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1 ST. AUGUSTINE - ST. JOHNS COUNTY AIRPORT AUTHORITY
 2 Organizational Meeting
 3 held at 4796 U.S. 1 North
 4 St. Augustine, Florida
 5 on Tuesday, January 7, 2003
 6 from 3:01 p.m. to 3:15 p.m.
 7 and 4:00 p.m. to 6:55 p.m.
 8 *****
 9 BOARD MEMBERS PRESENT:
 10 WILLIAM "BILL" ROSE, Chairman
 11 CHARLES LASSITER
 12 DENNIS R. WATTS, Secretary-Treasurer
 13 JOSEPH CIRIELLO
 14 SUZANNE GREEN
 15 *****
 16 ALSO PRESENT:
 17 GEORGE M. McCURE, Esquire, Rogers, Towers, Bailey,
 18 Jones & Gay, P.A., 170 Malaga Street, St. Augustine,
 19 FL 32084, Attorney for Airport Authority.
 20 EDWARD WUELLNER, A.A.E., Executive Director.
 21 BRYAN COOPER, Assistant Airport Director.
 22 MR. WAYNE GEORGE, Incoming Board Member
 23 MR. BOB COX, Incoming Secretary/Treasurer
 24 MR. JACK GORMAN, Incoming Board Member
 25 *****
 26 St. Augustine Court Reporters
 27 1510 N. Ponce de Leon Blvd., Suite A
 28 St. Augustine, FL 32084
 29 (904) 825-0570

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1 P R O C E E D I N G S
 2 CHAIRMAN ROSE: All right. So, with that,
 3 we'll call the meeting to order. And the first
 4 order of business will be the pledge to the flag.
 5 (Pledge of Allegiance)
 6 CHAIRMAN ROSE: The next item on the agenda
 7 is final comments from board members. Ed, does
 8 that mean we can get final comments from the
 9 board members that are coming back on, too?
 10 MR. WUELLNER: If you'd like. It's your
 11 meeting.
 12 CHAIRMAN ROSE: Then they're not allowed to
 13 talk the next -- the rest of the year, right?
 14 MR. WUELLNER: I doubt that's going to work.
 15 CHAIRMAN ROSE: Okay. Final comments.
 16 Let's start over here with Dennis.
 17 MR. WATTS: Well, I've got my General
 18 Douglas MacArthur goodbye speech all memorized,
 19 so if y'all want to make yourselves comfortable
 20 for a while.
 21 CHAIRMAN ROSE: Okay.
 22 MR. WATTS: But just in closing, I'd like to
 23 say -- no, we said our goodbyes last meeting, and
 24 I wish the new board members and the existing
 25 board members a lot of luck in -- in the job.

1 It's been a great four years. I've enjoyed
2 it very much, especially working with Ed and his
3 staff. And I can't think of a better group of
4 people I've enjoyed working with as -- as they
5 are.

6 But I just wish y'all a lot of luck. And I
7 know you guys are going to -- and excuse me,
8 lady, are going to carry on in a great manner,
9 probably better than I ever did. So, thank you
10 very much.

11 CHAIRMAN ROSE: Charles?

12 MR. LASSITER: Well, I'll just reiterate
13 what Dennis said concerning the pleasure that
14 I've had serving the community and the board and
15 working with the staff and the other board
16 members. It's been a pleasure. It's one of
17 the -- the true fulfilling things to go out and
18 help your fellow citizens and work for the
19 community. And I feel that I've been blessed by
20 being able to do just that.

21 So, again, as Dennis has said, thank you all
22 of staff and thank you, board, for allowing me to
23 work with you guys and hopefully to advance this
24 great county of ours.

25 CHAIRMAN ROSE: Thank you, Charles. Well, I

1 of here with your heads high and all of us
2 citizens should give you a well-deserved pat on
3 the back for a job well done.

4 CHAIRMAN ROSE: All right, Joe. Suzanne?

5 MS. GREEN: I commend the last year and I
6 thank you for your direction. And I know the new
7 members, if you weren't given the volumes of
8 minutes to go through, I have them, and they were
9 a wealth of information to learn from this board.

10 So, I appreciate all that, too, from -- all
11 of that reading material direction you have given
12 us. And I hope you'll come back and give us more
13 input.

14 CHAIRMAN ROSE: Are you going to give the
15 new members a test on the minutes and see if
16 they've read them?

17 Well, that concludes our comments from board
18 members. And, gentlemen, we're going to get up
19 and go out in the audience. And the new elected
20 members come up and take a seat here.

21 George McClure will swear you in. And then
22 he will also conduct an election of officers.
23 Let's go.

24 MR. GEORGE: We appreciate you guys serving.

25 MR. WATTS: Thank you. I was going to take

1 said my goodbyes last week, too, and I can only
2 reiterate that it's been a very satisfying and
3 exciting experience to be on this board. I
4 enjoyed working with the board members and with
5 the staff. Ed, I -- I think you have a very
6 professional organization.

7 MR. WUELLNER: Thank you.

8 CHAIRMAN ROSE: I have nothing but praise
9 for you and Bryan and Donna and Christine and the
10 people that have helped me all through the year.
11 So, it's been a pleasure to serve and I -- and I
12 congratulate you new board members, and I look
13 forward to great things from the Airport
14 Authority in the coming -- coming years.

15 So, it's been a pleasure, and thank you all
16 very much.

17 Mr. Ciriello, final word now.

18 MR. CIRIELLO: Okay. Well, as you-all said,
19 that we said our goodbyes last meeting, but I
20 want to make it understandable as a -- as a
21 citizen, not as a board member, that whenever any
22 gentlemen like yourselves donate your time from
23 your private lives for serving the citizens of
24 this community for no pay and a lot of headaches,
25 then I think that you should be able to walk out

1 all the pens and ashtrays before I leave.

2 CHAIRMAN ROSE: Goodbye, Ed.

3 MR. MCCLURE: I tell you what, if you guys
4 would like to stay down here for a minute,
5 sometimes the press likes to take your picture.
6 I don't know if the press is here today or not.

7 Let me line up Mr. George, Mr. Cox, and
8 Mr. Gorman up here. The oath that we administer,
9 this is of a notary public, which takes about \$10
10 and something.

11 MR. COX: You've got the money, right?

12 MR. GEORGE: That's right, yes.

13 MR. MCCLURE: Is an oath that's promulgated
14 by the legislature, so we don't make this up.
15 Everybody takes the same one from the same
16 office. And since it's the same for everybody, I
17 think it's easy enough, I think, for each of --
18 for all of you to do it all at one time. So, let
19 me ask each of you to raise your right hand.

20 (Whereupon, the incoming board members took the
21 oath of office.)

22 MR. GEORGE: I'm not sitting in that chair.

23 MR. MCCLURE: The procedure -- that's yours.
24 No, that's fine. I can stand up.

25 The procedure for the election of officers

1 is that nominations can be made by any member.

2 Nominations do not need to be seconded.

3 In the event that there is more than one
4 nomination, we can -- votes of this nature in
5 public bodies have to be publicly done. And so,
6 we can have a vote on each one.

7 If there are more than two, obviously we can
8 get to the point where we maybe don't have a
9 majority of the quorum that is elected, so we
10 drop the lowest one and then have a runoff
11 between the top two.

12 So, what we would need first is there are
13 two officers, and those officers are the chairman
14 and secretary/treasurer. You don't get to vote
15 twice for anything. You just get the benefit of
16 either having to sign the minutes and report on
17 the financial report of the secretary/treasurer,
18 or the chairman to conduct the progress of the
19 meeting.

20 So, the thing that we would need first is a
21 nomination for chairman of the Authority.

22 MR. GEORGE: I'd like to strongly recommend
23 and nominate Suzanne for the chairman. I think
24 that your background and legal presence will keep
25 us all together very well. I'd like to make that

1 (No opposition.)

2 MR. McCCLURE: Okay. What we need at this
3 point is I think the first nomination was for
4 Ms. Green, and so I think the appropriate thing
5 to do is all those in favor of the election of
6 Ms. Green as chairman, please raise your hand.

7 MR. CIRIELLO: (Raises hand.)

8 MR. GEORGE: (Raises hand.)

9 MS. GREEN: (Raises hand.)

10 MR. McCCLURE: Three votes.

11 All of those in favor of the election of
12 Mr. Cox as chairman, please raise your hand.

13 MR. COX: (Raises hand.)

14 MR. GORMAN: (Raises hand.)

15 MR. McCCLURE: The indication is a vote of 3
16 to 2 on behalf of Ms. Green. Please feel free to
17 have a seat up here, Ms. Green.

18 I know of no protocol for this stuff, so I'm
19 just winging it here. And if you'd like to do
20 that process just now or if you'd like me to
21 finish it?

22 MS. GREEN: Oh, go ahead. You're doing a
23 good job.

24 MR. McCCLURE: Okay. I would construe the
25 floor to be open for nominations for

1 nomination.

