

ST. AUGUSTINE - ST. JOHNS COUNTY AIRPORT AUTHORITY

Regular Meeting

held in The Conference Center, Meeting Room B

4730 Casa Cola Way

St. Augustine, Florida

on Monday, November 18, 2019

from 4:00 p.m. to 5:48 p.m.

* * * * *

BOARD MEMBERS PRESENT:

- SUZANNE GREEN, Chairman
- RANDY BRUNSON
- BRUCE MAGUIRE
- STEVE KIRA
- JUSTIN MIRGEAUX

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ALSO PRESENT:

DOUGLAS N. BURNETT, Esquire, St. Johns Law Group,
104 Sea Grove Main Street, St. Augustine, FL, 32080,
Attorney for Airport Authority.

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

* * * * *

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

2 CHAIRMAN GREEN: Call to order the meeting,
3 please. Stand for the pledge.

4 (Pledge of Allegiance.)

5 MR. BRUNSON: Do you know if Carol is coming?

6 MR. WUELLNER: Yeah, but she'll --

7 MR. HARVEY: As soon as the office closes up,
8 yes, sir.

9 MR. WUELLNER: She'll be here in a little bit.

10 MEETING MINUTES & FINANCIAL REPORT ACCEPTANCE

11 CHAIRMAN GREEN: Okay. So the -- the first is
12 our meeting minutes and financial report
13 acceptance. Mr. Kira?

14 MR. KIRA: Accepted.

15 CHAIRMAN GREEN: Anybody else have a comment
16 about the minutes from the last -- and our
17 financial report from our last meeting?

18 MR. MAGUIRE: No.

19 CHAIRMAN GREEN: Okay. Are they accepted as
20 presented?

21 MR. KIRA: Accepted as present.

22 AGENDA APPROVAL

23 CHAIRMAN GREEN: Okay. The next thing is our
24 agenda approval. We've had the agenda. Is there
25 any comments, additions --

1 MR. KIRA: No change.

2 CHAIRMAN GREEN: -- subtractions? Okay. Then
3 we will approve the agenda as presented.

4 LEASE POLICY AMENDMENT - T-HANGARS/BOX HANGARS

5 CHAIRMAN GREEN: In light of -- in light of
6 everything we have, and we have some members that
7 have to leave and we have some important agenda
8 items, I would like to make a move and go straight
9 to our T-hangar/box hangar issue right off the bat
10 so that everybody can have input on it, if that's
11 okay with the board.

12 MR. KIRA: Sure.

13 MR. BRUNSON: Can you turn it up a little bit?

14 CHAIRMAN GREEN: Okay. So we've -- we've gone
15 through the agenda and if it's okay, we're going to
16 skip over the Director's report and business
17 partners and go straight to a business item so that
18 everyone can have some input on it.

19 And I think the most pressing is our -- Ed,
20 our lease policy, is that what we need to speak
21 with?

22 MR. BURNETT: Then I guess I'll -- if I might.

23 CHAIRMAN GREEN: Yeah, I just wanted to make
24 sure I did the right wrong. It's not the --

25 MR. WUELLNER: Correct.

1 CHAIRMAN GREEN: -- comment policy, it's --
2 okay.

3 MR. BURNETT: I guess here's the quick part of
4 where I got involved in it, is going back to the
5 original changes that we made for the policy a year
6 ago or so, and then seeing how things ripple out
7 from when you make changes, it seemed like some
8 additional revisions were needed -- needed both to
9 the policy and the T-hangar/box hangar lease.

10 Specifically, the -- the T-hangar lease in and
11 of itself has been kind of unwieldy because you're
12 trying to apply what would traditionally be thought
13 of as a single aircraft in a hangar for a T-hangar
14 situation versus a box hangar, and going back to
15 some of the comments that we heard in the last
16 meeting a year ago or so where the folks in the box
17 hangar want to be able to have multiple aircrafts
18 come in.

19 We've had situations since then where applying
20 the same lease for both situations, applying the
21 same policy with no specific language, drawing a
22 distinction between T-hangars and box hangars
23 results in a situation where we have, for example,
24 maybe a list where there's five to ten potential
25 people who would be authorized under the -- the

1 hangar and then five to ten aircraft that might be
2 in that hangar to go along with it and then you may
3 have the same five to ten aircraft in another
4 hangar or in a box hangar.

5 And so, really trying to look at how do we
6 make this fair and giving the background of the
7 fact that we have this very long waiting list --
8 you know, the T-hangar waiting list has been
9 extremely long for as long as I've been around, I
10 think as long as anybody's been around we've had a
11 very long T-hangar waiting list, and the key there
12 is we've got to apply the T-hangar waiting list in
13 a fair manner. And so, taking that in that
14 context, there was some clarification.

15 In particular, we needed to take and break out
16 the T-hangar lease and the box hangar lease so it's
17 clear that this one's for T's and this one's for
18 boxes. It seems minor, but it actually does have
19 some implications behind it that potentially is
20 bigger.

21 So, to make a long story short -- there we go.
22 I broke out in the policy -- or we broke out in the
23 policy where it says "Named lessee shall mean for
24 T-hangar leases a single person or single entity
25 and shall match the title owner or lessee of the

1 listed aircraft stored in the hangar provided that,
2 if an entity, the tenant is the owner of the
3 entity."

4 2. "For box hangar leases up to two persons
5 or entities," which has always been the policy,
6 "and a person or an entity, and shall match the
7 title owner or lessee of the listed aircraft stored
8 in the hangar provided that, if an entity, the
9 entity (sic) is the owner of the entities."

10 Now, this one, and I'll just be very candid
11 with you, there's some thought process that you
12 would have -- traditionally we've allowed two
13 different tenants for a box hangar. And so,
14 there's some thought process that you would have up
15 to two tenants for the box hangar and those two
16 tenants would have the ownership interest in the
17 aircraft that are in the box hangar. But we know I
18 guess with box hangars you can get more than one
19 aircraft and I've heard maybe you can even get four
20 or five aircraft in them with a taildragger, I'm
21 not sure.

22 But -- so, I guess the thought process is
23 maybe you would have the same basic requirement
24 that you would have up to two tenants and those two
25 tenants would have two aircraft and then beyond

1 that, you may have a couple of aircraft that are in
2 there that aren't actually on the lease.

3 And if you would flip to the next issue, a
4 list of aircraft. "Tenants may not list an
5 aircraft as being stored in more than one hangar."
6 And this is really a function of it doesn't make
7 sense that we would have a situation where you
8 would have an aircraft listed in multiple hangars.

9 We did have something come in where it looked
10 like the same aircraft would be stored in three
11 different hangars. It seems like you would have
12 the aircraft identified as this aircraft would be
13 in this hangar. And it's not to say that it
14 couldn't be changed or relocated to a different
15 hangar, but we at least need to have identification
16 on what aircraft's going in what hangar. And so,
17 that's the -- I guess the thrust there.

18 And then I think the language above where it
19 talks about payment of rent, it really needs to be
20 payment of rent needs to be from an entity or
21 person that's other than the named tenant or other
22 than the aircraft being stored, in -- in the case
23 of a box hangar.

24 So I think that one clarification needs to be
25 there. We put some thought in the list, but as we

1 get input back from folks, you know, you put more
2 thought into it and you look at, okay, well, maybe
3 we do need to address that.

4 So it seems like you would have payment of the
5 rent comes from the tenant, would be typical in
6 every commercial setting, I think. You would
7 expect that the rent's going to be paid by your
8 tenant. If not, then you would have a situation
9 of, okay, do we need to look at this and say, okay,
10 we don't allow subtenants, we don't allow
11 assignments. If the rent's coming from someone
12 other than my tenant, do we have an unauthorized
13 subtenant? Do we have an unauthorized assignment?

14 It seems like the rent would typically come
15 from your tenant, and that's the very clear bright
16 line as to who's actually responsible for the
17 lease, who's actually paying the lease. So, that's
18 the thrust behind why that policy change was put in
19 that way. And then --

20 MR. WUELLNER: Talk about the leases
21 themselves.

22 MR. BURNETT: Yeah. And, you know, on the
23 T-hangar lease, and I'll just share this with you,
24 I mean, it made no sense, for example, breaking the
25 leases out added a lot of clarity because you had

1 joint and several liability on a T-hangar where in
2 the T-hangar you're supposed to only have one
3 tenant. The joint and several liability language
4 is really for a box hangar where you could have up
5 to two tenants sharing the same box hangar. I
6 think that's really the main change that went into
7 your T-hangars.

8 And then if I look at box hangars, we didn't
9 have on the form anywhere for you to list
10 additional aircraft. So we've added some spacing
11 in there to list additional aircraft, and that's
12 the main change that went into it.

13 Yeah, and specified box versus T-hangar. So
14 that's -- that's really kind of it. I'm
15 anticipating we've got some public comment out
16 there.

17 MR. WUELLNER: You might want to make the
18 distinction between named lessees and stored
19 aircraft or aircraft in the hangar.

20 MR. BURNETT: And you're specifically talking
21 about on the box hangar situation?

22 MR. WUELLNER: Yeah.

23 MR. BURNETT: Yeah. On -- on box hangars, I
24 guess there's a decision for you to make as to, on
25 box hangars, are we going to say, okay, there's two

1 tenants and whatever aircraft that are in there
2 needs to be owned by the two tenants, or is it
3 we've got two tenants, so we should have two
4 aircraft that match the owners? And given the fact
5 that they can store other aircraft in there, not
6 necessarily every aircraft has to match the two
7 tenants. And it's really a policy decision that's
8 at your level to make.

9 I guess the traditional thought process is,
10 well, you have -- on one side you've got two
11 tenants that have aircraft and the two tenants
12 should own the aircraft that are in the hangar, and
13 sure they can have up to five aircraft in there so
14 long as they own them. Or, it's two tenants with
15 two aircraft and maybe you allow them to have other
16 hangar -- other aircraft in there and that's fine
17 because they have joint use with someone or joint
18 ownership with someone. I'm not sure. It's a
19 policy decision for you to make.

20 The only thing that I would say is you have to
21 keep in mind the fact that we do have this list,
22 we're trying to administer the list, and where it
23 gets challenging is we've got to administer our
24 waiting list in a fair and reasonable manner, which
25 then goes back to how we allow leases to transfer.

1 And we've got to limit the ability of leases to
2 transfer in a way that would circumvent our waiting
3 list.

4 So that's -- that's sort of the issue that's
5 there. And we don't want to run afoul of any kind
6 of claim that we're not -- equitably not treating
7 people equally that may be on the waiting list.
8 So...

9 MR. BRUNSON: Excuse me?

10 MR. BURNETT: Yes, sir.

11 MR. BRUNSON: See if everybody can hear. I
12 see people doing like this.

13 MS. LUDLOW: I can't hear very well.

14 MR. WUELLNER: He doesn't have a mic.

15 MS. LUDLOW: Thank you.

16 MR. BURNETT: That's better.

17 MR. WUELLNER: Is that working?

18 MR. BURNETT: Yeah.

19 CHAIRMAN GREEN: Yeah.

20 MR. BURNETT: So I guess that's -- that's it
21 in summary. I know it's a lot to throw at you. It
22 was actually a lot to try and deal with and try to
23 analyze it.

24 I think Mr. Wuellner and I went at it a number
25 of times to go back and forth with what may work,

1 what makes sense given what we're seeing, the
2 points of confusion.

3 You know, it's in your policy already that
4 rental agreements shall be for the exclusive use of
5 a single tenant for T-hangar units and tie-downs
6 and not more than two named lessees for box hangar
7 units. That's what's in your policy currently.
8 That's the language that's in there -- that's been
9 in there.

10 And so, you know, from our standpoint looking
11 at administering the policy, it seemed like we
12 needed to make the lease forms themselves fit and
13 then also address the policy by breaking out the
14 named lessee because it -- it seemed like the named
15 lessee section of Section A didn't fit the policy
16 that's already in place in Section D, and so it
17 could leave -- lead to some confusion.

18 And maybe folks didn't realize that at the end
19 of the day, you've got one tenant for T-hangars and
20 you've got two tenants for box hangars, and that's
21 what the policy already is. So that's part of
22 the -- part of what's driving this, is to clarify
23 Section A, is to break it out and make sure it's
24 easy -- easy to read.

25 MR. WUELLNER: And I think we need to address,

1 in addition to this, is the issue of the -- the
2 stored -- I guess you would call it stored aircraft
3 in the -- in the box hangars, as to whether, you
4 know, a non-named lessee's aircraft is able to be
5 stored in there. The physical facility, the
6 physical T-hangar -- or, excuse me, box hangar
7 physically limits the number of aircraft that could
8 get in that hangar --

9 (Mr. Mirgeaux enters the room.)

10 MR. WUELLNER: -- and, you know, it creates
11 its own limit to the number of aircraft and based
12 on the type of aircraft stored in there. But that
13 is a new or a different -- little different concept
14 or twist to how we currently have it.

15 Right now an unaffiliated, a non-named
16 lessee's airplane would be difficult to store in
17 a -- in a hangar because it -- unless they have
18 their own hangar.

19 I -- I kind of like the way he's gone about it
20 to where creating that additional stored provides
21 an opportunity, especially for I'll call it remote
22 connections to aircraft such as the partner in a
23 LLC or things of that nature where it's more than
24 one owner, it's much more difficult to create. And
25 you don't want to -- I don't believe you want to

1 open -- open the lease itself to multiple tenants
2 beyond two from a named lessee standpoint.

3 You get -- it gets more involved in the event
4 some legal action has to happen, eviction or
5 whatever down the road, you're dealing with each of
6 those entities as you well know as an individual
7 person in the lease.

8 Whereas a stored aircraft, it's really about
9 the lessees, whoever those are, and then the stored
10 aircraft are really that lessee's problem, not a
11 separate item for us to litigate or notify or
12 whatever the circumstances might be. And it could
13 be simply included on the list of aircraft provided
14 for by the tenant and provided to us by the tenant,
15 just whatever aircraft are stored in there.

16 And the distinction between that in my mind
17 and visiting aircraft is the length of time they'd
18 be --

19 CHAIRMAN GREEN: In there?

20 MR. WUELLNER: -- would be in there. A
21 visiting aircraft is designed for somebody who's
22 not -- you know, the concept behind it was an
23 aircraft that's not going to be there very long.

