 pay more for their wholesale goods one time or
11 they pay a price for it, and then the next time
12 they pay more for it, that they don't need to
13 raise their prices, that they're not subsidizing
14 or giving to their customers a break because they
15 don't raise their price.

16 I don't understand your guys's line of
17 thinking that we're not losing anything. Yeah,
18 we're not losing anything; we're making a few
19 bucks. But when you make less and less and less
20 on each load, that's bad business. And tell me

21 it isn't.

22 CHAIRMAN GREEN: Okay, Mr. Ciriello, thank

23 you for your comment. Mr. Gorman, it was your

24 time to make any further comments.

25 MR. GORMAN: That's fine. It just needs

142

1 further discussion.

2 CHAIRMAN GREEN: And I -- Mr. Ciriello

3 didn't mention it, but I think it does need to be

4 put on the agenda. Because of the policy we had

5 accepted as a board before, it needs to be

6 discussed as a board again. And I suggest with

7 the market approach, whatever, cost plus, that

8 needs to be addressed at that time, that we

9 definitely look at it and see what we can do

10 about the self-fuel.

11 MR. COX: I would proffer a motion then to

12 make that an agenda item.

13 CHAIRMAN GREEN: I don't think we even need

14 a motion. We just tell him to do it.

15 MR. COX: Put it on.

16 CHAIRMAN GREEN: Any other public comment

17 tonight before we adjourn? Yes, sir.

18 9. - Public Comment

19 MR. UPCHURCH: My name is Hamilton Upchurch.

20 I'm an attorney, 780 North Ponce de Leon
21 Boulevard.
22 Lady and gentlemen of the Authority, you've
23 been most patient in -- throughout a long agenda.
24 I thought that my issue would be an agenda item.
25 It's one that George McClure and I have been

143

1 discussing for a week or ten days.
2 But I represent Mr. Mike Sasich, who is the
3 tenant in hangar number M-10, and he has been
4 made a defendant in a landlord/tenant action.
5 And as a result of that, he got back to town,
6 retained counsel, and through my conversations
7 with Mr. McClure -- I think Mr. Burnett's
8 familiar with it, but through my conversations
9 with Mr. McClure, we were able to pay the back
10 rental and the eviction be stayed pending this
11 meeting till such time as I can ask this board,
12 with good reason that I will give you, to reverse
13 the action of your Executive Director as to this
14 particular tenant, this particular hangar.

15 And if I may proceed, I'll make it as
16 rapidly as I possibly can.

17 CHAIRMAN GREEN: I -- I think your comment
18 could be accepted, but the problem is I'm not

19 sure we're in any way, shape, or form, in an
20 ongoing litigation, to make any board direction
21 to cease any action without our counsel and
22 conferring with our counsel on a pending
23 litigation.

24 But I think for public comment, by all
25 means, you can tell us your position. But, one,

144

1 it wasn't an agenda item, and we don't have the
2 information; and, two, I don't think we can
3 direct our attorney right now where we might have
4 confidential attorney/client privilege comments
5 with our attorney for litigation.

6 MR. UPCHURCH: Ms. Green, I know you are a
7 distinguished attorney, yourself, and everything
8 you say is correct. But I think we probably
9 dignify this issue when we start talking about
10 attorney/client confidentiality. We paid the
11 rent.

12 CHAIRMAN GREEN: I am not privy to the
13 eviction lawsuit, sir. We have not been given
14 that. We leave that in the hands of our counsel
15 who we employ. And I would not want to step on
16 that counsel's toes without having the full
17 information. But I think you can tell us, by all

18 means; if this is your forum to give us

19 information.

20 MR. UPCHURCH: Let me tell you what I've got

21 on my mind; how about that?

22 CHAIRMAN GREEN: That's fine.

23 MR. UPCHURCH: Then I'm sure there may be a

24 question or two.

25 The basis, as I understand it, for the --

145

1 asking Mr. Sasich to leave the hangar that he

2 rented, since it's one of the new ones and he's

3 had it since it was brand new, was his rental

4 payment history and the way he was using the

5 hangar. I think to understand that issue, it

6 helps to understand a little bit of the

7 background of the man that we're dealing with, my

8 client.

9 He's a 45-year-old gentleman, originally

10 from Montana, been in St. Augustine some seven or

11 eight years. And he came here by way of

12 Washington State where he was in the yacht

13 rigging and yacht consultation business. His

14 occupation now is marine and air -- aircraft

15 consulting, and he has set up that business.

16 Aircraft consulting primarily is where a

17 company wants to say buy a corporate jet, they
18 would retain his services, and he would work out
19 the numbers, work with their budget as to whether
20 it would -- they could afford it, what it's going
21 to cost them, how they locate pilots, how they --
22 and the thousand and one questions that a company
23 may have. I'm making this as quick as possible.
24 So, that's what he's been doing.

25 Also as a hobby, he has built -- and it's

146

1 hard for me to believe, because I know how long
2 it takes one person to build one airplane, but in
3 his career, has built 42 airplanes from scratch,
4 and not all in St. Augustine, I might add, but in
5 his career, and has refurbished or restored three
6 WarBirds.