2 MR. GORMAN: I'd like to nominate Mr. Bob
3 Cox. I think that because he is a professional
4 in the -- in the industry and because of his
5 interest and involvement in aviation security, he
6 would be a very good asset. I'd like to make
7 that nomination.

8 MR. McCCLURE: Are there any other
9 nominations?

10 (None.)

11 MR. McCCLURE: Is there a motion that the
12 nominations be closed?

13 MR. CIRIELLO: I make a motion --

14 MR. GEORGE: I make a motion the nominations
15 be closed.

16 MR. McCCLURE: Is there a second?

17 MR. CIRIELLO: I'll second.

18 MR. McCCLURE: All in favor of the motion,
19 please say aye.

20 MR. CIRIELLO: Aye.

21 MS. GREEN: Aye.

22 MR. GEORGE: Aye.

23 MR. COX: Aye.

24 MR. GORMAN: Aye.

25 MR. McCCLURE: Any opposed?

1 secretary/treasurer.

2 MR. COX: Like to nominate Wayne George as
3 secretary/treasurer.

4 MR. McCCLURE: Are there any other
5 nominations for secretary/treasurer?

6 (No further nominations.)

7 MR. McCCLURE: Is there a motion then that
8 the nominations be closed?

9 MR. CIRIELLO: (Indicates.)

10 MR. McCCLURE: Moved by Mr. Ciriello. Is
11 there a second?

12 MS. GREEN: I'll second.

13 MR. McCCLURE: All of those in favor of the
14 motion, please say aye.

15 MS. GREEN: Aye.

16 MR. CIRIELLO: Aye.

17 MR. GEORGE: Aye.

18 MR. COX: Aye.

19 MR. GORMAN: Aye.

20 MR. McCCLURE: And at the risk of having
21 something anticlimactic in this meeting, all
22 those in favor of the election of Mr. George as
23 treasurer, please raise your hand.

24 MR. CIRIELLO: (Raises hand.)

25 MS. GREEN: (Raises hand.)

1 MR. GEORGE: (Raises hand.)
2 MR. COX: (Raises hand.)
3 MR. GORMAN: (Raises hand.)
4 MR. McCLURE: Record reflect that it was
5 unanimous.
6 MR. COX: Congratulations.
7 MR. GEORGE: Thank you.
8 MR. McCLURE: Congratulations to all of you.
9 MR. WUELLNER: Ma'am Chairman, if you'd like
10 to join me out front, we've got a recognition
11 that we'd like to do.
12 MS. GREEN: It's the pension check.
13 MR. WUELLNER: This recognition of past
14 service by our Airport Authority members who,
15 stepping down, is presented to Mr. Charles
16 Lassiter by the St. Augustine-St. Johns County
17 Airport Authority and in appreciation for his
18 contributions as a board member on the Airport
19 Authority from 1999 through 2002.
20 MR. LASSITER: Thank you very much.
21 MR. WUELLNER: Thank you. We have these
22 covered. Next up, Mr. Watts.
23 Presented to Dennis Watts by the St.
24 Augustine-St. Johns County Airport Authority in
25 appreciation of his contributions as a board

1 going to reconvene at 4:00?
2 MR. WUELLNER: 4 p.m. Yes.
3 MS. GREEN: 4 p.m. So, meeting adjourned.
4 (Whereupon, the meeting adjourned at 3:15 to be
5 reconvened at 4 p.m.)
6 7. - Reconvene Meeting
7 CHAIRMAN GREEN: It's 4 o'clock and we're
8 going to reconvene the meeting that we commenced
9 at 3 o'clock.
10 8. - Approval of Minutes
11 CHAIRMAN GREEN: And on our agenda right
12 now, we have approval of the minutes, and I think
13 our board members have a copy or should have
14 received a copy of the board minutes from Monday,
15 December 9.
16 Are there any comments or points with
17 regards to the minutes as reported from the board
18 members?
19 (No comments.)
20 CHAIRMAN GREEN: Then will they stand
21 approved, then, as distributed?
22 MR. GEORGE: Yes, ma'am.
23 MR. WUELLNER: Yes, ma'am.
24 CHAIRMAN GREEN: Okay. Then they are
25 approved as distributed and reported.

1 member of the Airport Authority from 1999 through
2 2002. And also recognizing him as
3 secretary/treasurer for the years 2001 and 2002.
4 Thank you, Mr. Watts.
5 And last, but certainly not least, presented
6 to Mr. Bill Rose by the St. Augustine-St. Johns
7 County Airport Authority in appreciation of his
8 contributions as a board member of the Authority
9 from 1999 through 2002, and also his agreeing to
10 serve as chairman for the years 2001 and 2002,
11 and just an all-around great guy and we
12 appreciate it.
13 CHAIRMAN ROSE: Thank you. Did you enjoy
14 your surprise trip?
15 MS. GREEN: Yes, it was wonderful. Thank
16 you. They moved a meeting for me so I could have
17 a surprise trip with my husband.
18 MR. WUELLNER: I think we just need to
19 adjourn temporarily.
20 CHAIRMAN GREEN: Okay. I think that
21 concludes the initial meeting for the
22 organizational meeting. If there's any other
23 comments at this point in time from the board, I
24 think we'll just conclude this and have a
25 temporary adjournment. My understanding is we're

1 9. - Approval of Meeting Agenda
2 CHAIRMAN GREEN: I guess we have now our
3 meeting agenda, and I think there are some
4 additional items, Mr. Wuellner, you said we need
5 to add to our agenda?
6 MR. WUELLNER: Yes, ma'am. I have two
7 additional items to put on there. One is --
8 it'll be a new item, 11.E., and it pertains to
9 design/build scope of services and budgets for
10 the bulk hangar rehabilitation and the Phase 2
11 site work over there -- or Phase 2 cleanup, if
12 you will.
13 Then the 11.F. would be another item, and it
14 pertains to the design/build with respect to the
15 airport maintenance facility. You have
16 information I've passed out, and we'll -- you
17 know, if you get a chance to look it over before
18 the agenda item, that'd be fine.
19 CHAIRMAN GREEN: Any other items that
20 need to be added to the agenda? All right. Do
21 we have approval of the agenda, then, so we can
22 go forward with the meeting? All right. The
23 agenda's approved.
24 Next item are reports. Mr. Maguire? There
25 we are.

1 10.A. - COUNTY COMMISSIONER
2 COMMISSIONER MAGUIRE: Thanks for allowing
3 me to talk briefly. If I could just take a few
4 minutes of your time. I'd like to make an
5 informal update and report on the Ponce Motor
6 Lodge golf course for those of you that might be
7 interested.
8 It was broached to us a long time ago, do we
9 want the golf course, before I came on the board,
10 and the answer was no, we don't want it. Since
11 then, a couple of us have changed our mind. We
12 are interested in the golf course.
13 There's three aspects of it, from my
14 perspective. And I say "mine," because we really
15 haven't as a board come together to talk about
16 final resolution or if we definitively want to
17 move ahead with the golf course, but we're all
18 aiming in the same direction, it appears.
19 And here are my concerns: First of all, the
20 golf course itself is an old golf course.
21 There's a historical perspective. A lot of
22 people want to save the golf course because of
23 its history. Some people say it's the second
24 oldest, third oldest or whatever.
25 Well, it's a nice golf course, but it's not

1 Issue involved. And so, we've been talking to
2 several environmental groups to see if we can't
3 help preserve the environmental aspect.
4 Outright, I can't afford to say -- I can't
5 justify that we can pay the money to buy the land
6 to preserve the environmental aspects, either,
7 because the value of the land is too high to do
8 that.
9 The third aspect, though, that enters into
10 it is the airport. When the property came up --
11 as I understand it, historically when it came up
12 before the county commission years ago for a
13 rezoning effort, they wanted to put in 799 homes,
14 which would put it just one home below the DRI
15 level.
16 The plan is now, I was talking with some
17 people in the city this morning, they still want
18 to do 799 homes; however the property has now
19 been annexed by the city and doesn't belong to
20 the county. So, the county will have no control,
21 no authority at all on how the property is
22 developed.
23 The developer has indicated to the city
24 they'll stay at 799 homes, just make the lots
25 bigger, more valuable, put a little bit more

1 a great golf course. I mean, you look at it
2 among competitive -- ask the best of all the
3 golfers; there's not a real lot -- a lot of
4 demand to get out there and play golf at this
5 particular golf course. Historically, it may be
6 nice, but it doesn't draw in a lot of money.
7 As a golf course itself, I as a county
8 commissioner cannot support purchasing this golf
9 course with county monies or using our bonding
10 capability. However, there are two aspects which
11 do draw my attention, and if we can combine the
12 three aspects together, I think we have a valid
13 interest in the golf course.
14 The question is: Can we raise the money to
15 make it a justifiable purchase? First aspect of
16 the golf course: If you look at the photo behind
17 you, if you're not familiar, you can see the golf
18 course fairways along the waterway.
19 We know that they're going to tear out those
20 fairways and put in either expensive condominiums
21 or high-priced homes right along -- in
22 particular, though, the fairways along the
23 waterway is where they will tear it out and put
24 in some high-priced homes or condos.
25 In that regard, there's an environmental