24 Either somebody is literally visiting the
25 airport, being accommodated by one of the tenants,

1 perhaps a short-term situation where somebody needs
2 to move their airplane into some storage space
3 while something's being done also in their hangar.
4 I mean, there could be some circumstances
5 developed. That would be understood the visiting.
6 Whereas under the -- I'm sorry.

7 CHAIRMAN GREEN: Under the stored?

8 MR. WUELLNER: Under the stored would be a
9 more or less permanent relationship, or at least as
10 long as the tenant wanted to allow them in there.

11 MR. BURNETT: And then it takes us out of the
12 loop from that particular aspect of it, you know,
13 the -- the third and fourth aircraft that might
14 wind up in a box hangar.

15 MR. WUELLNER: Exactly.

16 MR. BURNETT: You know, I think the
17 traditional thought was T-hangars and box hangars,
18 you'd have one aircraft and box hangars you're
19 going to get a couple of aircraft in there. But
20 beyond that, if they're wedging them in there more
21 and it fits, it works, you know, it I guess is
22 their business so to speak.

23 MR. WUELLNER: As long as all parties inside
24 are happy with it.

25 MR. BURNETT: Yeah.

1 CHAIRMAN GREEN: What does that do with us
2 with the exposure for liability purposes?

3 MR. BURNETT: I think the liability
4 essentially is the same. I mean, the airport is
5 insuring -- I mean, the individual tenant could
6 have their own insurance, but it's -- the airport's
7 got the insurance on those -- on those properties
8 anyways.

9 MR. WUELLNER: Yeah, relative to the building
10 and property, but we don't insure aircraft or any
11 other contents of their -- we made that very clear
12 when we --

13 CHAIRMAN GREEN: So a non-lessee would not be
14 our issue.

15 MR. WUELLNER: It might be the lessee's issue.

16 CHAIRMAN GREEN: Right.

17 MR. BRUNSON: Madam Chair?

18 CHAIRMAN GREEN: Yes.

19 MR. BRUNSON: Are we going to be able to hear
20 a discussion from the pilots and their concerns
21 and --

22 CHAIRMAN GREEN: Yes. I have a whole stack
23 here --

24 MR. BRUNSON: Okay. And then --

25 CHAIRMAN GREEN: -- and I actually spoke with

1 them ahead of time --

2 MR. BRUNSON: And before we get in discussions
3 and questions and --

4 CHAIRMAN GREEN: Well, the board needs to
5 discuss first. So Robert's Rules of Order lets us
6 discuss and ask our questions --

7 MR. BRUNSON: Well, okay, but --

8 CHAIRMAN GREEN: And then that's why I moved
9 this along, that we're going to have the public
10 make their comments now.

11 MR. BRUNSON: Then -- then we can discuss that
12 further back, right?

13 MR. WUELLNER: Yeah.

14 MR. BRUNSON: We can discuss it again after
15 they --

16 CHAIRMAN GREEN: Yes. There's always --

17 MR. BRUNSON: Okay.

18 MR. WUELLNER: You'll have their comments
19 before you --

20 MR. BRUNSON: Okay.

21 CHAIRMAN GREEN: Right. This is just us
22 asking questions right now so that we understand,
23 and then I'm going to open it to public comment on
24 this agenda item.

25 MR. KIRA: Madam Chairman?

1 CHAIRMAN GREEN: Yes.

2 MR. KIRA: I -- I read those things that came
3 in, and I was hoping to get here today and get
4 clarification because this is really really
5 legalese, okay?

6 So, be that as it may, I can't see the value
7 of having more than one person responsible for a
8 lease or one entity, whether it be an LLC, a
9 corporation, whatever. We don't want to go chasing
10 two or three people for any reason that I can think
11 of.

12 If there are two or three guys want to get
13 together and -- and get a box hangar and store
14 their aircraft in there, they should pick from
15 among them someone who is legally responsible for
16 everything that's there and when we have an issue,
17 we have a person rather than two or whatever to
18 worry about. That's just my opinion.

19 MR. WUELLNER: Yeah. It's sort of a holdover
20 arrangement from the late 90s when the completion
21 of hangar row G, the additional units in G and H
22 and I row were completed in the '96-'97 area.

23 The difficulty in that aviation climate and
24 economic climate may -- as well as a long hangar
25 waiting list let the board come to the conclusion

1 that allowing multiple users of those kind of
2 hangar space rather than force a T -- a single
3 T-hangar tenant to lease significantly more space
4 than they needed, and -- and frankly we weren't --
5 even then weren't being able to build T-hangars at
6 the rate we'd like to, those -- those things kind
7 of led to the board's decision to allow these
8 multi-tenant leases for the box style hangar. And
9 it's kind of just hung in there over the years. We
10 continued to accommodate it even in the last policy
11 revision, which I think was '17, it might have been
12 '18. We -- we still have that multi-tenant
13 ability.

14 It's been an issue from time to time. I can't
15 tell you it's a big issue, but it comes up from
16 time to time when we have multiple-named lessees.
17 That has -- it's just -- we do find them -- they
18 end up in our office and -- when things go south
19 wanting us to referee a solution out of that. We
20 don't do it in T-hangars, you know, for just those
21 reasons.

22 MR. KIRA: Yeah.

23 MR. WUELLNER: More often than not it works
24 fine and everybody's happy with each other.

25 MR. KIRA: Oh, I'm sure.

1 MR. WUELLNER: In fact, way more often than
2 that.

3 MR. KIRA: But again, it's that why do we have
4 to referee anything? If it's -- if there's a
5 lessee or someone leases it and they have an LLC or
6 a club, let them take care of it. You deal with
7 one individual. That's -- I don't want to deal
8 with more than one.

9 MR. WUELLNER: I think that -- if you combined
10 it with the ability, the stored aircraft idea, I'm
11 not sure that would be terribly a bad thing.
12 That's really, you know, kind of a policy decision,
13 because it still accommodates additional users of
14 the hangar without the legal responsibility as
15 it -- as it pertains to the lease documents.

16 CHAIRMAN GREEN: Because one tenant can be a
17 LLC with multiple --

18 MR. KIRA: And I know that. That's an entity.

19 CHAIRMAN GREEN: Right.

20 MR. KIRA: Yeah, but that's why I'm saying, is
21 if that's the case, then if you can -- if a hangar
22 can hold five aircraft, then by default you should
23 be able to have five people listed on the tenant
24 list.

25 MR. WUELLNER: Tenant list, we have -- you

1 mean as a --

2 MR. KIRA: As lessees. And each one of them
3 sends you a check on a monthly basis.

4 MR. WUELLNER: That -- that's a possibility,
5 too.

6 MR. BRUNSON: That's -- that's not -- that's
7 not what's in the lease now, though.

8 MR. WUELLNER: Well, the lease only allows --
9 by policy, only allows two tenants. That's -- as I
10 said, that goes back to the 90s.

11 MR. BRUNSON: Well, it's my understanding that
12 we -- we said that we would only receive one check
13 from one tenant for the -- for the whole hangar.
14 Is that wrong?

15 MR. WUELLNER: Well, with a single lessee,
16 that would -- anybody that's the lessee would be
17 the responsible party.

18 MR. BRUNSON: If you had a box hangar and you
19 had two people in there.

20 MR. KIRA: Two checks?

21 MR. WUELLNER: Two lessees or two --

22 MR. BRUNSON: Well --

23 MR. WUELLNER: See, that's where the
24 distinction is. There's -- when you start adding
25 stored aircraft, they're not responsible for any

1 part of that to us.

2 MR. BRUNSON: Okay. Just say if you had a box
3 hangar that had two tenants with two airplanes in
4 there, and so they would each write a check to the
5 Airport Authority.

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

7 MR. BRUNSON: Okay.

8 MR. KIRA: But they --

9 MR. WUELLNER: They can do the whole amount or
10 some -- as long as it equals the total.

11 MR. BRUNSON: As long as you were paid.

12 MR. WUELLNER: Correct.

13 MR. BURNETT: You're right, but just to state
14 the obvious, if the rent was a thousand dollars a
15 month and there's two tenants and one of them
16 brings a check for \$500, the airport's -- and the
17 other \$500 doesn't come in, it would be a default
18 of the lease to not pay the full amount. So
19 between the two of them, they've got to figure that
20 part of it out, and the airport's not getting in
21 the middle of that aspect.

22 MR. BRUNSON: But would -- could we call
23 Judge Judy?

24 MR. WUELLNER: But however they'd work it out.

25 MR. BRUNSON: I understand.

1 MR. WUELLNER: Alternating months or
2 somehow --

3 CHAIRMAN GREEN: Any board discussion for
4 right now, questions?

5 MR. MAGUIRE: Later.

6 CHAIRMAN GREEN: Okay. All right.

7 Mr. Tucker, we're going to open it up to some --
8 some of the public comments on this issue.

9 MR. TUCKER: Okay. Thank you.

10 My name is Len Tucker. Can you hear me all
11 right? I'm in hangar H-1 and that is the box
12 hangars. I have actually been a tenant there since
13 that hangar was built 22 years ago and I've done
14 quite a bit of improvements to the hangar.

15 I'm not in favor of these changes as listed
16 and I'll tell you why. I've owned -- since the 30
17 years I've been on this airport I've owned ten
18 different airplanes. Those ten different airplanes
19 have been owned by seven different entities.

20 As it exists right now, I own four airplanes
21 and I can only get two of those airplanes,
22 according to these changes, in my hangar. I
23 couldn't get the other two in there even though I
24 am a substantial owner in both of them. That
25 doesn't seem fair. If I have a hangar, I ought to

1 be able to put an airplane in it. That's the
2 purpose.

3 All of this junk written here about tenants
4 and entities and everything else can be solved very
5 easily. If you can prove ownership of the
6 airplane, you put it in your hangar. Simple
7 enough. It's not a difficult concept. It doesn't
8 take legalese that I'm not even sure I can
9 understand in some cases. It just doesn't need
10 that. Keep it simple.

11 If I've got a business partner, why can't my
12 business partner, if we use that airplane for
13 business, put it in my hangar? I don't understand
14 the concept here. What is really the challenge?

15 It's not cutting out anybody on any waiting
16 list. I've been on the waiting list. My last time
17 on the waiting list, I was on the waiting list was
18 six years. I know about waiting on the waiting
19 list.

20 The waiting list I was on before, I lost an
21 airplane due to corrosion because I couldn't get it
22 into a hangar. I mean, I'm familiar with waiting
23 lists and I appreciate the fact that you have to go
24 through them. But I don't think this concept of
25 somehow the waiting list integrity is going to be

1 compromised just because somebody can stick an
2 airplane in a hangar, has much value.

3 I've got a hangar, I've got airplanes that
4 cannot survive outside. They're made out of wood.
5 They're antiques. A couple of them are antiques.
6 They won't survive outside. And yet I've been told
7 that I can't put them in my hangar. I think that's
8 silly.

9 The other problem I have is this payment
10 issue. In the 30 years that I have rented hangars
11 here, not a single check has come from one of the
12 entities that owns the aircraft or rents the
13 hangar. So for 30 years I would have been in
14 breach of my contract with you. That seems a
15 little silly.

16 The IRS doesn't care where the check came
17 from. Dennis Hollingsworth doesn't care where the
18 check came from. My doctor doesn't care where the
19 check came back. If you've got the check to pay
20 for the hangar, it covers the hangar. Get over
21 this issue. It's not an issue.

22 What are we, the police? We've got to police
23 this thing? Is it the gestapo? I mean, good Lord,
24 we just need to get rid of that. If there's a
25 problem there, somebody will bring it to your

1 attention.

2 I can't imagine that subleasing is so, you
3 know, pervasive out there that all of a sudden it's
4 going to make a huge difference in the hangar
5 waiting list because we're getting rid of all these
6 people that might have somebody else's airplane
7 stored in their hangar. There couldn't be even a
8 half dozen of them out there in that situation.

9 Now this whole situation was precipitated
10 because in October or September when y'all did an
11 inspection, I had Dale Snodgrass' airplane over in
12 my hangar in H-1.

13 The reason it was there is because his
14 partner, who is also another partner of mine in
15 business, Dan McCue, has a jet in there and he's
16 trying to service it and he's pulling it out,
17 putting it back and forth quite frequently to show
18 it to try to sell it.

19 It's a matter of convenience. If it was over
20 in that hangar, it's very inconvenient for Dan to
21 move that airplane in and out, particularly since
22 Dale's airplane is a pristine PT-22. It's going to
23 get hangar damage. It's going to get roughed up
24 just by having to pull it in and out. I said, I've
25 got space in my hangar. Put it over here. While

1 it's here, it was only here temporarily, and it
2 shouldn't be a problem.

3 Well, that precipitated this whole thing
4 cascading down now. Where I got an e-mail on
5 October 2nd saying I need information on that
6 airplane. So I contact Dale -- well, first I have
7 to find out where he is because he's not in
8 St. Augustine. And I said I need the information
9 on the ownership of the airplane so that we can
10 show and I'll show that we're business partners in
11 another business venture and you should be okay
12 keeping your aircraft in my hangar.

13 Well, on October 10th, which was six business
14 days later, I'm told on October 14th I need that
15 paperwork. It's like an emergency, seriously.
16 This is my busy time of year. I don't have time to
17 deal with a lot of these things. What's the
18 emergency over this?

19 Okay. So October 10th was a Thursday. So
20 October 11th was a Friday. I've got Saturday,
21 Sunday. And the 14th, which is when I'm supposed
22 to produce the documents, of course is a holiday, a
23 federal holiday, so I had one business day to do
24 this. So on the morning of Tuesday, I get the
25 thing saying you're in breach of your lease, your

1 lease is canceled, you've got 30 days to vacate the
2 hangar.

3 Now I don't know which of you business people
4 would treat one of your customers that way, but I
5 think that's a little over the top. Anyway, that
6 has subsequently been rescinded because of this
7 meeting here. But that's the backdrop and the
8 story behind this whole thing. And I don't think
9 there was anything wrong being done.

10 I don't think that Mr. Snodgrass' plane ought
11 to be sitting out on the ramp. And by the way,
12 with these changes, he won't even be able to put
13 that plane in his hangar. And you're talking about
14 a gorgeous PT-22 that's museum quality. It's going
15 to have to sit out on the ramp. This -- this is
16 your solution to the problem? I think you need to
17 deal with it.