7 He enjoys over 10,000 hours as a ATP pilot,
8 and in addition, he's past president of the
9 Montana Pilots Association, past secretary of the
10 Montana Antique Aircraft Association. He's
11 president -- he's former president of Chapter 57
12 of EAA in Montana. He is a member -- has been a
13 member of the Montana Airport Authority or
14 Aviation Authority, the Billings, Montana Airport
15 Authority. He's listed in Who's Who In -- Who's

16 Who in Corporate America. He enjoys a B.S.
17 degree in astrophysics geothermal dynamics --
18 don't ask me what that is -- and also a degree in
19 business administration from Montana State.

20 Now, let me address just the rental history.

21 As I said, he has been there from the beginning
22 of this hangar when it was first leased. He took
23 a job in the Bahamas in aviation and marine
24 consulting. He went out there and moved his
25 boat. It's large enough for him to live on and

147

1 he moved out there and started his work out
2 there.

3 That job did not pan out for reasons that
4 don't pertain to this issue. He started back to
5 bringing his boat back from the Bahamas. And his
6 rent was paid through October of 2002. He
7 started back from San Salvador, and somewhere
8 south of Cat Island, which is a hundred miles
9 southeast of --

10 UNIDENTIFIED SPEAKER: Eleuthera.

11 MR. UPCHURCH: Eleuthera, thank you.

12 He lost the engine in the boat to such an
13 extent that it was not repairable and the entire
14 engine had to be replaced. He -- at that time,

15 was able to sail into a small marina and for --
16 he had no telephone whatsoever. He hitched a
17 ride 30 miles to the nearest telephone and to
18 notify his family that he wasn't out there at sea
19 lost somewhere.

20 And he made three telephone calls, one to
21 his in-laws, who live in St. Augustine, his
22 wife's parents. She was with him, so they were
23 naturally worried about her, if not him. He
24 called the place where he could buy another
25 engine. And he called Bryan Cooper. He called

148

1 for Ed, and Ed -- excuse me, Mr. Wuellner.

2 Mr. Wuellner was not available. He talked to
3 Bryan Cooper.

4 Now, he was concerned because he knew he was
5 going to be out there a while. He had, by his
6 estimation, \$250,000 worth of tools and equipment
7 and other things in the hangar that he wanted to
8 protect. And to pay his rent, he offered to
9 Mr. Cooper a credit card or to have his parent --
10 his in-laws come down and pay the rent, because
11 they were here in town.

12 And he, Mr. Cooper told him, "Don't worry
13 about it; pay it when you get back," because he

14 knew he was on the way back. But nobody knew at
15 that time that it would take him some 90 days to
16 order an engine, have it delivered to this little
17 island in the Bahamas, and then for he and his
18 wife to physically install it in the -- in the
19 boat and then get the boat back to St. Augustine.

20 So, what -- so far as the rental payment is
21 concerned, that is a pure case of bad -- sheer
22 bad luck, and but for that, the rent would have
23 been current.

24 Now, he's got a pay record for some -- well,
25 since the hangar was new, whether it's two years,

149

1 whatever it was -- of not paying every month.
2 He'd pay for -- he paid in advance for six
3 months, because his job takes him here and there
4 and he's not here all the time, and then it would
5 go two or three months delinquent, he'd pay it
6 up, and then he would -- that was the pattern.
7 It was not a regular monthly payment.

8 But every two or three months -- he'd get
9 behind every two or three months and make it
10 current. And that was acceptable. It's not in
11 accord with the lease, but it was acceptable by
12 the Airport Authority persons. And we in law

13 have a term for that. That's called forbearance.

14 But anyway, I ask you to look at the record.

15 And forbearance is nothing but a waiver. And I
16 suggest to you that the problem that he faced was
17 not of his own doing and it took a substantially
18 longer time than he anticipated.

19 He's coming up the inland waterway, finally
20 getting back to St. Augustine, and heard that an
21 action had been filed against him. He took the
22 liberty of calling one of the attorneys that
23 handles that matter for you. I think his name is
24 Riley Williams, but I'm not sure of that. But in
25 any event, I don't think he's with your firm,

150

1 Mr. Burnett. Probably with the firm in Orlando.

2 Anyway -- and he told him that he better get
3 back here because they had attached his property
4 and it was about to be sold. So, he hastened
5 back and paid over \$2,000 in back rental and
6 double rentals, which is provided by statute, but
7 which we have reached an agreement with reference
8 to waiving that.

9 Now, the other ground for asking him to
10 leave was that the hangar was not being used for
11 aviation. Now, I suggest to you that aviation is

12 a very vague and broad and general term.