1 commercial up front.
2 Our concern is, and me speaking as an
3 aviator, noise pollution and complaints. And it
4 was brought up, Joe mentioned it when we were
5 talking earlier. There's no doubt in my mind
6 that as soon as the first house goes in, you're
7 going to get the first complaint.
8 And it's -- and the ugly Americans, we've
9 all seen them or heard about them. I was in
10 England flying over there and went to Windsor
11 Castle one time. And Windsor Castle is what,
12 2,000 years old, I think it is?
13 And we were following a tour bus of people
14 around so we didn't have to pay to get a free
15 tour. And one ugly American old lady and, of
16 course, now Heathrow is right down the street.
17 And there's jets are taking off and landing. And
18 one lady turned around to her husband and said,
19 "Why did they ever build a castle so close to the
20 airport?" Blew my mind. And you're going to get
21 the same type of response here.
22 The more development goes in there, the more
23 noise complaints you're going to get. I see it
24 as a potential death knell to any future growth
25 and activity, expansion desires you'd ever have

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23

1 for this airport. So, it would really behoove
2 the Airport Authority to figure out if there's a
3 way that maybe we could work to support this.

4 The golf course by itself does not generate
5 enough money income to buy the golf course; we
6 have to find ways to raise the money to do it.
7 However, because of the income-producing
8 capability of the golf course, we might be able
9 to offset enough of the purchase price over the
10 long term to justify buying at least the golf
11 course.

12 The property sold recently for under \$20
13 million. They closed in October. That's the
14 entire 400-plus acres. I talked with the
15 developer. They have an appraisal for \$36
16 million. We can't afford \$36 million. You can't
17 afford \$36 million.

18 They're going to at least be able to develop
19 half the property. However, indications are they
20 might be willing to sell the golf course or they
21 are interested in selling the golf course maybe
22 as low as five and a half to six million.

23 If you're a golfer, you know it's going to
24 take another two to three million to bring it up
25 to speed to make it a competitive golf course, if

1 And I also had in mind that we should maybe
2 have a meeting between the Authority, the County
3 Commissioners, and the City. I understand that
4 the City's not interested for whatever reason,
5 but I'd like to see it go down in public record
6 as their stating such.

7 My whole concern is selfish, not so much
8 against growth, but because, as Bruce said -- and
9 I've known this for a fact on different airports;
10 you can have an airport built in the outskirts of
11 a community, nothing around it, and then people
12 start building around the airport because it's
13 living out in the country and in the suburbs, and
14 before long, you have problems.

15 And even if you didn't buy it to make some
16 money off the golf course part, preserving that
17 land, but right now, as Bruce said, small
18 airplanes fly over the golf course on their base
19 leg, and if you have twins and jets making
20 approaches from 31, undoubtedly you're going to
21 get complaints from these people with
22 half-million dollar homes.

23 And people always say you don't have a
24 vision if you can't look into the future. I can
25 see where we're going to have problems. And what

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1 that's what has to happen. So, the bottom line
2 is we're looking at upwards of \$10 million to buy
3 the golf course.

4 If there's any way that the Airport
5 Authority can look into FAA funds, we're trying
6 to talk to the state and federal government about
7 blueway funds, environmental issue funds, but in
8 terms of noise pollution -- and Joe said it very
9 well, your traffic pattern's right over the top
10 of that golf course for many of your light
11 airplanes.

12 If there's any way that y'all can find money
13 to help us out, what we'd like to do is get a
14 meeting between the County, the Airport
15 Authority, and the City to see if there's a way
16 we can package this together to make it a viable
17 event. Questions?

18 CHAIRMAN GREEN: Joe?

19 MR. CIRIELLO: Madam Chairman, Bruce has
20 said everything that I was going to bring up in
21 our board member reports. One question that I
22 was going to ask, either of him or probably of
23 Mr. McClure, is could the Authority be involved
24 with financial aid to save the golf course
25 legally somehow?

1 we as an airport is to be a good neighbor and
2 eliminate as many problems as we can with the
3 community. So, I think like Bruce said, that we
4 should get our three heads together and try to
5 work this out.

6 COMMISSIONER MAGUIRE: I don't know if
7 there's any funds available for acquiring lands
8 in your landing and takeoff corridors, but if
9 there's any way to tap into that, that would be a
10 big help.

11 The property doesn't touch the airport
12 property, as I understand it. But the corridor,
13 your takeoff and landing corridor, is right
14 there, if there's a way you can tie in, any way
15 at all. If you can -- if y'all can do some
16 research and then get with us, and we'll put
17 something together.

18 CHAIRMAN GREEN: I think that's what we need
19 to do, is maybe just put it on as an agenda item
20 where the board can sit and discuss and say, yes,
21 we will have a meeting and arrange a meeting.

22 But, Mr. George, you want to say something?

23 MR. GEORGE: Yes. If -- if they paid \$20
24 million for this property in October and they're
25 going to let us have it for \$8-, nickel to a

25

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1 dime, the waterfront property doesn't go along
2 with the \$8-, you have not solved my noise
3 problem and the complaint problem. If they keep
4 that waterfront piece and sell us just the golf
5 course, we're -- we're still left with --
6 COMMISSIONER MAGUIRE: Valid point.
7 MR. GEORGE: -- the condos that they develop
8 over there and the complaints and the noise.
9 That's the ones --
10 COMMISSIONER MAGUIRE: Valid point. We -- I
11 don't believe we can justify purchasing the
12 course as a stand-alone course or as a
13 stand-alone course accompanied by a noise
14 pollution problem for the airport.
15 The only way we could do it is to combine
16 all three elements, county golf course, noise
17 pollution abatement for the airport, and
18 environmentally protected lands along the
19 waterway. If you lose any one of the three
20 elements, I don't believe this thing can be done.
21 MR. GEORGE: Okay.
22 CHAIRMAN GREEN: Mr. Cox, you had a comment
23 real quickly?
24 MR. COX: Well, pretty much covered -- who
25 owns the property now, the developer does?

1 the golf course remain intact with zoning
2 separate on the remaining acreage, and now they
3 could be going back to redesign -- I mean, the
4 zoning may be in place, but the plat may have to
5 be re -- redone.
6 CHAIRMAN GREEN: Joe?
7 MR. CIRIELLO: I have a thought that I was
8 going to say and I forgot.
9 Bruce, has the County received from the City
10 or developers, any -- you know how when you're --
11 you see in the paper when something's going to be
12 developed, there's always an artist sketch of
13 what is proposed and what it will look like in
14 the future? Does anybody have anything like that
15 so we can look at it and say this is what they're
16 going to build and where so that we know that
17 ahead of time?
18 COMMISSIONER MAGUIRE: The County wouldn't.
19 The City might.
20 MR. CIRIELLO: Well, this is one reason,
21 too, why we should have a meeting to find out
22 what they have, so if we could have an artist
23 rendering of what it's going to look like, you
24 know, to see how hard we might want to fight, you
25 know.

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1 COMMISSIONER MAGUIRE: The developer owns
2 the property.
3 MR. COX: The whole thing.
4 COMMISSIONER MAGUIRE: The whole thing.
5 They closed in October.
6 MR. COX: All right.
7 MR. GORMAN: And it is zoned now for
8 construction of condos?
9 COMMISSIONER MAGUIRE: It's -- I don't know.
10 I haven't seen the plat. Like I said, it's a
11 city issue, so I haven't seen it.
12 I do know, talking with the developer,
13 though, two weeks ago, I ran into him in Publix,
14 and he said that they had already presold all of
15 their small lots to builders; it's that much in
16 demand. And I don't know where the small lots
17 are. I don't know how many of them there are.
18 But he said they're moving fast.
19 MR. GORMAN: So, we can safely assume that
20 the zoning is in place.
21 COMMISSIONER MAGUIRE: I think the zoning is
22 at the city level, yes. But, no -- and I take
23 that back. I don't know what package they
24 presented to the city.
25 They could have gone in originally and had