18 Keep it simple. If you own an airplane, you
19 ought to be able to put it in your hangar. If
20 you've got a business partner and he's got an
21 airplane that you use, you ought to be able to put
22 in your hangar. That's a very simple concept. It
23 doesn't require all of this which I'm not even sure
24 I can figure out.

25 All I know is that we need to adjust it. It

1 isn't broken, so why try to -- why do we try to
2 keep fixing it? All right. That's my comments.

3 CHAIRMAN GREEN: Thank you.

4 MR. MAGUIRE: I have a question. Can I -- go
5 ahead.

6 CHAIRMAN GREEN: Well, I'm going to have
7 Mr. Burnett -- I think you want to address a couple
8 of those?

9 MR. BURNETT: Yeah. I think that one of the
10 biggest issues -- and, Mr. Tucker, maybe you didn't
11 see the box hangar lease, but the revision language
12 in there is basically that one aircraft needs to
13 match the tenant.

14 So you've got one aircraft in the box hangar
15 and -- and one tenant. But then beyond that -- and
16 if you have two tenants, then you'd have two
17 aircraft matching the two tenants. But then beyond
18 that, the aircraft three, four, five is -- doesn't
19 matter.

20 MR. TUCKER: Okay.

21 MR. BURNETT: It just needs to be identified
22 to the airport so the airport would know --

23 MR. TUCKER: But I'm also here representing
24 other people with other interests, and I can tell
25 you that a good way of looking at this is the fact

1 that I've owned ten aircraft and several different
2 entities.

3 The fact that you're trying to tie an entity
4 to a particular lease when the owner can stay the
5 same but when I trade an aircraft and I get a new
6 entity to put that aircraft in, all of a sudden it
7 can't fit in that hangar, I think is silly.

8 MR. WUELLNER: You're required to --

9 MR. TUCKER: I mean, it's a very easy concept.
10 Don't make it complicated. If you are an owner of
11 the airplane, you can put it in the hangar.

12 MR. WUELLNER: I agree.

13 MR. TUCKER: That's all you've got to say.

14 MR. WUELLNER: You simply update the list with
15 the office. That's all that's required. That's
16 all that's been required.

17 MR. BURNETT: Yeah.

18 CHAIRMAN GREEN: That's what I'm trying to
19 understand, because as long as you -- this is my
20 entity and I'm part of that entity, so it's still
21 me.

22 MR. BURNETT: And here's my five aircraft.

23 CHAIRMAN GREEN: Right.

24 MR. BURNETT: I'm going to put all five of
25 them in my box hangar.

1 MR. WUELLNER: All you're doing is keeping the
2 list current. That's all you -- the only
3 requirement.

4 MR. BURNETT: Yeah.

5 CHAIRMAN GREEN: It doesn't mean you can't
6 store your plane there.

7 MR. WUELLNER: Exactly.

8 MR. BURNETT: Yeah.

9 MR. MIRGEAUX: Why do you need a list of what
10 aircraft are in which hangars?

11 MR. WUELLNER: Well, the easiest way to --
12 would be to give you an analogy. You have an
13 apartment building with 20 apartments and anybody
14 can be anywhere they want in any of the apartments.

15 MR. MIRGEAUX: Okay. So, I mean, it's not --
16 it's not a very good analogy. But let's say, you
17 know, you have an apartment, you have a garage as
18 part of your apartment. The landlord doesn't care
19 if you park a Mustang, a Corvette, a Mustang and a
20 Corvette in that garage. It comes with the
21 apartment.

22 (Mr. Kira exits the room.)

23 MR. MIRGEAUX: It's like every other room that
24 you're leasing. These are our stakeholders that it
25 if they want to put, you know, an aircraft that --

1 I mean, this is not -- they're fungible. The
2 space, they can put whatever aircraft they own and
3 then I don't understand what problem we're trying
4 to solve here.

5 MR. BURNETT: So some -- somewhere in the
6 policy it got confused, and with that language that
7 it is in Subsection A, it was confused that
8 actually I think people believed that from a staff
9 level, there was a lot more complexity needed than
10 there actually was. What we're trying to do is
11 eliminate that level of complexity.

12 Because what came in, and I saw it, was a
13 spreadsheet of these five -- roughly, these five
14 entities are essentially the entity. These five
15 aircraft are in this. Some combination of these
16 entities with other entities are going to be the
17 tenants of this other hangar, with some combination
18 of these same aircraft that are identified in one
19 hangar are going to be in the other hangar and then
20 it's like, okay, what's -- this doesn't make sense.
21 Why are we having this? Well, let's clarify the
22 policy so we don't have people feel like that's
23 what they need to do.

24 Now, the one thing, though, and part of the
25 concern in the back of my mind is, if we have, for

1 lack of a better characterization, of ABC Leasing,
2 LLC is our new tenant on a hangar. And so now we
3 can just convey the interest of ABC tenant, LLC --

4 MR. MIRGEAUX: Why --

5 MR. BURNETT: The --

6 MR. MIRGEAUX: So if we have a LLC tenants --

7 MR. BURNETT: Uh-huh.

8 MR. MIRGEAUX: -- and that's common practice,
9 I mean --

10 MR. WUELLNER: There are quite a few of them,
11 yes.

12 MR. MIRGEAUX: Okay. So, in addition to the
13 LLC, do we also have names of the principals or
14 the -- the LLCs themselves?

15 MR. BURNETT: We have some individuals. But
16 we don't as a policy require the individuals to be
17 listed on the lease. We -- the airport has
18 traditionally allowed that to be up to the
19 individual owners.

20 So, the -- in the private sector with this
21 type of leasing situation, routinely what I deal
22 with is leases where if you -- if more than
23 50 percent ownership of the entity transitions,
24 then that's considered an assignment or it's
25 considered a sublease. We haven't gone to that

1 level here.

2 I guess the thing of -- that I do have
3 concerns, and I'll express it to the Authority, is
4 if that we have a situation where we're allowing
5 entities to be conveyed with different owners to
6 circumvent the next person on the waiting list of
7 the lease, that may not be a problem until we get
8 to someone who's a protected class and then it's
9 going to be problematic.

10 MR. MIRGEAUX: Okay. So, I mean, I get it,
11 you're writing contracts and like everything goes
12 sour with the relationship and that's -- you know,
13 from a risk management perspective, I understand
14 that's just sound business no matter what you're
15 doing.

16 But, I mean, what's -- again, what's the
17 problem that we're trying to solve here?

18 MR. BURNETT: Well --

19 MR. MIRGEAUX: I mean, are -- is there a
20 safety issue? Are we getting too many aircraft in
21 the hangar?

22 MR. WUELLNER: I think the physical limits of
23 the hangar take care of any issues that way.

24 MR. MIRGEAUX: So then it's a business issue?
25 Are we not getting paid for the space that we're --

1 MR. BURNETT: Well, one issue in there -- and
2 I'll share with you.

3 When we used the same form for both T's and
4 boxes, then you could read it as though it's not as
5 expansive as what the Airport Authority intended.
6 And so with a T, we had a matching tenant to the
7 matching aircraft. If your aircraft's in an LLC,
8 for liability purposes, the LLC could be the
9 tenant.

10 On the box hangar, we didn't have that spelled
11 out in the form for the box hangar. So breaking it
12 out allows us to now say, other aircraft stored do
13 not have to be owned by the tenant. So then it
14 doesn't limit the aircraft.

15 We deleted any kind of limitation --
16 previously we deleted any kind of limitation on the
17 number of aircraft. Mr. Tucker in fact said, hey,
18 if I can get five aircraft in there, I should be
19 able to put five aircraft in there, I think is
20 loosely what I recall from the meeting.

21 MR. TUCKER: Well, we actually had seven
22 aircraft in there when Mr. Wuellner asked me to
23 store the Northern Lights' airplanes in my hangar
24 one time.

25 MR. BURNETT: So there you go. And so that's

1 why the language is clear now.

2 One of the main paragraphs -- I mean one of
3 the main sentences is other aircraft stored do not
4 have to be owned by tenant. So we don't have a
5 situation --

6 MR. MIRGEAUX: But that's for the transient
7 aircraft, right?

8 MR. BURNETT: No, no.

9 CHAIRMAN GREEN: No, it's stored.

10 MR. WUELLNER: That's for stored. It can be
11 in there quote, unquote permanently.

12 MR. BURNETT: All year.

13 MR. TUCKER: I wanted to clarify one thing
14 there because of the spreadsheet, I was involved
15 with.

16 There are two other hangars that I have with
17 partnership airplanes that we own, and it's K-2,
18 those are single -- K-2 and L-9. And in that
19 particular instance because that is one of my
20 airplanes that I own a substantial interest in,
21 there are times that I need that over in my hangar
22 in H-1.

23 And when I put that airplane over in H-1 and
24 something pops out, it's got to go back over to
25 K-2. I don't see -- I was trying to keep it --

1 since we needed to keep a list simple, I said these
2 airplanes may move back and forth between these
3 hangars. If I've got a business reason that I want
4 to load people up in H-1 and store their vehicles
5 in there to take them someplace, it's very
6 inconvenient to go to K-2.

7 The other problem with K-2 is it's at the end
8 of a hangar row. You can't even plug a big air
9 compressor in down there without blowing the fuse.
10 I can't even put air in the tires unless I pull it
11 over to H-1.

12 There's all kinds of reasons why I may need to
13 move those aircraft around. Why can't I, if I own
14 those aircraft, move it from one hangar that I've
15 got to another hangar that I've got?

16 In my opinion, it's too much -- I don't know
17 whether it's obsessive-compulsive disorder and
18 you've people on a list here to make sure every
19 little thing fits the right slot. I own the
20 airplanes. I'm connected with the leases in those
21 three hangars. Why can't I move them around as I
22 see fit for my own business reasons?

23 MR. MIRGEAUX: Would the new wording in the
24 lease prevent that from happening?

25 MR. BURNETT: No. In fact, the new wording in

1 the lease --

2 MR. WUELLNER: Actually allows it.

3 MR. BURNETT: -- facilitates it. And not only
4 that, it facilitates it to where the aircraft don't
5 even -- do not have to be owned by the tenant to be
6 there. Except for the T-hangars. For box
7 hangars --

8 CHAIRMAN GREEN: Where you can fit more than
9 one into.

10 MR. BURNETT: -- where you can fit more than
11 one into, then they -- that aircraft don't have to
12 be owned by the tenant.

13 MR. TUCKER: But that did involve a T-hangar,
14 swapping an airplane -- I mean, a box hangar and a
15 T-hangar.

16 MR. WUELLNER: And that's just simple
17 notification.

18 If -- I mean, if you're only doing that for a
19 couple of days, that's not what -- we're
20 envisioning what is the airplane that's routinely
21 or normally stored there. You know, the scenarios
22 I'm hearing are quite temporary in nature. At
23 least that's what I'm hearing out of it.

24 And what we're talking about today is
25 actually, you know, provisioning a -- I want --

1 I'll use the vernacular, a sublease light in a
2 sense. You're not named on the lease, but you
3 could be in someone else's box hangar by being a
4 stored aircraft, if that's something you ultimately
5 agree to. It actually opens this up to be
6 significantly more flexible than it is currently
7 now, which is redundant.

8 MR. TUCKER: Only the box hangars.

9 CHAIRMAN GREEN: Well, I'm going to move along
10 because we have a lot of people and I know one of
11 our agenda items is to keep things to three
12 minutes. So Reba?

13 MS. LUDLOW: I'll be last.

14 CHAIRMAN GREEN: Dale?

15 MR. SNODGRASS: Yeah. My name is Dale
16 Snodgrass. I've been in and out -- flying out of
17 here for a number of years. I've been sort of on
18 the west coast for a little while, but I've got a
19 home back here and I maintain custody of -- of I-1
20 over the years in partnership with Dan McCue.

21 And I currently have four airplanes. I have
22 another hangar in New Mexico, at my mountain home
23 in New Mexico, and I'd like to be able -- I want to
24 have the ability to move those airplanes back and
25 forth as I want into the box hangar that we have in

1 I-1 and potentially into H-1 in a partnership
2 with -- with Len. So those are my concerns.

3 In addition to that, something that doesn't --
4 I haven't heard it be mentioned to, but it's fallen
5 to me previously and it may in my air show life,
6 wind up leasing an airplane, you know, a P-51 or a
7 P-40, which you guys remember I have an F-86. And
8 then I would like to have -- make sure that I have
9 the ability to put those airplanes in my hangar.

10 And I'd just like a little more clarification
11 on this stored aircraft issue. What I'm hearing
12 is -- I think I'm hearing, is that in the scenario
13 in the box hangars right now, that my issue with
14 having the PT-22 in H-1 is not an issue anymore.
15 Is that correct?

16 MR. WUELLNER: That's correct.

17 MR. SNODGRASS: Okay. And I can do -- I can
18 bring any of my airplanes in. I'm happy to say
19 that my airplanes, which were three different
20 LLCs --

21 MR. WUELLNER: That's correct.

22 MR. SNODGRASS: -- in one corporation, I can
23 move those in and out as I see fit.

24 MR. WUELLNER: Yeah. Yes, sir.

25 MR. SNODGRASS: Okay. That satisfies mine.

1 MR. TUCKER: As long as you don't put them in
2 a T-hangar.

3 MR. SNODGRASS: In a T-hangar. For your
4 information, I have a hangar, a big hangar, a
5 100 x 100 hangar in New Mexico and there, it's
6 just -- we do the recommended that Len brought up.
7 It's just, if you own -- if you have the hangar
8 lease, then you can bring in whatever airplanes you
9 want to bring in, and it just makes life simple.
10 So I think I'm -- I'm all for keeping it as simple
11 as possible.

12 You have alleviated my individual concerns,
13 but I think overall there's still some concerns
14 with if I had, you know, one of my smaller
15 airplanes, you wanted to put -- he wanted to put,
16 my RV-8, for instance, he wanted to -- Len wanted
17 to put, you know, in the big hangar and I could
18 step -- you know, stick my RV-8 in the T-hangar
19 overnight or over a weekend or a month or so as he
20 was working on the airplane in I-1 or H-1, I would
21 like to have that ability. It seems like we're
22 just trying to make it a little too difficult.
23 Thank you.