13 Now, we would be here till this time in the
14 morning trying to define specifically what
15 aviation is. I think it's kind of like
16 pornography; we all know what it is, but it's
17 hard to define. That's what the supreme court
18 said about it. But in any event --

19 CHAIRMAN GREEN: I think it was "I know it
20 when I see it," or something like that.

21 MR. UPCHURCH: That's it. Well, you're
22 closer to the supreme court than I am. But, he
23 has used his hangar to assemble three airplanes
24 since the new hangars have come on, assembled
25 there. But parts are -- were fabricated other

151

1 places. But he would assemble the aircraft here
2 and has parts now in the hangar to assemble
3 another one. These are Christen Eagles, which is
4 a biplane a little bit larger than a Pitts.
5 They're a popular acrobatic plane.

6 Now, in addition, there are -- or there
7 were -- it's all been removed now, but there was
8 a car, a -- an exotic sports car, antique, that
9 he had in there. There was also, to accommodate
10 his boss that had taken him down in the Bahamas

11 and kind of shafted him down there, he had some
12 furniture, dining room furniture he let the boss
13 put in there. And I agree with you, that that is
14 not aviation purposes. But the problem is none
15 of that was intended to stay as long as it did
16 because of the hardship that he had. It stayed
17 that way because of the hardship that he had.

18 Now, the automobile is out. The furniture
19 is out. Now, he's got a world of tools in there,
20 but he's the guy that -- that needs and uses a
21 great many tools, and he's got a number of
22 aircraft manuals, bookcases like you have here,
23 or storage boxes like those in front, where he
24 keeps extensive manuals on airplanes that he
25 would construct.

152

1 He recognizes the rule that you have, that
2 it be -- hangars be used for aviation purposes,
3 and respects that. But I suggest to you that if
4 he is evicted from his hangar because it's not
5 being used for aviation purposes, that is
6 selective enforcement. Another word for
7 selective enforcement is discrimination.

8 Now, I've been around this airport since the
9 first hangar. Mr. Richbourg built it there

10 before World War II. And every hangar that I've
11 ever been in just about has items in it that are
12 not aviation.

13 I'm not trying to blow the whistle on any of
14 my colleagues that enjoy a hangar here on this
15 airport, but I can take you to hangars where
16 there's a fireplace, a fake fireplace -- they
17 don't build fires in it, I don't think. Where
18 there are televisions, where there are sofas,
19 where there are beds, where there are hammocks,
20 where there's every conceivable kind of kitchen
21 appliance, air conditioners. This is a great
22 one: And unless bears can fly, I can take you to
23 where there's some stuffed bears, some antelopes.

24 What it is, I suggest, is domestic
25 tranquility. This stuff was in these guys'

153

1 garages, and to keep domestic tranquility, their
2 wife told them get the damn stuff out of the
3 garage or the attic or the living room, or it is
4 the refuge of a divorce. He lost the house and
5 he has to take all his gear and go somewhere, so
6 he puts it in his hangar. Now, I know I sound
7 like I'm exaggerating, but this is true. This is
8 true.

9 There are automobiles in hangars right here
10 today. There are business records. I can show
11 you where there's some snow skis. You know, if
12 it gets cold, I can get you some skis right here
13 on this airport. And small boats and all sorts
14 of things that are not aviation.

15 So, I say to you, if you want to put one
16 person out of his hangar, put us all out, because
17 we just about all are responsible or in violation
18 of the lease.

19 Now, in conclusion -- well, I've just about
20 said it all. He had the bad luck, and there's
21 been forbearance of his irregular rental payment.
22 And he has gotten these things out. Now I can
23 say his hangar would pass muster right now.

24 But please don't single out one man. This
25 man, I hate to use the term, but he knows better

154

1 now, and I suggest to you that if you will renew
2 his lease until October when all the leases come
3 due again to 2003, 2003 of October, that he'll be
4 an exemplary tenant during this period of time.

5 If he's not, he'll go quietly. I'm asking
6 you to understand the situation he finds himself
7 in. He no longer has the job in the Bahamas.

8 He'll be here and would just like to keep his

9 hangar. I'll be glad to answer any questions.

10 CHAIRMAN GREEN: Thank you. It's public
11 comment time. And I think -- I thank you for
12 your comment. And if -- if our attorney wants to
13 bring it up with us, we can. I don't -- I don't
14 think is a proper forum to try the eviction case
15 right now for whatever reasons. But when we get
16 the comment from our attorney, I think that would
17 be fine. Any other public comment tonight?

18 (No further public comment.)

19 10. - Next Regular Board Meeting

20 CHAIRMAN GREEN: Our next regular board
21 meeting is April 21. The special board meeting,
22 I will remind everybody, is April 7, the board.
23 And those are at 4 o'clock. I'll adjourn the
24 meeting.

25 (Whereupon, the meeting adjourned at 6:49 p.m.)

155

1 REPORTER'S COURT CERTIFICATE

2

3 STATE OF FLORIDA)

4 COUNTY OF ST. JOHNS)

5

6 I, JANET M. BEASON, RPR-CP, RMR, CRR, certify that I

7 was authorized to and did stenographically report the
8 foregoing proceedings and that the transcript is a true
9 record of my stenographic notes.

10

11 Dated this 30th day of March, 2003.

12

13

JANET M. BEASON, RPR-CP, RMR, CRR
Notary Public - State of Florida
My Commission No.: DD102224
Expires: April 30, 2006

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