1 COMMISSIONER MAGUIRE: And I -- and I have
2 heard -- I haven't talked with the new city
3 commissioners, but I have heard that the new city
4 board is looking at this with a more disciplined
5 eye than the old city board did and they're going
6 to be looking at preservation of the
7 environmentally sensitive areas and the number of
8 residents and stuff more carefully. Don't know
9 if anything will come out of that or what.
10 CHAIRMAN GREEN: Mr. Wuellner, is this
11 something maybe we could put on the calendar, an
12 agenda item at a later time, maybe, and then the
13 board can discuss it with information that we may
14 need from the City?
15 MR. WUELLNER: Sure. We'll put it on the
16 February meeting or before.
17 CHAIRMAN GREEN: As long as we can have time
18 to gather whatever, if there's some type of
19 rendering or drawing or whatever information you
20 think the board may need just to even look at it.
21 MR. WUELLNER: See what the City has.
22 CHAIRMAN GREEN: Yeah.
23 MR. WUELLNER: Or -- is your board proposing
24 a meeting date at all yet?
25 COMMISSIONER MAGUIRE: Not yet. We want to

1 see if you're amenable to that. Of course, now,
2 y'all meet monthly; we meet weekly.
3 MR. WUELLNER: They can meet more often.
4 COMMISSIONER MAGUIRE: Yeah. I think this
5 case, I'll have to contact the developer and see
6 how fast they're moving.
7 CHAIRMAN GREEN: If you could just tell
8 Mr. Wuellner, Mr. Maguire.
9 COMMISSIONER MAGUIRE: Okay.
10 CHAIRMAN GREEN: Can I ask you the name of
11 the developer very quickly?
12 COMMISSIONER MAGUIRE: I know one of the
13 owners of the group of people; I don't know the
14 name of the group, but Chester Stokes.
15 CHAIRMAN GREEN: Okay. I may have to
16 abstain from any voting on that.
17 COMMISSIONER MAGUIRE: I understand.
18 CHAIRMAN GREEN: That's why I was -- and Bob
19 Bruce, I think, is involved in it.
20 COMMISSIONER MAGUIRE: I think so. And Mike
21 Braren.
22 CHAIRMAN GREEN: Yeah. Okay. Thank you
23 very much.
24 COMMISSIONER MAGUIRE: Okay. Thank you.
25 MR. GEORGE: I play golf; does that mean I

1 have to abstain?
2 CHAIRMAN GREEN: They're my clients.
3 MR. McCURE: I know that we have a
4 relatively lengthy agenda, but maybe I could
5 offer a couple of things real quick.
6 The City has a procedure of two steps in
7 their PUD process. There is a very generalized
8 Master Development Plan that's submitted that I
9 think was done by the developer when they were
10 represented by John Bailey. That is not a
11 detailed plan, which requires subsequent approval
12 by the city commission. I don't think they're to
13 that point.
14 The common wisdom, before there was a
15 separate developer who was interested, and what
16 we had heard was that that developer did not
17 close because the golf course has accumulated
18 pesticides and fertilizer issues, which were fine
19 as long as the golf course was left undisturbed.
20 But the moment they excavated the course, that
21 that then became an issue. So, I don't know
22 whether that means that that has been resolved or
23 not.
24 The County was kind enough to adopt in its
25 Land Development Code a couple of years ago when

1 they adopted it and the Airport Overlay District
2 such that we are notified whenever there is a
3 rezoning which intensifies residential
4 development within the area of the Airport Master
5 Plan so that we have an opportunity to have input
6 when there are incompatible uses that are being
7 put within the noise contour, as well as the
8 five-year -- or the master plan.
9 I don't think the City has done that, but
10 that might be something that we would wish to do.
11 And certainly funding, as well as the long-term
12 strategy of the airport has been to eliminate
13 potential incompatible uses.
14 What we found, for the benefit of the new
15 members, is that a lot of the people who have
16 grown up with this nearby don't seem to object
17 too much to the noise, even if it's at their back
18 porch doorstep.
19 What we do find, though, is that the new
20 condos on north Viano Beach, South Ponte Vedra,
21 where people move in, pay a lot of money for
22 their condos, even though we were here first,
23 that's the source of more complaints than people
24 who've lived with us for quite some time.
25 But both funding and -- and our plan has

1 been addressed not only to the provision of
2 additional infrastructure for the airport, but
3 also for the elimination of incompatible uses.
4 CHAIRMAN GREEN: Thank you. Aero Sport?
5 10.B. - AERO SPORT
6 MR. SLINGLUFF: First of all, I'd like to
7 say welcome to the new board members. I think
8 you-all have your work cut out for you.
9 Over the past several months, I or somebody
10 from Aero Sport has reported on our growing
11 frustrations for the lack of progress towards the
12 completion of the \$2.6 million terminal expansion
13 project. Every month at these meetings, we are
14 told all is solved and that in a matter of days,
15 the permits will be pulled and work will resume.
16 In fact, 90 days ago, it was reported to the
17 board that within 100 days the construction on
18 Phase 1 would be complete. Once again, I have to
19 report that as of today, no work has resumed, and
20 the abandoned construction site remains as an
21 eyesore and a safety hazard, continues to
22 negatively impact Aero Sport's business on a
23 daily basis.
24 One can only draw the conclusion here that
25 what is reported monthly by the Authority's legal

1 counsel is inaccurate, misleading, and in my
2 opinion, no longer has any credibility.
3 Aero Sport and its tenants have sustained
4 damages. We have lost customers and rental
5 space. We have lost fuel sales due to the lack
6 of ramp space. We have lost aircraft sales due
7 to the lack of hangars that were forecast to be
8 on line by this date.
9 We have lost hard-won market share in a
10 rapidly growing Northeast Florida. We've lost
11 time and opportunities to profitably grow our
12 business. And Aero Sport intends to vigorously
13 seek compensation for these damages.
14 During the past 60 days, Aero Sport's own
15 legal counsel has been requesting copies of the
16 original construction bond and related agreements
17 on Phase 1.
18 This is being done so we can review what
19 actions can be taken against the construction
20 firm and bonding company. These requests have
21 been made in person. They've been made in
22 writing and by telephone.
23 Mr. McClure and his group have not only
24 failed to provide the requested information;
25 they -- they don't even have the courtesy to

1 the direction we gave that was in the minutes.
2 So, I appreciate your comments.
3 MR. SLINGLUFF: We've had no contact at all.
4 CHAIRMAN GREEN: I appreciate that. Thank
5 you. Grumman?
6 10.C. - NORTHROP-GRUMMAN
7 MR. LESLIE: No report.
8 CHAIRMAN GREEN: Thank you. Pilots
9 Association?
10 10.D. - PILOTS ASSOCIATION
11 (Representative absent.)
12 CHAIRMAN GREEN: Nobody?
13 MR. GEORGE: Not me.
14 CHAIRMAN GREEN: Not anymore. And our
15 Florida Aviation Career?
16 10.E. - F.A.C.T.
17 MR. OTTESON: No report.
18 CHAIRMAN GREEN: Mr. McClure?
19 10.F. - AIRPORT AUTHORITY ATTORNEY
20 MR. MCCLURE: What I'd like to do is to call
21 upon Mr. Lunny, a shareholder in our firm, who's
22 been handling the issues with respect to Global
23 Construction Issue and the terminal expansion in
24 order to report on the activities of last month.
25 Mr. Lunny?

1 explain to us why they're not providing this
2 information on a public project.
3 It's interesting to note that the airport's
4 annual budget for legal services this past year
5 has increased by 100 percent. However, the
6 airport board and public continue to be
7 misinformed about the project's status and the
8 \$2.6 million.
9 I strongly urge that this Airport Authority
10 board of directors immediately review all
11 construction projects at the airport, review
12 engineering firm relationships, and appoint
13 competent and responsive legal counsel. Thank
14 you.
15 CHAIRMAN GREEN: Thank you. I -- with
16 regards to comments, I'm not sure if the board
17 has any, but I think it's best that legal
18 counsel, when your Aero Sport counsel talk to the
19 board's counsel, I just don't think that we
20 should be commenting on what is legally right or
21 not.
22 But, obviously, the board made a comment
23 last meeting that we directed legal counsel to
24 seek any and all damages for all our tenants, and
25 I think Aero Sport was fingered out and that was

1 MR. LUNY: Hello again. First, hello to the
2 new members. This is just a progress update from
3 the last board meeting. We, as was reported at
4 the last board meeting, have reached a settlement
5 with the surety company for Global Construction,
6 and that settlement agreement provides that
7 construction would be complete within a hundred
8 days. The settlement agreement also
9 contemplated, and Liberty would have to hire a
10 follow-on contractor to complete that
11 construction timely.
12 The follow-on contractor selected, as we
13 reported at the last board meeting, is Asset
14 Builders. There has been a holdup of sorts
15 between Asset Builders and Liberty Mutual.
16 It's not the Authority's job or position to
17 insinuate itself in the -- in the discussions
18 between the follow-on contractor and the surety,
19 just providing -- paying for, obviously, the
20 great majority of the work that's going to be
21 done there to complete Phase 1 of the project,
22 and as you guys will remember, making a
23 substantial contribution towards Phase 2 of the
24 project.
25 But the time delays became such that the

1 Authority felt compelled to reiterate our
2 concerns that this project be completed within
3 the originally scheduled time frame. And as a
4 result of that, we sent counsel for Liberty a
5 letter yesterday asking them to void the contract
6 they had signed with Asset Builders and reduce
7 the construction period from 100 days to 80 days,
8 to, again, if that happens, compress the time
9 period so that we can be complete by the
10 Tournament Players Championship, which is the
11 original time frame.