24 CHAIRMAN GREEN: Thanks. Art?

25 MR. LANCASTER: Yeah. Just I had one little

1 question.

2 CHAIRMAN GREEN: We need to go to the --

3 MR. LANCASTER: There's been a lot of talk
4 about stored. I just wondered what the definition
5 of stored is. Is that in the lease?

6 CHAIRMAN GREEN: Doug, I think wasn't that a
7 30-day?

8 MR. WUELLNER: No, that's -- that's visiting.

9 CHAIRMAN GREEN: Okay.

10 MR. WUELLNER: Stored could be permanent -- I
11 use the word permanently, but it would run the life
12 of the lease. It could run the life of the lease.

13 It's really up to the lessee as to how long
14 they accommodate. They could do that indefinitely.
15 The distinction between stored and lessee is just
16 simply the legal responsibility for the lease.

17 MR. BURNETT: And the reason you want one
18 aircraft to match the tenant is so that then we
19 continue this continuity. Similar to the
20 T-hangars, we have one tenant that matches an
21 aircraft so that we have a tenant that owns an
22 aircraft, T-hangar and box hangar-wise, and then we
23 have some continuity or some consistency with the
24 fact that we have a hangar waiting list of people
25 who want hangars.

1 So the tenant needs to actually own an
2 aircraft. And we've specific language about
3 transitioning from one aircraft to another, or if
4 you come up on the waiting list and you don't have
5 an aircraft at that moment, you can take a pass and
6 wait and still stay at the top of the waiting list
7 and see if you come up again, and at that point in
8 time you're going to buy an aircraft to put in
9 the -- in the T-hangar. So we've got specific
10 language in the policy related to that. So we're
11 trying to ensure that someone owns an aircraft
12 who's actually the tenant.

13 MR. MIRGEAUX: So is it a problem that we have
14 box hangars and T-hangars that don't have any
15 aircraft in them?

16 MR. WUELLNER: I don't know that we have --
17 we'd have like one or two, maybe.

18 MR. MIRGEAUX: That's not the problem?

19 MR. WUELLNER: Is that not a problem?

20 MR. MIRGEAUX: I said that's not the problem?

21 MR. WUELLNER: That is not the problem.

22 MR. MIRGEAUX: Okay.

23 MR. WUELLNER: Empty hangars are -- I mean --

24 MR. BURNETT: It's -- the problem, from the
25 way I see it, is because of the policy the way it

1 was written, we didn't have separate leases for T's
2 and boxes, there was -- there appeared to be when
3 this list and spreadsheet came in as just one --
4 we've had other examples that weren't as
5 sophisticated in the spreadsheet that they gave
6 us -- it appeared like we needed to lighten up,
7 lessen the restriction, and that's what came about.

8 It may be being perceived as tightening
9 restrictions. Instead for boxes, it was to lighten
10 the restriction and make sure, hey look, for boxes,
11 because of what we heard a year ago, it makes sense
12 to allow some flexibility with the aircraft that go
13 in there.

14 CHAIRMAN GREEN: Okay. I was still leaving to
15 public --

16 MR. MAGUIRE: I want to address what he
17 brought up because I see it a little bit
18 differently. Because I have down here my
19 comment -- to question stored aircraft. What do we
20 mean by a stored aircraft?

21 I have antique cars that I store in a
22 warehouse, okay? And I don't drive them enough to
23 say I'm a user anymore; I just have my car sitting
24 there, okay?

25 And so, does stored aircraft mean that you put

1 people out here that are waiting in line for ten
2 years and -- and an airplane's sitting in a
3 facility and hasn't been used in three or four
4 years because it's, the worst case example, a
5 stored aircraft, well that concerns me because I
6 don't believe we're satisfying the need of the
7 community.

8 So I think the stored aircraft issue has to be
9 resolved. What really constitutes a stored
10 aircraft? And he brought it up. You have an
11 airplane and then it just sits there and sits there
12 and then you get rid of it and you bring a new
13 airplane in?

14 If we consider the people on the waiting list,
15 a long-term unused airplane in storage to me is
16 improper. If we don't consider the people on the
17 waiting list, I don't care; let it stay there
18 forever.

19 MR. WUELLNER: Well, I can tell you
20 historically the board has not been receptive to
21 defining the use inside the hangar of whether it's
22 vacant, in your example, or unflyable.

23 We've never tried to impose -- you know, we --
24 the closest if you want to say that we've come to
25 that is the requirement that you -- at the time of

1 lease, that you have something within the timelines
2 that we've set up now to put in there.

3 MR. MAGUIRE: And if that's -- you know, if
4 that's the way we're doing it right now, that's
5 acceptable, as long as we all understand that
6 that's it.

7 MR. WUELLNER: Yeah. And we're -- and nothing
8 we're proposing --

9 MR. MAGUIRE: Yeah.

10 MR. WUELLNER: -- changes that requirement.

11 And we have a few tenants, I don't think we
12 have more than a couple really, who lease the
13 hangar in a -- in a more seasonal way. They live
14 up north. The aircraft goes with them say in
15 summer months, and winter months the airplane's
16 down here. But they rent the hangar from us
17 year-round.

18 So there's a great deal of time the
19 airplane -- or, excuse me, the hangar is vacant
20 during the year. But it's -- you know, they pay
21 the lease, they're -- they've never -- none of
22 those issues have ever been problematic.

23 MR. MIRGEAUX: What percentage of --

24 MR. WUELLNER: I think there's -- maybe Cindy
25 can answer that better, but there's only a couple

1 of them.

2 MS. HOLLINGSWORTH: Maybe five.

3 MR. MIRGEAUX: Five hangars or 5 percent?

4 MR. WUELLNER: No, five hangars.

5 MS. HOLLINGSWORTH: Five hangars.

6 MR. MIRGEAUX: Okay.

7 MR. WUELLNER: So that could be a couple
8 percent at most.

9 MR. BURNETT: The way our waiting list is in
10 the policy, is if you come up to number one on the
11 waiting list and you go ahead and exercise your
12 right to take a hangar, then you have to start
13 paying rent, but you have 180 days to get an
14 aircraft and put an aircraft in the hangar.

15 MR. WUELLNER: The -- the alternative method
16 is you is remain number one on the list for -- is
17 it six months I believe also --

18 MR. BURNETT: Yes.

19 MR. WUELLNER: -- at which point when the
20 hangar becomes available and you have the airplane,
21 you can step in the lease. That way you don't have
22 to pay for six months, which the tenant gets
23 that -- the choice.

24 CHAIRMAN GREEN: We did that with the last
25 revisions.

1 MR. WUELLNER: That was the last revision.

2 MR. BURNETT: Yeah.

3 CHAIRMAN GREEN: Okay. I'm going to move on
4 to Brian. No? I don't want to, Brian Pruitt?

5 MR. PRUITT: Thank you.

6 CHAIRMAN GREEN: I said Brian.

7 MR. PRUITT: Good afternoon. Can you hear me?
8 Then I'll just speak louder. I'm here representing
9 the PGA Tour. We -- we've had a hangar here and
10 our flight operation for almost 40 years.

11 My concern was, a few weeks ago, we had a gate
12 secured that affected into our -- our operation.
13 Not only did it affect into our operation, but I
14 believe the padlocking of such gate was
15 intruding --

16 CHAIRMAN GREEN: Mr. Pruitt? I'm sorry to
17 interrupt you. We're in the middle of this policy.
18 Yeah, we're dealing with the T-hangars and box
19 hangar leases. I think your interest just is the
20 gate issue that we had?

21 MR. PRUITT: Right. And you called me, so I
22 thought I was up.

23 CHAIRMAN GREEN: I did. You just wrote public
24 comment, so I don't know what --

25 MR. BRUNSON: I would have done the same

1 thing.

2 MR. PRUITT: Point me in the right direction.

3 CHAIRMAN GREEN: You did. If I could just
4 have you hold off, then. Thank you so much. I'm
5 trying to stay on --

6 MR. PRUITT: All my cards --

7 CHAIRMAN GREEN: -- the lease stuff right now.
8 Galin?

9 MR. HERNANDEZ: Galin Hernandez with the
10 St. Augustine Airport Pilots Association.

11 After looking through this extensively, it's
12 got so many issues, that I don't even know where to
13 start. It seems to me you're trying to fix a
14 problem that doesn't exist and you're just making
15 it worse.

16 One thing that I would highly recommend is you
17 recognize and realize, which I think some of you do
18 and some of you don't, that there's a fundamental
19 difference between a box hangar and a T-hangar and
20 they needed to be treated differently. Trying to
21 jam everything into one lease agreement is going to
22 cause problems. So maybe you should look at
23 breaking the lease in -- the actual leases into two
24 different ones, instead of one.

25 The -- the issue about having airplanes -- a

1 hangar in a -- in a named tenant, like an LLC, and
2 here's -- here's my concern. My airplane is
3 November 12345 and it's an LLC, it's in a hangar,
4 be it a box or a T. I sell the airplane. The
5 lease is in the November 12345, LLC name and I buy
6 a November 34567, LLC. 34567.

7 Now I can't put my airplane in the hangar
8 because the LLC is 12345, not 5678. So that
9 creates one issue which needs to be -- especially
10 the box hangars, because that's where you're going
11 to see it mostly, is in the box hangars.

12 The final thing is hangar queens. You can
13 look into it. The FAA has already clarified. They
14 made a ruling on that. Hangar queens can stay all
15 they want. It's for aviation use. You cannot kick
16 them out because they're a hangar queen.

17 As a matter of fact, you -- and it is also for
18 experimental. If you want to build an airplane
19 inside a hangar, you can do that. It is not a
20 violation of FAA policy and it's already been
21 clarified. So you might want to take a look at
22 that before you start saying, well, if you've got a
23 hangar queen, you've got to get it out because it's
24 already been looked at.

25 The other issue that you're bringing up, and I

1 think it's more of an excuse, is that the box
2 hangars have no effect on the waiting list. The
3 waiting list are for the people that are looking
4 for T-hangars, even though there are people on the
5 waiting list for box hangars.

6 The problem is not that there's a waiting list
7 for people that are using the box hangars. The
8 problem is we haven't built hangars. If you have
9 200 people waiting for a hangar and you haven't
10 built hangars in 20 years, there's a problem
11 there -- or 10 years or however many. Now that
12 you're building hangars, you're starting to address
13 the actual problem, which is lack of hangar space.

14 Now, continue building hangars and you'll
15 watch that -- that waiting list drop. Even by your
16 contention, most of the times, each time you open a
17 hangar, five people drop off the waiting list or go
18 to the end. So just by opening five hangars you've
19 already by -- five times five's 25, dropped 25
20 people off the waiting list.

21 So the issue isn't that people are using box
22 hangars to circumvent the waiting list, the issue
23 is you're not building hangars. Now you are. So
24 keep going on that -- on that format, just get more
25 hangars, and watch that waiting list slowly erode.

1 CHAIRMAN GREEN: Just either Doug or Ed, I
2 just want to clarify for Mr. Hernandez that we are
3 trying to make a difference, a distinction between
4 the T-hangar and the box hangar.

5 MR. WUELLNER: Correct.

6 CHAIRMAN GREEN: That's the purpose for this.

7 MR. BURNETT: Yeah. And, you know, the added
8 language we've taken -- we took the same form, the
9 T-hangar form that was all in one, T and box, and
10 split it out, and so that the box hangar form now
11 says other aircraft stored do not have to be owned
12 by the tenant. That way sort of recognizing what
13 Mr. Hernandez said, that with T-hangars, we've got
14 a T-hangar waiting list, the T-hangar should match
15 the aircraft, but on box hangars we have aircraft
16 that may change and not owned by the tenant.

17 CHAIRMAN GREEN: I justed to make sure we were
18 clarifying that for Mr. Hernandez.

19 MR. HERNANDEZ: Okay. But what about the LLC
20 issue when I have a T-hangar, that the T-hangar's
21 in my LLC November 12345, I sell the airplane and I
22 buy airplane November 3456, which is a different
23 LLC? Then under the -- what's -- as far as I'm
24 reading it, I could be wrong, but I'm no longer
25 the -- the lessee and I have to leave.

1 MR. BURNETT: Would you -- may I respond?

2 CHAIRMAN GREEN: Yeah.

3 MR. BURNETT: Would it be acceptable, do you
4 think, then, that if the 12 -- November 12345, LLC,
5 if the policy was that if the ownership interest in
6 the LLC changed, then that would be a change in the
7 tenant.

8 MR. HERNANDEZ: No, the --

9 MR. BURNETT: But the change of the ownership
10 interest in the LLC not changing, even though the
11 LLC itself may change --

12 MR. HERNANDEZ: But now the airplane leaves,
13 the LLC leaves, I've sold the LLC, the plane
14 leaves, I buy another plane, another LLC, I want to
15 put it in the hangar.

16 MR. BURNETT: But it's still you as the
17 owner --

18 MR. HERNANDEZ: It's still me.

19 MR. BURNETT: -- at the end of the day.

20 MR. HERNANDEZ: The legalese behind it, I --
21 you know, I'll leave that to lawyers. But the
22 issue is that by saying it has to be under a
23 specific -- the aircraft has to be under a specific
24 name or an entity LLC, you get the situation where
25 I've sold the LLC -- because the plane is the only

1 thing in that LLC, I've sold the plane, I bought
2 another plane which happens to be another LLC,
3 because that's the way I like it, and now I'm in
4 violation of the tenant -- the lease agreement
5 because neither myself as a person nor the LLC,
6 12345, owns the hangar. That's where I see another
7 issue coming up.

8 CHAIRMAN GREEN: Okay. I'm going to move on.
9 Bob, do you want to?

10 MS. LUDLOW: Bob Melehan.

11 CHAIRMAN GREEN: Mr. Melehan?

12 MR. MELEHAN: I'm back here, but I didn't have
13 any commentary other than what's been offered
14 already.

15 CHAIRMAN GREEN: It's the lease policy. Okay.
16 Are you good?

17 MR. MELEHAN: I'm good.

18 CHAIRMAN GREEN: And then Reba.

19 MR. MELEHAN: Thank you.

20 MS. LUDLOW: Me?

21 CHAIRMAN GREEN: (Nods head.)

22 MS. LUDLOW: Well, can y'all hear me?

23 This -- I don't know -- I mean, I've had my
24 hearing checked and everything, but I can still
25 hardly hear what's going on.