12 Not surprisingly, we have not gotten a
13 response to that letter. I would not, if I was
14 representing the surety, respond very quickly to
15 that letter, but nonetheless, it's important for
16 us to continue to state the urgency of the
17 situation, to sort of move the surety to move
18 Asset Builders to -- to get construction started.

19 And this is not atypical in these
20 situations. It is also not atypical of this
21 particular surety or its counsel, but we are
22 moving forward in that direction.

23 We also reported at the last meeting that we
24 were going to continue to attempt to resolve
25 the -- our differences, if you will, with the

1 Builders' case. I don't even know if it's Asset
2 Builders that's -- that is the reason for the
3 delay. But we know that somewhere between
4 Liberty and Asset Builders, there are some issues
5 and they're trying to resolve them.

6 All we can do is lean on the party we have a
7 contract with, and that's the bonding company.

8 MR. COX: What's -- just out of curiosity,
9 is there some legal reason that we could not
10 share copies of the construction bond with one of
11 the tenants on the field?

12 MR. LUNY: There's yes and no. Legally, is
13 there a legal reason why we could not share
14 copies? No. There is a couple of practical
15 reasons why we might not want to do that.

16 One is that we -- this entire process is in
17 the nature of trying to resolve a pending
18 dispute, and the -- we are counsel to the Airport
19 Authority, obviously, and don't want to
20 jeopardize any privileges that we have with the
21 Airport Authority.

22 Communications with outside counsel,
23 particularly outside counsel that, as you've
24 heard today, has evinced a willingness and a
25 desire to sue the Airport Authority, only serves

1 engineering firm, and that that was what you
2 reported as trying to recover damages for all
3 affected parties and try basically to make the
4 airport and the affected people come out whole.

5 That -- those discussions did happen prior
6 to filing of suit. We were initially hopeful
7 that they would move as far as we needed them to
8 go. They did not, and as a result, we had to
9 file suit against the professional services
10 company, which we did.

11 Obviously, with a suit being pending, I'm
12 reluctant to go into further details here. This
13 is not a shaded meeting, and that would get into
14 litigation strategy, but that is sort of where we
15 stand.

16 I -- in the letter to Liberty, I think I
17 said that I anticipated and the Authority
18 anticipated that we would be in a position to
19 receive a signed original completion bond, which
20 we need to file the notice of commencement, along
21 with an amended completion agreement by the end
22 of this week.

23 Again, the way the nature of the parties is,
24 the relationship of the parties, there's not a
25 whole heck of a lot we can do to jump on Asset

1 to jeopardize that relationship and those
2 privileges. So, there is a danger in -- in
3 communications with outside counsel.

4 Now, to the extent outside counsel for the
5 FBO serves an appropriate request on the Airport
6 Authority, we'd be happy to respond to that. But
7 the nature -- I have reviewed at least one of the
8 requests that's been discussed previously. It
9 was not an appropriate request and was not one
10 that needed responding to.

11 MR. COX: All right. Second question: Just
12 what -- what would be your best guess at the
13 effort to start -- I mean, and I'm saying just
14 give me a ballpark window to start construction
15 with all the -- because you're the expert at
16 this, the legal maneuvering that's going to have
17 to go on to get that to happen? What would be
18 a --

19 MR. LUNY: Well, I can tell you that as far
20 as being a legal expert, this is a very -- at
21 this point, we're at a very practical situation.
22 And the practical situation is the president of
23 Asset Builders. I spoke with him after I was
24 getting not adequate responses, I would say, from
25 Liberty, and he informed me that he had gone on

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1 vacation after signing the completion agreement
2 but was back in the office and anticipated
3 wrapping things up and commencing construction
4 today.

5 I heard, and I -- I confess I don't know
6 where I heard this from, but I heard he was
7 planning on coming out to the airport either
8 today or tomorrow to sort of look things over.

9 I would anticipate -- I mean, the documents
10 are all in place. The only thing we haven't
11 received is the completion bond. As soon as we
12 get the completion bond -- and we've asked Asset
13 Builders to furnish it to us directly rather than
14 route it through the surety, to prevent any
15 further delays. As soon as we get that, we will
16 file a notice of commencement and get -- and get
17 started from that standpoint.

18 MR. McCURE: Can you explain to everybody
19 what a completion bond is and why we need it?

20 MR. LUNY: Yeah, okay. The completion bond,
21 y'all remember that we got the contribution out
22 of the surety initially because it is a bonded
23 project, and the contractor defaulted on the
24 project; that the bond is in effect insurance in
25 this case in the name of the surety or -- and for

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1 like that in this contract?

2 MR. LUNY: Yeah. The completion contract
3 has a hundred-day construction period.

4 MR. CIRIELLO: But what is that date?

5 MR. LUNY: It's a hundred days from the
6 notice to proceed.

7 MR. CIRIELLO: Has that started?

8 MR. LUNY: No. The notice to proceed starts
9 when the notice of commencement is filed. And
10 there --

11 MR. CIRIELLO: In other words, this is going
12 to be a legal -- legal back-and-forth thing and
13 delay, delay, delay, and we're really not looking
14 at our customers having anything set in stone
15 that their business is going to pick up a little
16 bit on a certain particular date.

17 Now, we're -- we're actually behind the
18 eight ball yet. We're --

19 MR. LUNY: Not exactly. We've got -- there
20 are actually two contracts, if you will, that are
21 in place. The first is the completion contract,
22 and that's what we've been discussing with the --
23 and that's between Asset Builders and Liberty,
24 the surety. That's got a hundred-day period.

25 There is also a settlement agreement that

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1 the benefit of both the surety and the Authority;
2 that the follow-on contractor, Asset Builders,
3 will do the job for the sum stated.

4 And in the event that we have, heaven
5 forbid, another default and Asset Builders fails
6 to come through timely and with the project as --
7 as specified, then we would need to use that
8 second bond to, in effect, hire another follow-on
9 contractor. But it is in effect an insurance
10 policy. And it's -- you would not want to
11 commence construction without one.

12 MR. COX: Okay. So, we're looking at
13 sometime the end of the week?

14 MR. LUNY: Asset Builders I think told me by
15 the end of this week. Guys, with -- when you
16 have attorneys involved, sometimes at the end of
17 this week can turn into beyond that.

18 MR. COX: Thank you.

19 CHAIRMAN GREEN: Mr. Ciriello?

20 MR. CIRIELLO: Yes. Do I understand that
21 you guys have a contract for these people to do
22 this job and you keep mentioning -- or
23 somebody -- a hundred days. Is there a date cast
24 in stone at the end of that hundred days when
25 this job is to be completed? Is there a date

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1 the Airport Authority entered into with Liberty,
2 and that settlement -- the settlement agreement
3 also has a hundred-day ticker in it.

4 So, the surety is obliged to deliver the job
5 to us within the hundred days. They keep telling
6 me it's going to take less than a hundred days,
7 but those of you familiar with construction
8 knows -- know that that isn't necessarily the
9 case.

10 The contract between the builder, Asset
11 Builders, and the surety, if it's not done by a
12 hundred days, then you get into situations where
13 you have delay damages. So, no one's holding a
14 gun to anyone's head and saying if you don't
15 finish within a hundred days, you're done. But
16 there is strong financial incentive for them to
17 comply with that deadline.

18 CHAIRMAN GREEN: That's my -- I'm sorry.
19 Mr. Ciriello.

20 MR. CIRIELLO: You keep saying that the
21 hundred days, the work will be completed once it
22 gets started. That's no big deal. Getting them
23 started is the point.

24 And it disturbs me -- and I don't have
25 enough information -- and technically I'm not

1 even that smart, but to have a gentleman stand up
2 here and kind of throw stones at the board and
3 its counsel, and the counsel's certainly smart,
4 and I know that, doesn't sit well with me. I
5 don't like to sit up here and have stones thrown
6 at me if I can't throw some back.

7 And I know in legalities, people can just
8 banter back and forth and delay, delay, delay,
9 and it can be -- this hundred days thing doesn't
10 mean anything if they don't get started. It
11 could be another year before they even start.
12 So, I'm not happy with the situation at all.

13 CHAIRMAN GREEN: Mr. George?

14 MR. GEORGE: I thought Bill Rose was going
15 to take care of this before we came on board. I
16 got a couple of things, Mr. Lundy (sic).

17 MR. LUNY: Okay.

18 MR. GEORGE: Is there a completion date with
19 a "not later than" date in our settlement
20 agreement with them?

21 MR. LUNY: I don't have a copy of the
22 settlement agreement with me today, but there is.

23 MR. GEORGE: In other words, if we had had a
24 "not later date" than September, we could -- we
25 at least would know where the end of this thing

1 exception to holding a public meeting when we are
2 trying to develop a litigation strategy? I was
3 under the impression that there is an exception.

4 In other words, my concern is that we -- we
5 have a meeting, you go off in one direction, and
6 we wait till this meeting to come up to maybe
7 give you some concrete direction on how we would
8 like to go. And I understand your concern that
9 if we start talking our litigation strategy in
10 open court, then there goes the strategy.

11 Is there, to your knowledge, a way that we
12 can meet, I think in England it's called the
13 Chatham House Rules where the legislature gets
14 together and they discuss it, not in the public?
15 I'm not trying to do anything --

16 MR. LUNY: Right.

17 MR. GEORGE: -- other than let's get this
18 litigation strategy done so we can get it on the
19 road.

20 CHAIRMAN GREEN: I think that might be a
21 better question for our counsel of the board,
22 Mr. McClure.

23 MR. McCLURE: The answer is --

24 MR. GEORGE: I thought he was.

25 MR. McCLURE: And I think it's -- well,

1 was going to be.

2 MR. LUNY: Yeah. This end of this thing
3 from our -- from the standpoint between us and
4 Liberty is the TPC that's on March 24th.

5 MR. GEORGE: Is not later than March 24th?

6 MR. LUNY: That is correct.

7 MR. GEORGE: Okay.

8 MR. LUNY: That is the end -- from -- that's
9 with -- between us and the surety.

10 MR. GEORGE: Okay. So that's --

11 MR. LUNY: The difficulty is that we've got
12 another contract that we are not a party to.

13 MR. GEORGE: Okay. All right. When was the
14 suit filed against the engineering firm?

15 MR. LUNY: That was filed today.

16 MR. GEORGE: Today.

17 MR. LUNY: That's correct.

18 MR. GEORGE: Going to make an editorial
19 comment. At the last meeting on December the
20 9th, you said it would be filed on Wednesday,
21 December the 18th.

22 MR. LUNY: That's correct.

23 MR. GEORGE: I just don't want to go any
24 further than that for right now. Do you know of
25 anything in the sunshine laws that make an

1 we're both, but his expertise is the construction
2 litigation.

3 CHAIRMAN GREEN: Right.

4 MR. McCLURE: The statutory procedure -- and
5 I got no control over what our legislature in
6 Tallahassee does -- I don't think was completely
7 well-conceived. But there is a procedure for
8 conducting shade meetings. Those shade meetings
9 require appropriate notice to the public of the
10 purpose of the meeting.

11 The minutes of the meeting have to be kept
12 on a verbatim basis for publication later, once
13 the issue is resolved. But the language of the
14 statute is that the meeting can be conducted for
15 consideration of settlement.

16 And so, any discussion about do we want to
17 file suit, not file suit, direction on, gee, how
18 much are we asking for, do we want to -- do we
19 have a cause of action for the use and benefit of
20 our tenants, things like that, will generally
21 have to be discussed in the sunshine.

22 In the event that we get a settlement offer
23 and we want to determine whether or not to accept
24 that settlement offer or how to respond to it and
25 what our strategy is for that purpose, then we

1 can conduct the shade meeting. But it is for the
 2 purposes of consideration of settlement only.
 3 MR. GEORGE: Okay. I brought that up only
 4 so that the board members can know that there is
 5 a mechanism so we don't have to say, okay, well,
 6 we can't do that because of the sunshine laws and
 7 what forth. So, thanks for your input.
 8 You mention also that if the other counsel
 9 would give you appropriate requests. What --
 10 what is that? What -- what form does, quote,
 11 appropriate requests -- you know, I would
 12 personally think it would be appropriate if I
 13 didn't get, you know, zingers thrown at me. And
 14 the letter just said for this purpose, this is
 15 what we'd like you to provide us. Is that --
 16 MR. LUNY: The -- the appropriate request,
 17 the one -- in effect, the one that we can't
 18 ignore, is the 119 request, public records
 19 request.
 20 MR. GEORGE: Okay.
 21 MR. LUNY: But I -- I'd respectfully suggest
 22 to the board that counsel for the FBO is in a
 23 somewhat antagonistic position with the board.
 24 So, we would-- it would be in the board's best
 25 interest to require the 119 request.

1 through the reports right now.
 2 MR. GEORGE: Okay.
 3 MR. LUNY: If I could briefly. On the -- on
 4 the December 18, also, you'll remember that we
 5 contemplated at that time that we were not going
 6 to get a favorable response from the professional
 7 insurance -- carrier for the professional, in
 8 this case, the engineers, with respect to a
 9 presuit resolution of the matter.
 10 We did in fact enter into such negotiations,
 11 and that did take some time, and only recently
 12 did it begin -- in fact, last week, did it become
 13 apparent to us that the amount that we were going
 14 to get without filing suit was not going to be
 15 sufficient to make the Authority whole.
 16 At that point and when we reached that
 17 determination, that's when we filed suit.
 18 MR. GEORGE: Okay.
 19 MR. GORMAN: Do you have any recourse of
 20 using the Insurance Commissioner of Florida,
 21 state insurance commissioner to actually request
 22 a situational basis where there's lack of due
 23 diligence?
 24 MR. LUNY: With request to the surety?
 25 MR. GORMAN: With request to the entire

1 MR. GEORGE: Okay. I just want to get the
 2 clarification on the procedures and everything.
 3 I don't know if this is appropriate, but
 4 Madam Chairman, I'd like to make a motion that we
 5 change gears on this whole project so that it
 6 becomes not a monthly reporting item, but a
 7 weekly reporting item from the counsel on what
 8 the status is, and in the event that you give us
 9 an estimated completion date of a Thursday, that
 10 by Friday morning, every member of this board be
 11 notified if that was completed, and if not, what
 12 is -- what is happening.
 13 Because we have 30 days in here where Ed is
 14 being kept abreast of it, and if we come in and
 15 ask Ed about it -- we just need to get this --
 16 the heat -- we need as a board to be more
 17 knowledgeable about what's going on on a more
 18 frequent basis.
 19 CHAIRMAN GREEN: I think the appropriate --
 20 I agree with you. I think the appropriate
 21 might -- on our project update, when we have
 22 discussion, we'll add -- enter a motion then and
 23 make a vote on it.
 24 MR. GEORGE: Okay. All right.
 25 CHAIRMAN GREEN: Since we're just going

1 situation.
 2 MR. LUNY: The answer to your question is
 3 there is recourse against the original
 4 contractor.
 5 MR. GORMAN: Through the commission.
 6 Through the insurance commission.
 7 MR. LUNY: With the insurance commission
 8 you're dealing --
 9 MR. GORMAN: Against the surety's license.
 10 MR. LUNY: Yeah, you're dealing with the
 11 surety. Without getting into extended
 12 discussions which really ought to be privileged,
 13 I am not dissatisfied with what the surety has
 14 done. I am dissatisfied with how long it took
 15 them to get there. But I'm certainly not
 16 dissatisfied with what they've done.
 17 And I would submit to the board that had we
 18 filed suit immediately against the surety, as a
 19 result of their failure to fulfill their
 20 obligations under the surety bond, that we would
 21 still be embroiled in litigation. I have no
 22 doubt about that, no doubt about it.
 23 CHAIRMAN GREEN: My understanding is the
 24 surety is funding a hundred percent of that Phase
 25 1.

1 MR. LUNY: That's correct. And making a
2 contribution towards Phase 2 that we appreciate.
3 CHAIRMAN GREEN: Mr. Slingsluff?
4 MR. SLINGSLUFF: If I could just clarify a
5 couple of things. I think it's remarkable the
6 way the legal mind works. I repeat what I said
7 in my statement. We are seeking this information
8 so that we can review what actions can be taken
9 against the construction firm and the bond
10 company.
11 The last thing Aero Sport wants to do is
12 have legal action against the airport. But by
13 the inaction of not being able to get
14 information, by not being told accurate
15 information -- almost on a weekly basis, I have
16 conversations with Mr. Wuellner and Mr. Cooper,
17 and we are told the issues are, well, they're
18 having trouble with the county building permit.
19 And, Mr. Maguire, I don't think that's an issue.
20 I don't think they've even gotten to a county
21 building permit. But that's what you've been
22 told. And that's what we've been told. And
23 every week, it's a different story.
24 So again, Mr. McClure, what is your firm
25 doing here to rectify the situation? When was

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1 the completion date contract signed -- the
2 completion contract, the date of that? When was
3 that signed?
4 MR. LUNY: I assume you guys want me to
5 answer. The completion agreement between the
6 surety and the contractor is dated either
7 December 9 or December 13. I can't remember
8 which one.
9 MR. SLINGSLUFF: Why isn't the clock running?
10 MR. MCCLURE: The March 24th date is
11 running. It's a fixed date.
12 MR. LUNY: The date is running. The date
13 that we --
14 MR. MCCLURE: The date in the completion
15 agreement is a fixed date --
16 MR. SLINGSLUFF: There's only so much you can
17 do in a 24-hour period.
18 MR. MCCLURE: Right.
19 MR. SLINGSLUFF: There's a finite space over
20 there. So, you can't put 10,000 laborers in
21 there and expect the building to be done in a
22 week's time.
23 MR. MCCLURE: We understand.
24 MR. SLINGSLUFF: But given the schedule that
25 this man has proposed, we'll never get there.