1 Also, Doug and Ed, on this LLC thing, well,
2 what was the answer? I mean, do you have to --
3 because I'm in the same position. I bought Ron
4 Johnson's plane and now I would -- and I have the
5 LLC and somebody else's -- if my name's on there,
6 but why can't I leave it in the other hangar? Do I
7 have to do a -- file a whole new LLC?

8 MR. WUELLNER: I'm not understanding the
9 question.

10 MS. LUDLOW: I mean, the same three people --

11 MR. BURNETT: Are we talking in a box hangar
12 or a T-hangar?

13 MS. LUDLOW: We're talking about a T-hangar.

14 MR. BURNETT: Okay.

15 MS. LUDLOW: Okay. So if the same three
16 people are in the LLC and the same three people
17 bought another plane, doesn't the LLC stay with the
18 hangar? And so, why does the LLC become null and
19 void just because it's a different plane?

20 MR. WUELLNER: We're not saying it does.

21 MS. LUDLOW: I can't tell what y'all are
22 saying, frankly. Can y'all hear?

23 CHAIRMAN GREEN: I think -- and I'm not going
24 to take the lawyer hat here, so -- but you're
25 saying in your situation, the LLC is the same

1 entity; it just has a different tail number, it has
2 a different plane.

3 MS. LUDLOW: Right.

4 CHAIRMAN GREEN: Okay. I don't see that's an
5 issue because if your assets just changed, the LLC
6 stays the same.

7 I think what Mr. Hernandez was saying is the
8 LLC changed. So it's not Reba, LLC now, it's John
9 and Judy, LLC. That's a different question that I
10 would defer to Doug.

11 But within your answer, the LLC's still the
12 same, it's just the asset changed and you just need
13 to let them know that the tail number's changed. I
14 mean, that's about it.

15 MS. LUDLOW: That answers that.

16 MR. TUCKER: But point of clarifications, LLCs
17 changes all the time. So do partnerships.

18 MS. LUDLOW: Right.

19 MR. TUCKER: And partners come and go.

20 MS. LUDLOW: But I --

21 CHAIRMAN GREEN: But we're talking about
22 T-hangars, too, so...

23 MS. LUDLOW: I agree they're T-hangars. I
24 agree with your -- what -- if you get one payment,
25 take one payment, what are we doing?

1 I mean, you guys somehow have zeroed in on us
2 and you're changing everything. And, yes, we did
3 have airplanes in hangars that didn't move for
4 years. I mean, there's still some out there that
5 didn't move for years.

6 Bruce, I agree, if that airplane has not run
7 in so many months, six months or a year, then there
8 should be something in the lease to say you either
9 get -- get it fixed or get it out and let somebody
10 else have the chance. But I don't like -- I don't
11 want to cater to the waiting list when we're --
12 when what you're doing is making our life more
13 difficult, the ones that are here paying rent.

14 The other thing -- I'm still back to the LLC
15 thing. The other thing is it is totally unfair to
16 call a meeting on Friday for Monday. Totally.
17 Nobody knew anything about it. It was like it was
18 purpose -- it was on purpose, like a personal
19 vendetta -- no, not really. But, you know, if you
20 guys call a meeting on Friday and say it's for
21 Monday, you don't give anybody else a chance to
22 defend themselves.

23 I would say this needs to be postponed. I
24 mean, you didn't give anybody notice to do this,
25 that -- with all of these changes that you're

1 proposing putting in, and it affects us. So maybe
2 we should have AOPA or maybe the -- we should have
3 our own attorney represent us. Somebody that does
4 fly airplanes, Doug. So, I just -- I suggest we
5 postpone it and nothing be done.

6 That LLC, if my LLC for hangar K-8 has three
7 names on it and it's for a Piper and I sell the
8 Piper and I want the Cub in there, so what, you're
9 saying I can't -- I have to change the LLC?

10 MR. WUELLNER: No.

11 CHAIRMAN GREEN: Huh-uh.

12 MS. LUDLOW: I don't have to -- the LLC stays
13 with the hangar and the -- I mean, not the
14 airplane, if the airplane moves -- what, Randy?

15 MR. BRUNSON: Doug, an LLC, if you do an LLC,
16 you don't list your -- your assets on the LLC. The
17 LLC stays an LLC.

18 MR. WUELLNER: Yeah.

19 MR. BRUNSON: So if you buy another airplane
20 and you want to add that to your assets with your
21 same LLC, it stays there.

22 MS. LUDLOW: All right. So it's the same LLC.
23 It's just not been the aircraft insured now, it's a
24 Cub insured now.

25 And besides this, you guys, you're not paying

1 insurance on our airplanes anyway. That's what
2 you're saying. You -- your insurance doesn't cover
3 what we have in the airplane -- I mean, in the
4 hangar.

5 MR. BURNETT: I believe -- and by the way,
6 just to weigh in on the LLC thing, if you had --
7 going back to Galin's example, N123, LLC and that
8 LLC's a tenant, that LLC owns the aircraft, and you
9 sell the aircraft but now you have N456 and so you
10 want to change the name of your LLC, I think on
11 Sunbiz you can do a name change and it's \$125 and
12 change the name of your LLC to 456, LLC.

13 MS. LUDLOW: Even if all three names have --
14 have different aircraft -- I mean, different
15 hangars anyway? Every one of us have more than, I
16 mean, one hangar because we have more than one
17 plane.

18 MR. WUELLNER: You're confusing a myriad of
19 issues there that aren't the same.

20 MS. LUDLOW: Okay. Well --

21 MR. TUCKER: It is a confusing subject.

22 MS. LUDLOW: I have called all of the other
23 airports, so I do have their information and we're
24 going over their lease policies, also, and we're
25 going over the lease policies just in general.

1 So I would suggest we do not vote on anything
2 today because you did not give anybody notice to be
3 prepared to have -- to defend ourselves.

4 CHAIRMAN GREEN: Okay. That's the last I have
5 for public comment on this issue. Now it's back to
6 board.

7 So any short board comments about what
8 Ms. Ludlow said? If you'd like to table this --
9 there is a motion or there's a -- there's a request
10 for policy action, but I need to hear from the
11 board.

12 MR. MAGUIRE: Can I start with this thing?

13 CHAIRMAN GREEN: Yes.

14 MR. MAGUIRE: The -- starting at the
15 beginning, I believe if you rent a T-hangar and you
16 put an airplane in there, then it's yours. And if
17 you want to keep it for 30 years, Len, keep it for
18 30 years, as long as you use it and maintain it and
19 don't abuse it or whatever, do that.

20 With a box hangar, it's a question. Do we
21 rent a box hangar by the number of airplanes or by
22 the square foot?

23 MR. WUELLNER: Just roughly by the square
24 foot.

25 MR. MAGUIRE: The square foot. So -- so

1 there's no limitation as to how many airplanes they
2 can put in there.

3 MR. WUELLNER: Other than the physical
4 characteristics of it.

5 MR. MAGUIRE: Yeah, physically there would be,
6 but not legally according to the lease.

7 MR. WUELLNER: Correct.

8 MR. MAGUIRE: I -- I couldn't figure out why
9 Len could not put two airplanes in there. He owns
10 four, why he could not put two, according to the
11 lease. If you rent a box, you should be able to do
12 it.

13 The -- there are issues -- I'm a landlord not
14 of airplanes, but of businesses and stuff,
15 warehouses and stuff. If I tried to tailor my
16 leases to every problem that the 15 or 20 people
17 who rent from me, I would go bonkers.

18 I can't do that. I refuse to do that. I have
19 one lease and the tenants accept it or they don't
20 accept it, okay? Now it's a generic lease, and
21 there are issues here that don't apply to mine, and
22 I believe we need to address those issues. But we
23 cannot tailor -- my opinion, we cannot tailor our
24 leases to satisfy every single problem you address.
25 It's impossible. Can't do it.

1 If you lease it, use it, have fun, enjoy it,
2 take care of it, okay? And as long as it's legal
3 and you're not abusing it, it's yours. I don't
4 care in the box if we lease it by the square foot
5 and you can put in ten airplanes micro size, do it,
6 okay?

7 The issue of the lessee, though, is to me a
8 big issue. And you're requesting about -- no,
9 he -- Steve was questioning about the lessee. In
10 my business, if I have one person sign for lease of
11 a unit and somebody else comes in and creates a
12 problem, that creates a problem legally with me,
13 okay? I cannot allow tenants to sublease without
14 having that person come on board and sign the same
15 lease that the tenant does because I have to have
16 legal protection, okay?

17 Now, in a case of this, I like the idea of two
18 people signing for a box. I do. To me, the
19 liability is more protective to the airport. It
20 may be a burden on you, but it's more protective to
21 the airport. So I like the idea of doing that.

22 Now, once those two people sign, if somebody
23 else puts in -- if Len signs the lease and
24 Snodgrass wants to put one in there and it's not
25 covered, well, then there's a -- a liability issue

1 between those two.

2 I don't want the airport to get involved. If
3 they have an argument because somebody's not paying
4 what they're supposed to pay, I don't want us to
5 get involved. If -- and, Len, I'm picking on you
6 because I'm looking at you.

7 MR. TUCKER: That's okay.

8 MR. MAGUIRE: If Len rents a box for a
9 thousand dollars a month and he subleases that
10 verbally or any other way and makes a profit, well,
11 I'm going to come down on Len and say, you're out
12 of there, I don't like that.

13 The airport's in the business to support and
14 generate revenue to pay for itself. And if you're
15 making money off of our buildings, then you need to
16 go, all right? And I'm not saying you do; I'm
17 using that as an example.

18 So if you can put five airplanes in there and
19 the lessee suddenly is in a position where the
20 lessee's paying nothing, that to me is a major
21 problem. And I'm not saying that is.

22 MR. TUCKER: I agree a hundred percent.

23 MR. MAGUIRE: So I -- so those are the types
24 of things I look -- look for here. It's your unit.
25 You lease it, do with it as you please, but don't

1 abuse it, don't make money off the airport, don't
2 do anything illegal.

3 And going back to the storage issue, I
4 understand, I've got to go back, he's correct. I
5 think a hangar queen is protected, but I feel sorry
6 for the people in line, but that's the way it is.

7 Now, be careful what you say about the only
8 way to get rid of the 200 people in line is to
9 build more hangars. Well, no, that's one of two
10 ways, okay? The other way is raise the prices up
11 so high, that people go to other airports and that
12 will decrease it real fast, okay? So we have to be
13 careful about what we really want here. We want
14 more airplanes, we want more hangar space. It's
15 coming slowly.

16 Insurance -- I had written down here,
17 insurance covers. Oh. 30 days to vacate you
18 mentioned. I agree that -- you should never have
19 gotten a letter like that ever. I don't do that in
20 my business and we shouldn't do that here.

21 If you know -- now, if you know something's
22 coming and you wait till the morning of, then shame
23 on you. But if -- if you get caught off guard like
24 that and tell you you've got 30 days to correct it,
25 I disagree with that.

1 Especially the character of the tenant is
2 important. And if we've never had a problem with
3 Len making a payment, then we shouldn't threaten
4 him to leave, okay? So, those are my comments.

5 MR. BRUNSON: Madam Chair, I have very few.

6 I think that we've thrown a lot of questions
7 out. A lot of answers. There's some things that I
8 think we're overreacting to, and I think that I
9 would make a motion that we table this, straighten
10 out these few things, like if a plane is stored,
11 how long before and how we can say it's a piece of
12 junk, it's not stored. We need to have some
13 clarification on how long it can be stored, in my
14 opinion.

15 CHAIRMAN GREEN: I don't think that's one of
16 the things before us right now. I think the FAA
17 takes care of that issue.

18 MR. BRUNSON: Well, it was mentioned -- it was
19 mentioned that if it's stored, you know --

20 CHAIRMAN GREEN: Right. I agree, but I don't
21 think that's what we're here for and that's not on
22 our agenda. We're more of the difference between a
23 box hangar and a T-hangar and how we're dealing
24 with the leaseholds.

25 MR. BRUNSON: And I -- is not what you're

1 trying, trying to separate the box hangar lease
2 from the T-hangar lease?

3 MR. BURNETT: Yes, sir.

4 MR. BRUNSON: And so -- so there's some things
5 that's been said that -- like this gentleman has
6 these planes and he said that he can put different
7 airplanes in there.

8 And so, it seems like it's just a little bit
9 of communication and get it in writing so we can
10 vote on it. And when we get that clear and we can
11 vote on it, then -- but I think we should table
12 this until we get it completely clear.

13 CHAIRMAN GREEN: Mr. Mirgeaux, any comments?

14 MR. MIRGEAUX: Well, I think that -- there we
15 go. Turn that on. Can everybody hear me? I don't
16 know.

17 Okay. I think that there's some I think
18 separating the leases, so we have a T-hangar lease
19 and a box hangar lease, I think that's smart. I
20 think adding a language for joint and several
21 liability, I think that's also smart.

22 I don't think that we need a tail number for
23 every hangar. I think that is -- part of the lease
24 agreement is that this is for aviation use. I
25 don't think we need to micro manage and know what

1 aircraft is in every hangar. I don't think that --
2 you know, our tenants are stakeholders and part of
3 that agreement is an agreement of trust and it's a
4 relationship that goes many years, decades even,
5 so...

6 MR. WUELLNER: Well, I don't disagree with
7 your -- the viewpoint on that, but I do want to
8 make the board aware of something that's coming at
9 the airport side of this from FAA very quickly.
10 And they are beginning to require -- it's -- so
11 far, we've declined to participate, but I see it
12 working its way into grant assurances and other
13 places with FAA.

14 They're looking to what they're calling
15 verifiable occupancy of hangars, meaning they want
16 the data on who is stored in hangars. We have
17 basically told them for a better part of five to
18 ten years now to pound sand, we're not providing
19 that information, we don't feel as an entity it's
20 any of their business who's in a hangar.

21 But we just got -- literally today got
22 guidance again asking for participation, and it's
23 just not going to be long until that's compelled
24 and they're going -- they're going to sneak it in
25 there and -- and we're going to be required to

1 provide it. I don't agree with it, but they're --

2 MR. MIRGEAUX: So obviously any future changes
3 that the FAA would make to regulations we're going
4 to abide by.

5 MR. WUELLNER: Sure.

6 MR. MIRGEAUX: That's not up for debate.

7 But in terms of creating a lease that's an
8 agreement between us and our stakeholders and our
9 tenants, we want to -- I mean, there's no
10 expiration date on those, right? I mean, if
11 they're not good for a year, then they have to
12 renew, right?