1 All we're asking for is some information so
2 we can circumvent the airport and go to this
3 construction company, go to their insurance
4 company, and slap them upside the head and get
5 our money. And where is your \$2.6 million?
6 MR. MCCLURE: A portion of it's in the
7 ground, obviously --
8 MR. SLINGSLUFF: Rotting, rotting.
9 MR. MCCLURE: -- and the balance of it. I
10 understand that. The first phase is not.
11 The issue with respect to the building
12 permit, let me tell you real quick, is that the
13 concern that we had is that between the time the
14 original building permit was issued and the
15 follow-on contractor was coming on, the new wind
16 protection standards had been adopted by the
17 State of Florida and St. Johns County.
18 And the issue with which we had to deal,
19 which represented a substantial increase in costs
20 to the completion of the project and the -- and
21 the cost to the insurance company to complete,
22 they would not have been responsible for, because
23 their contract is to complete the plans and
24 specifications that were adopted by their
25 contractor, was that the county was saying,

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1 because of the abandonment, we're going to
2 construe this as a new project and you now have
3 to meet the 140 hour -- mile an hour wind load
4 and the wind-borne debris requirements.
5 The glass in the front of the building,
6 which everybody likes so much, would have all had
7 to change in its type, and that would have added
8 substantially to dollars and expense, that we
9 were able with the county, because they -- you
10 know, their staff has to administer the
11 requirements as they read them, but we got
12 through that process with the county. And they
13 agreed that it's not a new project; it's the
14 completion of something that was not our
15 responsibility. So, that was the reference to
16 the -- to the issuance of the building permit.
17 It was exclusively related to the change in the
18 code.
19 But as I said, the -- the March 24th date
20 that's in the completion agreement was the date
21 that's there that remains there. Now, it doesn't
22 mean that anybody, as Mr. Luny said, goes up to
23 Liberty Mutual and sets off dynamite under the
24 president's chair if March 24th gets here.
25 There are, however, financial consequences

1 to them if they do not meet those deadlines, and
2 so that's why we have the belief that they will
3 do everything that they can to comply with that.
4 MR. SLINGLUFF: The lawsuit, just one -- one
5 more point here, the lawsuit that was filed
6 today, apparently, to seek damages, how are the
7 damages calculated? No one ever contacted us or
8 any of the tenants on the main ramp.
9 MR. McCURE: One of the things that my
10 understanding is from the new board is that they
11 would like us -- that I hear through
12 administration is to try and collect that
13 information from the tenants and anyone else who
14 has been financially harmed to add to the mix of
15 what the consequences have been to the airport.
16 There is a real question as to whether or
17 not we have the authority legally to recover
18 damages on behalf of a third party. But in terms
19 of our discussions with -- with the -- with the
20 surety -- I'm sorry, with the professional
21 liability insurer, then that's certainly
22 something that we want to take into account so
23 that they know the magnitude of the consequences;
24 just as if the road contractor on U.S. 1 doesn't
25 get done in time for the county contract, every

1 person who hauls trash up the road doesn't have a
2 right to sue that -- that insurance company or
3 that contractor, you may or may not have that
4 right. We may or may not have that right to sue
5 in your behalf. But we are going to at least
6 collect the information and use that information
7 as best we can.
8 MR. SLINGLUFF: We're also seeking
9 information to see if we can sue as a third
10 party.
11 CHAIRMAN GREEN: And I think that's been
12 addressed about what corporate disclosure
13 statutes are available for you. And I'm sure
14 your counsel is aware of that.
15 I think we as a board were trying -- I think
16 I mentioned it before. We had directed our
17 counsel to look into any and all damages possible
18 that could be asserted on behalf of our tenants.
19 MR. SLINGLUFF: What was the dollar amount
20 that was filed?
21 MR. LUNY: There is no dollar amount in the
22 Complaint. And you don't have to file a dollar
23 amount in a legal complaint. What we do is ask
24 for categories of damages. The damages will
25 become liquidated after discovery is complete.

1 So, when we get to trial, we need to have a
2 concrete number of damages. We only need to be
3 sure that we exceed the dollar amount, the
4 jurisdictional limit of the Court. At this point
5 in time, that dollar amount is \$15,000. We are
6 very safely above that jurisdictional limit.
7 MR. SLINGLUFF: Thank you.
8 CHAIRMAN GREEN: Anything else, Mr. Luny?
9 MR. LUNY: That's all I have, unless anyone
10 has any other questions.
11 MR. MARSH: Madam Chair?
12 CHAIRMAN GREEN: Yes, sir.
13 MR. MARSH: My name is Mark Marsh. I've
14 been the past chairman and a two-term board
15 member.
16 When -- when my -- my group served on --
17 when we served the county, the one thing that we
18 did is we had an open-door policy on any public
19 information, anything that goes in minutes or
20 anything, or documentation is always available to
21 the public. I think it's the Freedom of
22 Information Act or something like that.
23 And why we would not be getting -- or
24 anybody might be -- and anybody that walks in
25 here requesting information that's not given the

1 proper information, I think is something y'all
2 better be very careful with as a board.
3 Because I don't think -- what I'm hearing
4 here is, you know, the companies on the field
5 haven't been even asked what their losses are and
6 things like that, and they're trying to achieve,
7 you know, some kind of an opportunity to maybe
8 receive -- you know, get some money back.
9 And I don't think anybody wants to sue the
10 Authority. They want to be, you know, a part of
11 it. But not giving information is I think a
12 mistake for this board if the information is in
13 the public record or has been -- these bonds or
14 anything that's happened in the past should be
15 available. Thank you.
16 MR. McCURE: The Chapter 119 that Mr. Luny
17 referred to expresses a procedure for exactly
18 what documents are available and identifies
19 exemptions from disclosure, many of which are
20 related to privilege in litigation.
21 The other thing that I wanted to avoid
22 saying or having to get into, but since we keep
23 coming back to this, it's important that we as
24 your counsel have no personal stake in
25 representing you. It's our job to have no

1 emotion about the process, not be angry at people
2 or not angry at people, or whatever. It is to
3 act as professionals on your behalf.
4 That being said, one cannot ignore
5 experience. And from my inception as counsel to
6 this board, there has been unfortunate times
7 for -- changing tapes. There have been
8 continuing difficulties in the relationship with
9 the FBO.
10 We have had threats of litigation with
11 respect to the self-fueling facility, that that
12 represented a breach of some duty we owed to the
13 FBO, because we were somehow competing with them,
14 when the express provisions of the lease, the
15 provisions of the FBO, FAA statutes provide that
16 there is no such competition.
17 We get issues with respect to subleases that
18 may not have been approved by us, and lots of
19 things that have been extremely contentious. And
20 those may ultimately get resolved. They don't
21 always rise to the level of necessity for
22 consideration by the board.
23 But I'd be foolish to say that experience
24 sometimes doesn't teach us to be cautious with
25 respect to -- to the education that we received

1 as being your counsel for a while. We try not to
2 be -- this is a public body. It is not necessary
3 that you enforce all of the privileges or rights
4 that you have with respect to disclosure,
5 nondisclosure, following appropriate procedure or
6 not.
7 In this particular case, we elected to
8 require that you follow the procedure to identify
9 the documents that you want in an appropriate way
10 by category, by description, by whatever, and
11 we'll respond to that.
12 And that's not something that we necessarily
13 do all the time, but in some cases, our
14 experience tells us that we should be cautious
15 and insist upon that. It's not an issue of any
16 personal sense one way or another with respect to
17 the requester. But it's something that
18 experience has led us to believe that it was the
19 appropriate thing to do in this case.
20 CHAIRMAN GREEN: I just wanted to ask one
21 question so the board is I think all concerned
22 about this, and what Mr. Marsh brought up, that
23 everything that's been in our minutes and opened
24 is available to anybody coming in from the
25 public; is that correct?