13 MR. WUELLNER: Well, the leases renew
14 annually.

15 MR. MIRGEAUX: It's renewed annually. I
16 missed --

17 MR. WUELLNER: Automatically --

18 MR. MIRGEAUX: Oh, so it's automatically
19 renewed?

20 MR. BURNETT: The airport can terminate it
21 shorter, but it's generally --

22 MR. WUELLNER: As can the tenant.

23 MR. BURNETT: Yeah. It's generally one-year
24 terms.

25 MR. MIRGEAUX: Okay. So that every year they

1 come and they renew their lease?

2 MR. WUELLNER: We -- we don't require any
3 action unless something changes.

4 MR. MIRGEAUX: Okay. So I didn't read an
5 expiration date. Like it's renting an apartment
6 and they tell me, hey, you've got this apartment 12
7 months and then you're out.

8 MR. WUELLNER: In those cases, you execute a
9 new lease.

10 MR. MIRGEAUX: Right. I mean, so that's kind
11 of my experience with it from -- either as a
12 landlord or as a -- as a tenant.

13 MR. WUELLNER: Well, with over 200 leases,
14 it's tedious to get them all re-signed every year.

15 MR. MIRGEAUX: Which is why we want to -- to
16 Bruce's point, which I think was a good one, is you
17 want to create a durable document that you don't
18 want to have a tail number with every lease. I
19 don't -- it just seems to me that that is -- it's
20 over the top.

21 CHAIRMAN GREEN: I don't think that's what
22 we're trying to do here. We're trying to define
23 who is the tenant in each one so if we ever had any
24 type of eviction situation or whatever, we know who
25 we're dealing with. But that's going back to

1 Mr. Hernandez' comment about changing the --

2 MR. MIRGEAUX: But you said on the T-hangars,
3 you've got to have one aircraft in there and that's
4 got to be identified on the lease. You said on the
5 box hangar, that you can shovel in aircraft, but
6 there's got to be at least one aircraft in there at
7 all times and it's identified on the lease. And
8 then --

9 MR. BURNETT: And that part you -- that part
10 you agree with? I'm just want to make sure I'm
11 following you for drafting.

12 MR. MIRGEAUX: I think that we need to let our
13 tenants be flexible, and as long as they're not
14 doing anything unsafe, they're not breaking any
15 regulations and they're not endangering themselves
16 or others, that we need to -- and what they're
17 doing is aviation-related, we need to let them do
18 that.

19 MR. WUELLNER: Well, I'll give you another
20 reason why we believe the information's necessary,
21 but it's not -- it's -- this is not a daily
22 occurrence, by any sense. In fact, it probably
23 only happens every one -- probably once a year kind
24 of deal.

25 But we get contacted by some emergency

1 response entity looking for an airplane that we
2 don't know where it is. They say, well, it's based
3 at St. Augustine by N number. We don't know where
4 that aircraft would be. They're asking us to
5 confirm it's at the airport, it's home safe, it
6 never made it here, whatever the circumstances.

7 Without that information in -- in our form, we
8 have no way to even start that. We'd be looking
9 through -- in theory, we'd be looking through
10 200-plus hangars, the ramp, everywhere else to do
11 that.

12 MR. MIRGEAUX: Well, they can volunteer and
13 they should share their tail numbers.

14 CHAIRMAN GREEN: Right. That's --

15 MR. MIRGEAUX: But, you know, looking at the
16 lease policy, it says that if the person that signs
17 the lease is not the person that pays the check
18 then they're in violation of the lease, and
19 technically according to that, they could be
20 evicted. I don't think that that's -- I don't
21 think that that's how we should be treating our
22 lessees.

23 MR. BURNETT: That paragraph can easily be
24 stricken --

25 CHAIRMAN GREEN: Right.

1 MR. BURNETT: -- that addition.

2 MR. MIRGEAUX: I agree with Randy. I think we
3 should table this.

4 MR. MAGUIRE: I think the question there is,
5 the point is, why do we require the check to be
6 signed by the lessee? Is there -- are there other
7 issues other than --

8 MR. WUELLNER: Well, it really -- there were
9 only in terms of it -- I wrote it down somewhere, I
10 don't know where I put it, but in terms of the
11 acceptability of where we'd -- we did have
12 numerous -- numerous times over the years where
13 that has identified a serious subletting issue
14 that's gone on in some cases --

15 MR. MAGUIRE: Which is my point exactly.

16 If John Doe, LLC rents it, but Harry James
17 signs the check and not related to John Doe, have
18 we created legally a liability by accepting those
19 checks? And that's what we need to find out.
20 Because it could be more than just we don't like to
21 do that.

22 MR. WUELLNER: Right. And in most -- in most
23 cases, you know, anybody that's -- I say a party to
24 the lease, but affiliated with the lease, you --
25 you're the named lessee, you're a partner in the

1 aircraft, you're the owner of the aircraft, you're
2 a member of the LLC, those aren't the kind of
3 payments we're not talking about.

4 I mean, we're talking about somebody that's
5 disaffiliated, if you will, with the lease itself
6 or the aircraft that's in there. We get this
7 extraneous check for a hangar that we don't know
8 why we'd be getting a check from.

9 MR. MIRGEAUX: How do you know it's tied to a
10 hangar? Does it say it in the memo line?

11 MR. WUELLNER: Yes. They literally -- we've
12 had a number of them walk in and go, "This is for,"
13 I'm making up a number here, you know, "M-3.
14 Here's --" you know, "Who are you?" That kind of
15 deal. The check doesn't match anybody we have on
16 record.

17 MR. MIRGEAUX: But it clears.

18 MR. WUELLNER: We don't even know more often
19 than not, we -- you know.

20 MR. MIRGEAUX: I mean, you don't --

21 MR. WUELLNER: I think that issue that Bruce
22 brings up, is it creating an issue? I don't know.
23 That's a dumb question, but --

24 MR. MIRGEAUX: That is a good question,
25 though. Is that an issue?

1 MR. MAGUIRE: I don't know. I do know that
2 when I get a check, that the -- if my name is
3 spelled incorrectly or whatever, the bank won't
4 take it. The insurance companies look at that,
5 who -- who are they leasing to. The insurance
6 companies are getting more involved in tenancies
7 and landlord operations than ever before.

8 MR. WUELLNER: No doubt.

9 CHAIRMAN GREEN: Okay. Because we have a lot
10 more agenda items. Mr. Brunson, you had said you
11 would --

12 MR. BRUNSON: I have nothing else.

13 CHAIRMAN GREEN: No, but you said you'd like
14 to table it, to wait --

15 MR. BRUNSON: I would recommend that we table
16 this to where --

17 CHAIRMAN GREEN: Our next meeting's
18 December 16th. Is there a motion or something
19 or --

20 MR. MIRGEAUX: I would move to table this to
21 the next meeting.

22 CHAIRMAN GREEN: Is there a second --

23 MR. BRUNSON: I make the motion that we table
24 it to the next meeting.

25 MR. MIRGEAUX: I second that motion.

1 these issues?

2 CHAIRMAN GREEN: That's up to Doug.

3 MR. BURNETT: Sure.

4 MR. MAGUIRE: Y'all can talk at his
5 convenience, yeah, or talk to him and make some
6 suggestions.

7 MR. BRUNSON: Madam Chair, I think basically
8 we understand pretty well, but I just want to make
9 sure that everybody understands and can read it in
10 writing and that -- so we can vote on it, on the
11 few little things.

12 CHAIRMAN GREEN: I know. Doug just asked for
13 some direction. So I think you have, and like
14 Mr. Tucker said, if you want to meet with some of
15 the SAAPA members, absolutely.

16 Okay. So there's a first and a second to
17 table this till the December 16th meeting. Doug,
18 does that give you enough time?

19 MR. BURNETT: Well, what I was also thinking
20 was maybe I can schedule a telephone conference.
21 I've got a call-in line, because there's people who
22 are here that maybe would want to participate but
23 can't get to a meeting, and I've got a dedicated
24 conference line, so I can set that up and we can
25 have a meeting in person and whoever can't make it

1 there in person, we can do it by phone as well at
2 the same time.

3 CHAIRMAN GREEN: Okay.

4 MR. BURNETT: And so I'll make sure we get
5 that done before then. I'm just looking at my
6 calendar, and in fact I want to make sure it gets
7 to you guys fast enough.

8 MR. WUELLNER: It needs to be done the first
9 week of December.

10 MR. BURNETT: Yeah, either -- either next week
11 or the first week of December. Yeah, we can -- I
12 can make it work the 2nd or 3rd, that Monday or
13 Tuesday.

14 CHAIRMAN GREEN: Of December?

15 MR. BURNETT: Yeah. We'll get something put
16 together.

17 CHAIRMAN GREEN: December 2nd or 3rd. And if
18 anyone can't attend, Doug has a dedicated
19 conference call-in line.

20 MR. BRUNSON: What date now?

21 MR. WUELLNER: We'll probably target the 2nd.

22 MR. BURNETT: Yeah.

23 CHAIRMAN GREEN: December 2nd is what we're
24 targeting.

25 Okay. We have a motion on the table. All in

1 favor of tabling this till the 16th, say aye.

2 MR. BRUNSON: Aye.

3 MR. MAGUIRE: Aye.

4 MR. MIRGEAUX: Aye.

5 CHAIRMAN GREEN: Aye. Any opposed?

6 (None.)

7 CHAIRMAN GREEN: Okay. So it's tabled until
8 the 16th. And then in between the time for
9 everyone to get together and read the language and
10 we'll have a chance to see whatever language prior
11 to our meeting. Okay.

12 MR. WUELLNER: What do you want to do first?

13 CHAIRMAN GREEN: I guess let's go back to
14 our -- do you have any more director's report?

15 MR. MAGUIRE: Did you want to go back to the
16 PGA guy?

17 CHAIRMAN GREEN: The only problem -- sorry,
18 Brian. The only problem is it's not an agenda
19 item, it's a public comment, so we have agenda
20 items. That's the only thing. Sorry.

21 Okay. Executive director.

22 MR. WUELLNER: That's fine. Wherever you
23 want --

24 CHAIRMAN GREEN: Executive director report.
25 And then I know Mr. Dean had to leave, so I guess,

1 Carol, I don't know if there's going to be --

2 MR. WUELLNER: I can do -- if it's easier for
3 movement of things, I can do that at the end.

4 CHAIRMAN GREEN: That's fine. Then we have
5 business partner updates. So, I guess Atlantic.

6 BUSINESS PARTNER UPDATES

7 MR. BEYERS: I'm good.

8 CHAIRMAN GREEN: Northrop? I saw Mr. Dean had
9 to leave. Carol, did he say anything?

10 MS. SAVIAK: He just said time did not permit
11 him to stay.

12 CHAIRMAN GREEN: Okay. Who else do we have
13 with business partners? I've got Northrop. Tammy.
14 How about tower? Ed, is that going to be you?

15 MR. WUELLNER: Actually it was in your
16 operations summary. I don't have it in front of
17 me.

18 CHAIRMAN GREEN: Okay. And then, Galin, are
19 you okay?

20 MR. HERNANDEZ: Just a quick one from SAAPA,
21 is that the St. Augustine Airport Pilots
22 Association Christmas meeting -- Christmas party is
23 going to be December 11th, 6:00 p.m. in our new
24 hangar. Should be moved in by then. And every one
25 of the commissioners, lawyers, and the

1 administrative obviously as well can -- more than
2 welcome to come join us. December 11th, 6 p.m.

3 CHAIRMAN GREEN: Thank you. Doug, did you
4 have anything else?

5 MR. BURNETT: Just very briefly a follow-up on
6 what was already said.

7 Commissioner Dean did have a family commitment
8 at 5:30 he had to go to, so I know that's he -- I
9 think he was hoping to get to talk before then. I
10 don't really have anything else to talk about.

11 CHAIRMAN GREEN: Okay. So we've gone through
12 the policy actions. Then the next agenda item is
13 the commercial hangar lease.

14 COMMERCIAL HANGAR LEASE - JAXJETS

15 MS. HOLLINGSWORTH: Huh-uh.

16 CHAIRMAN GREEN: Ed?

17 MR. WUELLNER: Uh-huh.

18 MS. HOLLINGSWORTH: No.

19 MR. WUELLNER: We have a proposal -- proposed
20 lease for Hangar Unit 8, which is an east side --
21 east side hangar.

22 CHAIRMAN GREEN: Oh, okay. I skipped one, but
23 that's okay. Go ahead.

24 MR. WUELLNER: I know. I would have brought
25 it back to it.

1 But anyway, the proposed tenant is JaxJets,
2 Inc. They currently have an aircraft with the FBO,
3 but they desire -- they're purchasing a larger
4 aircraft. They operate a FAR Part 135 charter
5 operation. Proposing to operate that out of Hangar
6 8, Hangar Number 8 on the east side corporate area.

7 It would be a two-year lease term with a
8 three-year option after that. Rent's at \$5.50 a
9 square foot, so it would be roughly \$44,000 a year.
10 It's approximately an 8,000 square foot hangar and
11 is subject to annual CPI. Uses the standard form
12 Airport Authority lease. And staff would recommend
13 approval of the lease.

14 CHAIRMAN GREEN: Is it empty now?

15 MR. WUELLNER: It is.

16 CHAIRMAN GREEN: Okay. Any board discussion?

17 MR. WUELLNER: With any luck, I'll have
18 another one for you next month.

19 MR. BRUNSON: I have nothing.

20 CHAIRMAN GREEN: I had nothing for public
21 discussion on that.

22 MS. LUDLOW: No comment.

23 CHAIRMAN GREEN: So I'll entertain a motion,
24 then, with regards to the commercial hangar lease
25 for JaxJets.

1 one I skipped over is the --

2 MR. WUELLNER: The meeting conduct policy.

3 CHAIRMAN GREEN: Meeting conduct.

4 MEETING CONDUCT POLICY AMENDMENT

5 MR. WUELLNER: Yeah. This was something that
6 occurred to me while I was sitting for a ridiculous
7 amount of time at the Board of County Commissioners
8 meeting a few weeks ago.

9 They have adopted the policy language that is
10 proposed here. They put it up on their screen and
11 I thought, well, that's interesting; I like the way
12 they've kind of approached the idea of ex -- my
13 opinion was the expectation of board action when it
14 comes out of the public. Meaning, the board gets
15 something that's cold and hasn't been vetted,
16 staff's had no chance to react to it or brief or
17 even do research into the matter.

18 So it's primarily related to that part of
19 the -- of what they were putting on the screen
20 there, which had to do with -- I'm trying to read
21 it here quickly.

22 But you already for the most part have the
23 idea of a predetermined amount of time to speak,
24 which is always up to the Chair to grant additional
25 latitude in the time. And frankly, if that's a

1 sticking point, the time either could be changed or
2 eliminated.

3 But it was more the -- the item of the public
4 can't disturb the meeting with personal,
5 impertinent, slanderous remarks or boisterous
6 behavior, and the public will address the board as
7 a whole and -- and refrain from making a demand for
8 any immediate response from the board.

9 This is the proposed addition to this. It was
10 something that it -- I -- while I was reading it, I
11 was thinking, well, that's a component -- there's a
12 couple of components that we don't -- we don't
13 incorporate into our policy.

14 It -- and our meeting conduct policy has its
15 roots -- if you go back that far enough, has its
16 roots in the County Commission's meeting conduct
17 policy in that it was -- a great deal of that
18 language was brought forward to the
19 Airport Authority to adopt, and of course we've
20 tailored it over the years to be a little more
21 casual than the Board of County Commissioners'
22 version of it.

23 But we're throwing that out there as a
24 suggested slight adjustment to your meeting conduct
25 policy. Otherwise, the balance of the policy would

1 remain in effect. And I believe we did provide --
2 put a copy attached to that because it's not --
3 while you should have a copy, you may not have
4 ready access to it.

5 MR. BURNETT: And -- and if I might just add,
6 this is very similar, not just to the county, but
7 the historic city and the City of St. Augustine
8 Beach, very similar kind of language across the
9 board in this context of a three-minute time limit
10 and the rest of the language are very similar.

11 MR. MIRGEAUX: Do we need to amend the policy,
12 though, to just allow people three minutes?

13 CHAIRMAN GREEN: Actually --

14 MR. MIRGEAUX: Isn't that just like an action
15 of the Chair, just you're recognized for three
16 minutes?

17 CHAIRMAN GREEN: Well, it is in there. I
18 mean, that's -- and it is up to the Chair to go on
19 further or whatever. But it's to prevent an hour
20 of a filibuster type of thing.

21 MR. MIRGEAUX: Right. But, I mean, the Chair
22 can just do that anyway, can't they?

23 CHAIRMAN GREEN: Sometimes it helps to have it
24 in writing to support --

25 MR. MIRGEAUX: Well, I -- the reason why I say

1 that is that in my experience with general, you
2 know, recognizing speakers on the floor and how it
3 works is the Chair can recognize somebody for an
4 hour if they want, but if they don't want to,
5 they're limited. And I've been doing this now for
6 about a year, I'm the least experienced person
7 here, but we don't have a problem with that.

8 CHAIRMAN GREEN: You're right. And some of
9 this language, we don't have a problem with our
10 public. But it is the guidance of what has been
11 done with the other commissions and in other cities
12 and what have you and it just gives a floor. It
13 doesn't mean we have to limit, your timer's up and
14 it's three minutes. I don't think anybody here has
15 done that --

16 MR. WUELLNER: I don't even think --

17 CHAIRMAN GREEN: -- since I've been since
18 2000.

19 MR. WUELLNER: -- we're capable of a time
20 limit right this minute in that respect.

21 MR. MIRGEAUX: I don't think we should be, you
22 know, telling people to sit down after three
23 minutes, though.

24 MR. WUELLNER: Yeah, I'm truly less concerned
25 with the time involved. That's -- that's the least

1 because that's -- you know, you want to hear what
2 people have to say --

3 MR. MIRGEAUX: Absolutely.

4 MR. WUELLNER: -- and that's perfectly
5 appropriate.

6 MR. MAGUIRE: If I can make a comment.

7 This was a big issue when I was a commissioner
8 because I believe that if you have something to
9 say, you should be able to get up and say it. The
10 problem is, that we've ran into, is that most
11 people don't know how to express themselves, and
12 they'll stand up and they'll start talking and
13 talking and talking, and five, ten minutes later,
14 they haven't really got the issue out yet or their
15 position out.

16 When you limit them to three minutes or five
17 minutes or whatever you say, you're really forcing
18 them to be more succinct and get to the point,
19 which was a far better way of doing it because then
20 we understood.

21 The Chair can always extend it if the Chair
22 wants to, but it gives some credence to the people
23 out there speaking. We expect you to get to the
24 point and not ramble. So three minutes was a
25 critical issue with us.

1 What I am uncomfortable with this, and it's
2 not with this group here, but it's with the City of
3 St. Augustine. The City of St. Augustine is famous
4 for ignoring people who talk for three minutes.
5 They'll just let them sit there and talk, and you
6 can see the people up there, they just sort of --
7 as a matter of fact one person was famous for
8 playing on his cell phone when people were talking.
9 They don't pay attention.

10 For that reason, I have always felt that it
11 was acceptable for the person to say, "Can I get a
12 response?" And sometimes the board would look up
13 and say, "Oh, what'd you say?" You know, you could
14 see they were dumbfounded.

15 For that reason, the last sentence up here,
16 not make a demand, I agree with the fact that you
17 shouldn't make a demand, but I would never refrain
18 or tell a person they can't ask for a response. I
19 would never tell them that. If you tell me you
20 have a problem or a concern, you also have the
21 right to say, "I would like to have a response."

22 MR. WUELLNER: And frankly --

23 MR. MAGUIRE: That's different than a demand.

24 MR. WUELLNER: True. And we -- we don't
25 constrict it. We just don't have a problem.

1 MR. MAGUIRE: Not here.

2 MR. WUELLNER: But we've had the opportunity
3 on a few occasions years ago for members of the
4 general public who completely unplugged from the
5 Airport Authority just showing up --

6 MR. MAGUIRE: Sure.

7 MR. WUELLNER: -- and, you know, doing like
8 they do with the County Commission and the City
9 Commission and the Beach Commission, and there are
10 individuals in our community well-known for
11 their -- their attempts at obstreperous behavior.

12 MR. MAGUIRE: I'll give you a worst-case
13 example of the three-minute violation --

14 MR. BRUNSON: Three minutes is up here.

15 MR. MAGUIRE: Okay. The three minutes -- this
16 lady came up and started complaining and with about
17 ten minutes left, she started singing God Bless
18 America. And the whole -- everybody just --
19 everybody looked up, what do we do now? Finally
20 everybody stood up and started singing with her.
21 You know, and what did she achieve? I have no
22 idea, but she did exactly that.

23 MR. BRUNSON: I'll make one comment. I have
24 faith in this crowd and I have faith in you as
25 Chairman to handle this, but I'll tell you, when

1 even Reba Ludlow?

2 CHAIRMAN GREEN: Especially Reba Ludlow.

3 MR. MIRGEAUX: I think you should take -- I
4 think you should take three minutes out. I think
5 if you just say brief.

6 MR. MAGUIRE: I wouldn't support it if you
7 took the brief out.

8 CHAIRMAN GREEN: Yeah, because that's just --

9 MR. MIRGEAUX: It just sounds like you're
10 limiting people.

11 MR. MAGUIRE: You are.

12 CHAIRMAN GREEN: But it's --

13 MR. MAGUIRE: You're -- well, it's not that
14 you're limiting. You're telling them to be
15 succinct and get to the point.

16 MR. MIRGEAUX: Then say that: Be succinct.

17 MR. MAGUIRE: Well, that's sort of vague.

18 MR. MIRGEAUX: Don't say three minutes.

19 CHAIRMAN GREEN: All right. Well, I've got a
20 motion and a second.

21 MR. HERNANDEZ: No public comment?

22 CHAIRMAN GREEN: I didn't have anyone that put
23 down public comment, but it's --

24 MR. HERNANDEZ: I -- I wrote on there.

25 MS. LUDLOW: We all did.

1 MR. MAGUIRE: On the three-minute issue?

2 MR. HERNANDEZ: Yes.

3 CHAIRMAN GREEN: Oh, okay. Then go ahead.

4 Public comment. Mr --

5 MR. HERNANDEZ: I'm going to keep it under
6 three minutes, okay?

7 First of all, this is a public forum. I mean,
8 it's public. If they don't want to be in the
9 public forum, they shouldn't be here.

10 Second of all, the Chairman has the right and
11 the discrepancy to say "You know, this is too much.
12 You need to sit down."

13 Again, I go back to: Are you trying to fix a
14 problem that doesn't exist? Even by your
15 standards, this hasn't been a problem. When it
16 becomes a problem, then -- then attack it, fix it.
17 It isn't a problem here.

18 And after all, the Chairman can say, "Galin,
19 you've been talking too much, sit down," or in --
20 in some kind of terms. And just because Johnny
21 jumps off a cliff doesn't mean you should jump off
22 the cliff.

23 If other people are having a problem, let them
24 look at their problem and fix it. If we're having
25 a problem, let us fix it. If we don't have

1 problem, it ain't broke, don't fix it. That's my
2 opinion.

3 CHAIRMAN GREEN: Any other public comment?

4 MS. LUDLOW: No comment.

5 CHAIRMAN GREEN: No. Okay. Back to the
6 board. So we had a first and a second. Any
7 further board discussion?

8 MR. MIRGEAUX: I have --

9 CHAIRMAN GREEN: Sure.

10 MR. MIRGEAUX: -- complete faith and
11 confidence in you to run the meetings
12 professionally, as you've done every -- every one
13 I've been to and every one that I've read the
14 minutes of, and I don't think we need to amend the
15 current policy.

16 CHAIRMAN GREEN: As part of discussion, I've
17 been on this board since 2000 and there are times
18 that this would have --

19 MR. MAGUIRE: I started to say --

20 MR. BRUNSON: You've never sat through an
21 eminent domain at the airport.

22 CHAIRMAN GREEN: Yes.

23 MR. BRUNSON: 12 years ago --

24 MR. WUELLNER: Which we're not doing.

25 MR. BRUNSON: -- we were here forever.

1 MR. MIRGEAUX: But then to Galin's point, I
2 mean, it is a public forum. And if there is --
3 like, I mean, the hangar lease changes, a lot of
4 people are interested in that. They need to talk
5 about it --

6 CHAIRMAN GREEN: Yeah.

7 MR. MIRGEAUX: -- and we need to hear them.
8 And if they go over their time --

9 MR. MAGUIRE: And she allows it.

10 MR. MIRGEAUX: -- great.

11 MR. WUELLNER: Yeah. And just a point of
12 clarification because I don't want anybody confused
13 over it. This applies only to the general public
14 comment, not the comments related to agenda items.

15 MR. MIRGEAUX: Oh. So it's not --

16 CHAIRMAN GREEN: This is at the very end.

17 MR. WUELLNER: This is only the --

18 MR. MIRGEAUX: This is the --

19 MR. WUELLNER: Yes.

20 MR. MIRGEAUX: -- new business second.

21 CHAIRMAN GREEN: This is poor Mr. Pruitt who's
22 been sitting here since the beginning that needs to
23 speak. Yeah, it's the general public.

24 MR. WUELLNER: Next week, we'll give you more
25 than three minutes.

1 CHAIRMAN GREEN: Okay. All in favor of the
2 suggested staff recommendation?

3 MR. BRUNSON: Aye.

4 MR. MAGUIRE: Aye.

5 CHAIRMAN GREEN: Aye. All opposed?

6 MR. MIRGEAUX: Nay.

7 CHAIRMAN GREEN: Okay. It will pass 3 to 1.

8 PUBLIC COMMENT - GENERAL

9 CHAIRMAN GREEN: Okay. I think have we gotten
10 through all of our -- Cindy, tell me. I think
11 we're good now. We're down to public comment.
12 Mr. Pruitt.

13 MR. PRUITT: It's my turn?

14 MR. WUELLNER: Bring him back up.

15 MR. PRUITT: I don't know if I can do this in
16 three minutes. No filibusters. I'll keep it under
17 three minutes.

18 A few weeks ago there was something that was a
19 concern to me and my operation here at the airport.
20 At the last minute, one of the access gates was
21 chained. I understood that there wasn't a key
22 accessible to -- to Atlantic Aviation.

23 I have team members that work in our hangar.
24 God forbid something happened to them and they
25 needed emergency equipment. And now we have no way

1 to get to our hangar through the -- through the
2 ramp because of the -- the padlocked gate. And
3 that's a -- that's a medical concern to me and my
4 team members. So that's the first thing.

5 Secondly, I'd like to just ask a question in
6 general. We've talked a lot about T-hangars and
7 box hangars. Where are we at with regards to
8 corporate hangars and looking into that in the
9 future? That's mine. Thank you, very much.

10 CHAIRMAN GREEN: Additional corporate hangars?

11 MR. PRUITT: Additional corporate hangars,
12 yes.

13 CHAIRMAN GREEN: Yeah.

14 MR. WUELLNER: They're programmed. I think
15 the earliest is '23-'24, for the next -- next
16 corporate.

17 MR. PRUITT: I couldn't hear.

18 CHAIRMAN GREEN: They're programmed in '23,
19 2023 into our budget, okay? Thank you, so much.

20 MR. PRUITT: Thank you.

21 MEMBER COMMENTS AND REPORTS

22 CHAIRMAN GREEN: Mr. Maguire, board member
23 comments?

24 MR. BRUNSON: I have none.

25 CHAIRMAN GREEN: Okay.

1 MR. MAGUIRE: Hey, she was asking me.

2 MR. BRUNSON: I know, but I have none.

3 MR. MAGUIRE: Yeah, I do.

4 MR. MIRGEAUX: Three minutes.

5 MR. MAGUIRE: As I -- three minutes, public
6 comment.

7 As mentioned before, when people have
8 complaints, they call me. Bob Buckmaster called
9 me, okay, complaining a lot. And it took me quite
10 a while to figure out what he was complaining
11 about.

12 He said that the administrator turned him down
13 twice to build a warehouse out here on the end of a
14 piece -- on the property down on the corner, and he
15 checked with FAA and FAA regulations allow his
16 two-story warehouse. And he was complaining that
17 the airport turned him down. Can you enlighten us
18 on that situation?

19 MR. WUELLNER: Yeah. The -- I don't -- I
20 can't in any way explain whatever he did or didn't
21 do with FAA and that's the first I'm hearing any
22 conversation. FAA never contacted us or had any
23 other --

24 MR. MAGUIRE: No, he said he went and checked
25 the regs.

1 MR. WUELLNER: Well, he doesn't understand the
2 regs, let's start with that point.

3 But secondarily, this particular piece of
4 property is at the corner of Gun Club Road and
5 U.S. 1, which is up the end of Runway 31 -- well,
6 Runway 13, if you would, the approach end of 13.

7 The great majority of this particular corner
8 of property underlies our FAR Part 77 hazardous
9 air -- airspace restrictions. Our runways, clear
10 zones, approach areas, transitional surfaces all
11 overlay that piece of property. It has never been
12 buildable in the scheme of things as long as that
13 runway's been in existence, long before I ever got
14 here.

15 Our job administratively is to protect that
16 approach, that runway and that whole thing
17 permanently. The code of county regulations, the
18 Land Development Regulations defer to Part 77
19 restrictions on that property.

20 He never moved that application beyond a, what
21 would we think, what would our reaction be to him
22 filing for some kind of permit to begin, whether it
23 was zoning -- I don't remember now, whether it was
24 zoning or building permits or something related to
25 that property.

1 We conveyed to him that we would oppose it
2 based on a Part 177 -- or a Part 77 surface
3 obligation of that piece of property. We conveyed
4 that to him. That's the extent of our denial of
5 that. We do not have zoning authority. We do not
6 have permitting authority, we do not have anything
7 else. We are just simply consulted.

8 MR. MAGUIRE: Yeah.

9 MR. WUELLNER: And they -- this was a courtesy
10 review, if you will, as to what our likely position
11 would be for that particular corner.

12 MR. MAGUIRE: But that -- and I --

13 MR. WUELLNER: It's a very unique piece of
14 property.

15 MR. MAGUIRE: Well, it is unique, and I knew
16 there was something. He complained of two stories
17 was not high enough to be a problem and I mentioned
18 clear zones and he -- the only thing he said was he
19 checked the regs and he felt like that he was
20 legal -- well, I mean, his client. Bob Buckmaster,
21 by the way, is a real estate broker who is handling
22 the transaction.

23 MR. WUELLNER: Yeah, great guy. I -- it's
24 certainly not an issue with Bob.

25 But he never really -- we actually told him

1 that the warehouse could be made to be fine. It's
2 a question of whether that's located on that parcel
3 of property, because it can be located outside of
4 the area.

5 The original request that we fielded was for a
6 high volume pizza restaurant that was going to be
7 under there with light standards, all kinds of,
8 what do they call them congreg -- mass congregation
9 or some terminology --

10 MR. BURNETT: Yes.

11 MR. WUELLNER: -- some terminology in there
12 that's specifically prohibited in the LDRs or the
13 Land Development Regulations of the county.

14 We just simply pointed out that we don't see
15 how you can make that work. And we further said,
16 if you can make it work on the piece of property,
17 avoid all of the imaginary surfaces under Part --
18 Part 77, and not impact the Airport Authority's
19 adjoining property, meaning we have to sell you,
20 create drainage for you or do any other thing, then
21 design away. You know, you can take this to the
22 county and see what happens. But we're not going
23 to write you a letter of support for --

24 MR. MAGUIRE: Okay.

25 MR. WUELLNER: -- you know, a congregation

1 area underneath a final approach.

2 MR. MAGUIRE: And that's legit. He made it
3 sound like that the airport killed the whole
4 transaction.

5 MR. WUELLNER: Well, it may have inadvertently
6 done that because he didn't -- you just can't walk
7 in and -- like you could anywhere else.

8 MR. BURNETT: There's -- and for the sake of
9 you knowing everything related to it, there's been
10 some discussion about potential for swapping that
11 piece of land --

12 MR. MAGUIRE: Yes.

13 MR. BURNETT: -- for another piece of land,
14 and he proposed some of the U.S. 1 frontage about
15 where the Civil Air Patrol rented that building
16 from the airport, that area.

17 MR. MAGUIRE: Uh-huh.

18 MR. BURNETT: And that's kind of a nonstarter
19 because obviously the airport's going to expand to
20 the south at some point in time towards that
21 frontage. Who knows what goes there long term?

22 MR. MAGUIRE: And that was -- he should have
23 never even thought of that one.

24 MR. BURNETT: And so there was another piece.
25 And now actually the airport owns some

1 noncontiguous property to the north, and so that's
2 been discussed as well. And in fact, we just got
3 something from him I think Friday related along
4 those lines. So we've had a lot of conversation
5 and communication with him about it.

6 At this stage, you know, the only thing that
7 was done in the past is -- with properties around
8 the airplane is ask for the -- ask for the
9 avigation easement, you know, which has been pretty
10 standard.

11 And so we've floated that out there as well on
12 that parcel of property that they want to develop,
13 the one that if it comes back through zoning and
14 the county asks us about it, it would be, well, we
15 think the avigation easement's appropriate.

16 MR. WUELLNER: But as a whole, trading or
17 selling property, particularly that we acquired
18 using state or federal funds, is -- is a relatively
19 difficult transaction.

20 MR. MAGUIRE: Correct. And I wasn't even
21 going to get into the avigation easement. I was
22 just talking about Bob's claim that the airport --

23 MR. WUELLNER: Just dismissed him? Is that --

24 MR. MAGUIRE: Well, he used different words.

25 MR. WUELLNER: I'm sure.

1 MR. MAGUIRE: Yeah.

2 CHAIRMAN GREEN: Okay. Mr. Mirgeaux, did you
3 have anything?

4 MR. MIRGEAUX: Aerospace Academy meets here
5 Wednesday, day after tomorrow, from 5:00 to 6:00.
6 Project innovation was last week, Friday. So I'm
7 eager to find out how the students did. That's it.

8 (Mr. Brunson exits the meeting).

9 CHAIRMAN GREEN: And I really don't have
10 anything. I think Steve went to the EDC breakfast.
11 I don't know if you did, Bruce. I couldn't make
12 it.

13 MR. MAGUIRE: No.

14 CHAIRMAN GREEN: There wasn't anything?

15 All right. Our next proposed meeting date is
16 December 16th, and we do have that -- definitely
17 one agenda item that we know about. It's going to
18 be the hangars.

19 MR. MAGUIRE: What am I supposed to do with
20 this? How do I read this? A lot of names, a lot
21 of tail numbers. Owners of aircraft,
22 relationships --

23 CHAIRMAN GREEN: These were LLC, examples of
24 things. So I think I'd hold on to that for our
25 next meeting.

1 MR. MAGUIRE: Okay. I definitely will.

2 CHAIRMAN GREEN: Okay. Then I will adjourn

3 the meeting. Thank you, very much, everybody.

4 (Meeting adjourned at 5:48 p.m.)

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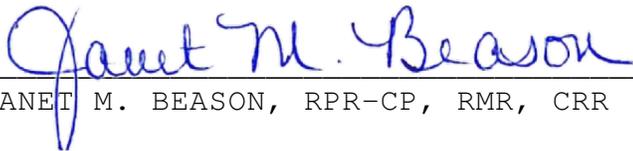
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REPORTER'S CERTIFICATE

STATE OF FLORIDA)
COUNTY OF ST. JOHNS)

I, JANET M. BEASON, RPR-CP, RMR, CRR, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true record of my stenographic notes.

Dated this 1st day of December, 2019.



JANET M. BEASON, RPR-CP, RMR, CRR

<p>CHAIRMAN GREEN: [147] MR. BEYERS: [1] 81/6 MR. BRUNSON: [48] 3/4 4/12 12/8 12/10 17/16 17/18 17/23 18/1 18/6 18/10 18/13 18/16 18/19 22/5 22/10 22/17 22/21 23/1 23/6 23/10 23/21 23/24 50/24 60/14 60/18 67/4 67/17 67/24 68/3 76/11 76/14 76/22 78/6 79/19 80/1 83/18 83/25 84/19 91/13 91/22 92/15 92/24 95/19 95/22 95/24 97/2 98/23 99/1 MR. BURNETT: [66] 4/21 5/2 9/21 10/19 10/22 12/9 12/15 12/17 12/19 16/10 16/15 16/24 17/2 23/12 30/8 30/20 31/16 31/21 31/23 32/3 32/7 33/4 34/4 34/6 34/14 35/17 35/25 36/24 37/7 37/11 38/24 39/2 39/9 43/16 44/23 49/8 49/17 50/1 54/6 54/25 55/2 55/8 55/15 55/18 57/10 57/13 61/4 68/2 70/19 70/22 72/8 73/22 73/25 78/2 78/18 79/3 79/9 79/14 79/21 82/4 87/4 102/9 103/7 103/12 103/17 103/23 MR. HARVEY: [1] 3/6 MR. HERNANDEZ: [11] 51/8 54/18 55/7 55/11 55/17 55/19 81/19 93/20 93/23 94/1 94/4 MR. KIRA: [14] 3/13 3/20 3/25 4/11 18/24 19/1 20/21 20/24 21/2 21/17 21/19 22/1 22/19 23/7 MR. LANCASTER: [3] 42/24 43/2 46/9 MR. 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<p>W whole... [6] 57/7 86/7 91/18 100/16 103/3 104/16 why [24] 9/18 18/8 21/3 21/20 24/16 25/11 30/1 30/1 32/9 33/21 34/4 37/1 38/12 38/13 38/21 57/6 57/18 63/8 63/10 71/15 72/20 74/5 75/8 87/25 will [9] 4/3 26/25 66/12 75/5 86/6 97/7 101/10 106/1 106/2 wind [2] 16/14 41/6 winter [1] 48/15 wise [1] 43/22 within [2] 48/1 58/11 without [4] 21/14 38/9 64/13 73/7 won't [3] 26/6 29/12 76/3 wondered [1] 43/4 wood [1] 26/4 word [1] 43/11 wording [2] 38/23 38/25 words [1] 104/24 work [8] 12/25 23/24 77/25 79/12 92/24 97/23 102/15 102/16 working [3] 12/17 42/20 69/12 works [3] 16/21 20/23 88/3 worry [1] 19/18 worse [1] 51/15 worst [2] 47/4 91/12 worst-case [1] 91/12 would [77] 4/8 5/12 5/25 7/12 7/14 7/16 7/23 7/24 7/25 8/3 8/7 8/8 8/10 8/11 8/12 9/4 9/5 9/6 9/8 9/14 11/20 12/2 14/2 14/16 15/20 16/5 16/8 17/13 21/11 22/12 22/16 22/16 23/4 23/17 23/22 26/13 29/4 30/22 32/12 38/23 41/8 42/20 43/11 50/25 51/16 55/1 55/3 55/6 57/4 58/10 59/23 62/1 63/5 63/17 67/9 70/3 73/4 76/11 76/15 76/20 78/22 82/24 83/7 83/9 83/12 86/25 90/12 90/17 90/19 90/21 95/18 100/6 100/21 100/21 101/1 101/11 104/14 wouldn't [1] 93/6 write [2] 23/4 102/23 writing [4] 35/11 68/9 78/10 87/24 written [3] 25/3 45/1</p>	<p>66/16 wrong [4] 4/24 22/14 29/9 54/24 wrote [3] 50/23 74/9 93/24 WUELLNER [3] 1/17 12/24 36/22</p> <hr/> <p>Y y'all [5] 27/10 56/22 57/21 57/22 78/4 yeah [49] 3/6 4/23 9/22 10/13 10/22 10/23 12/18 12/19 16/25 17/9 18/13 19/19 20/22 21/20 23/6 30/9 31/17 32/4 32/8 40/15 41/24 42/25 48/7 48/9 50/2 50/18 54/7 55/2 60/18 63/5 70/23 78/5 79/10 79/11 79/15 79/22 84/12 85/5 88/24 93/8 96/6 96/11 96/23 98/13 99/3 99/19 101/8 101/23 105/1 year [17] 5/5 5/16 28/16 37/12 45/11 48/17 48/20 59/7 70/11 70/23 70/25 71/14 72/23 83/7 83/8 83/9 88/6 year-round [1] 48/17 years [23] 20/9 24/13 24/17 25/18 26/10 26/13 40/17 40/20 47/2 47/4 50/10 53/10 53/11 59/4 59/5 62/17 62/18 69/4 69/18 74/12 86/20 91/3 95/23 yes [22] 3/8 12/10 17/18 17/22 18/16 19/1 34/11 41/24 46/10 49/18 59/2 62/13 68/3 75/11 84/7 92/13 94/2 95/22 96/19 98/12 102/10 103/12 yet [2] 26/6 89/14 you [328] you'd [4] 16/18 30/16 62/8 76/13 you'll [2] 18/18 53/14 you're [53] 5/11 10/2 10/20 15/5 16/18 23/13 28/25 29/13 31/3 31/8 32/1 32/24 35/11 35/14 39/18 40/2 44/8 51/13 51/14 52/10 52/25 53/12 53/12 53/23 57/24 59/2 59/12 59/25 60/8 60/25 61/2 61/18 64/3 64/8 65/11 65/14 67/25 71/7 74/25 74/25 75/1 75/1 87/15 88/8 89/17 92/1 92/2 92/4 92/5 93/9 93/13 93/14</p>	<p>93/14 you've [19] 11/10 13/19 13/20 26/19 29/1 29/20 30/14 31/13 38/18 52/22 52/23 53/18 66/24 71/6 72/3 92/2 94/19 95/12 95/20 your [42] 9/7 9/15 10/7 11/8 13/3 13/7 25/6 26/25 28/12 28/25 28/25 29/4 29/16 29/19 29/22 32/6 32/18 36/7 42/3 46/15 47/22 49/11 50/19 53/15 57/25 58/5 58/11 58/24 60/16 60/16 60/20 60/20 61/2 61/10 61/12 65/24 69/7 77/21 81/15 86/24 88/13 94/14 yours [2] 62/16 64/3</p> <hr/> <p>Z zeroed [1] 59/1 zones [2] 100/10 101/18 zoning [4] 100/23 100/24 101/5 104/13</p>		
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