1 MR. McCLURE: That's correct.
2 CHAIRMAN GREEN: Okay. And anything that
3 FBO or whatever needs, if it's in here, they can
4 have it. We as a board can be assured of that.
5 MR. McCLURE: And we will comply with every
6 Florida Statute with respect to those
7 requirements.
8 CHAIRMAN GREEN: Mr. George?
9 MR. GEORGE: The discussion of a particular
10 agreement, does that discussion by itself include
11 that as part of our minutes? Or is that
12 agreement not part of the minutes, only the
13 discussion?
14 MR. McCLURE: All of the materials that are
15 in our files, unless they fall under certain
16 exemptions -- some personnel records, for
17 example, communications with respect to ongoing
18 litigation, matters like that are all available.
19 And so, if it's in our files and it's not exempt,
20 then by an appropriate request, you say, "I want
21 the following."
22 And one of the ways -- by -- by requiring
23 those requests is that you can keep track of what
24 people have, so that if later somebody shows up
25 with a piece of paper and says, "I got this out

1 of your files; what is this?" and this is the
2 smoking gun, if you require the request through
3 119, you're able to identify and articulate and
4 inventory the documents that you produce so that
5 you are assured that anything that comes back is
6 authentic and has come from your records. So,
7 that's why in some cases we require following
8 that procedure.
9 CHAIRMAN GREEN: Mr. Gorman?
10 MR. GORMAN: Mr. McClure?
11 MR. McCLURE: Yes, sir.
12 MR. GORMAN: Is in fact the exact wording
13 and legal wording and nomenclature used in the
14 bond exempt?
15 MR. McCLURE: No. The bond --
16 MR. GORMAN: So that can be --
17 MR. McCLURE: Absolutely.
18 MR. GORMAN: -- requested by this Board.
19 MR. McCLURE: Anybody is entitled to a copy
20 of this bond in this case; would you not agree,
21 Mr. Luny?
22 MR. LUNY: Yes.
23 MR. McCLURE: Yes. I think all we're asking
24 for is give us an appropriate request under the
25 statute. We'll respond to what you ask for.

1 Sometimes you want to be cautious about
2 that, because sometimes when people give
3 overbroad requests, "Give me everything that has
4 to do with the following," then you get in
5 trouble later because they say, "Well, you didn't
6 give me this call slip that showed that on that
7 day, that counsel for the follow-on contractor
8 called you," or whatever.
9 So you want -- sometimes you want people to
10 be specific about what they want so that you
11 are -- can protect yourself from criticism that
12 somehow you've been incomplete or -- or
13 diversionary or -- or whatever.
14 And so, in this particular case, what we'd
15 like is a request for what you want. Give it to
16 us under the forms that are commonly understood.
17 And the statute is very clear about what you ask
18 for and how you do it and how much time we have
19 to respond to it, and we'll do that.
20 Now, I mean, that being said, if you want to
21 direct us to do something else, all we are is
22 hired hands. We may be expensive hired hands,
23 but we're hired hands. And it is -- all we do is
24 give advice.
25 And, obviously, there's some decisions we

1 to respond, to our legal counsel, please provide
2 a 119 request.
3 MR. MCCLURE: I will do so.
4 MR. SLINGLUFF: You do not answer phone
5 calls, letters, or conversations. Very
6 unprofessional.
7 MR. MCCLURE: We will do so.
8 CHAIRMAN GREEN: Okay. I think that
9 concludes reports. Thank you very much.
10 We have action items now, Mr. Wuellner.
11 Item A.
12 11.A. - Fiscal Year 2001-2002 Financial Audit
13 MR. WUELLNER: Yes, ma'am. On a lighter
14 note, the financial audit has been completed by
15 Davis, Monk & Company. And I'm delighted to
16 introduce Mr. Harold Monk, the principal of that
17 firm, to -- I'm sure he'll introduce Tina as a
18 part of his presentation, but to present the
19 results of the fiscal year 2001-2002 audit.
20 MR. MONK: Thank you, Mr. Wuellner. Ladies
21 and gentlemen of the board, it's a pleasure to be
22 with you again. It's nice to hear an audit
23 report called a lighter item.
24 MR. WUELLNER: Yeah.
25 MR. MONK: They've seemed to garner more

1 make within the scope of our professional
2 responsibility, but all ultimate decisions with
3 respect to managing the representation of this
4 Authority, once we give the advice, you tell us
5 what to do and -- and it would be inappropriate
6 of me to say that people always follow our
7 advice.
8 We give legal advice. There are reasons
9 both in business and in professional and in
10 public life why people may choose to do something
11 differently than what your lawyer may tell you to
12 do, because there are other reasons other than
13 legal reasons to make certain decisions. And
14 those are appropriate to take into -- into
15 account.
16 So, all of that being said, I took up more
17 time than I probably should have, but I wanted to
18 be clear about that. And those are public
19 documents, and pursuant to a Chapter 119 request,
20 we'll get them together and produce them to
21 whoever wants them.
22 CHAIRMAN GREEN: Mr. Slingluff, just
23 briefly.
24 MR. SLINGLUFF: A closing comment, and
25 please, I think a professional courtesy would be

1 attention lately, for some reason. But that
2 being as it is, it is a pleasure to present the
3 report to you.
4 This is Tina Robinson. Tina was the manager
5 in charge of the engagement, was actually
6 responsible for the day-to-day fieldwork and did
7 most of the work on the engagement. And we're
8 here to present the report and answer questions
9 that you may have.
10 Turning directly to the report, if you look
11 on page 1, from our perspective is the most
12 important part of the report, and that is our
13 auditor's report on your financial statements.
14 This is what you pay us for, actually. This
15 is the one page that is the important page. And
16 basically what this page says is that we have
17 examined your financial statements in accordance
18 with generally accepted auditing standards, and
19 that in our opinion, the presentation is fair in
20 accordance with generally accepted accounting
21 principles.
22 There is also a paragraph that mentions that
23 we have performed this audit also in accordance
24 with generally accepted government auditing
25 standards and that we have additional reports

1 Included that are in the back that I'll cover,
2 but very briefly.

3 If you turn to the balance sheets, I just
4 want to point out -- and I'm just going to touch
5 on highlights. I will be glad to answer
6 questions either today or at any time that you
7 have questions. I want to encourage you to feel
8 free to call us at your convenience and we'll be
9 glad to respond regarding any items.

10 But if you'll look on the assets side of the
11 balance sheet, you'll notice several significant
12 changes. You have investments that have gone
13 from \$4,000 -- \$5,000 to \$2.3 million. These
14 investments are deposited with the State of
15 Florida in the -- what they call the Florida
16 State Board of Administration accounts, and as
17 such, are fully secured.

18 If you go on down the balance sheet, under
19 Property and Equipment, you'll notice that
20 there's a fairly significant change there, with
21 your property and equipment going up by \$2.4
22 million during the year. And this, of course, is
23 indicative of some of the projects that have been
24 underway in our -- and have been completed, plus
25 the ones that are still under construction.

1 longer have any increases in contributed capital,
2 and in two years from now, that will actually
3 disappear and become part of your retained
4 earnings under the rule.

5 Previously, contributed capital was just
6 where you accumulated the total amount of federal
7 and state grants that had been contributed to the
8 Airport Authority. Those are now accounted for
9 as revenues and not as an equity change, other
10 than as a flow-through revenue.

11 But you'll see that your total equity has
12 increased from \$31.4 million to \$36 million,
13 which is a nice increase, part of which, of
14 course, is because of the \$1.6 million that the
15 State finally gave -- gave up on.

16 Turning to the statement of revenues and
17 expenses, and changes in retained earnings,
18 you'll notice that your operating revenues for
19 2002 are very similar to 2001, down approximately
20 \$100,000 in total at \$1.8 million.

21 Your operating expenses are also very
22 similar to 2001, during the last year -- and this
23 is for the year ended September 30th, 2002, by
24 the way. But those operating expenses increased
25 \$250,000, which means that your operating loss

1 On the liability and fund equity side,
2 you'll notice that there are a few other changes
3 that are fairly significant. And two of those
4 I'll point out is the last item under current
5 liabilities, the current portion of refundable
6 grants, and then three lines down, the refundable
7 grants on a long-term basis, totaling about \$1.6
8 million -- which were in 2001 \$1.6 million, are
9 now zero.

10 The State of Florida, during the past year,
11 finally agreed to no longer require repayment of
12 those grants that had previously been made, and
13 as such, those liabilities were eliminated, and
14 that became recognized as revenue during the 2002
15 year. Effectively, the State just acquiesced and
16 said, "Keep the money; we don't want it back."
17 Kind of a nice thing to have happen after a long
18 battle.

19 Under equity, you'll notice also that there
20 are two elements. One is contributed capital and
21 one is retained earnings.

22 You'll see that the contributed capital line
23 has not changed since the prior year, and the
24 reason for this is a change in accounting rules
25 that occurred two years ago. And you'll no

1 for the Airport Authority increased \$350,000 over
2 the prior year, for a total operating loss of
3 \$1,055,000 during that fiscal year.

4 Now, the operating loss does not include
5 those nonoperating revenues which you'll see are
6 immediately below that. You had capital grants
7 of \$3.3 million, interest and property taxes that
8 were added as well, for a total of nonoperating
9 revenues of \$5.7 million, which is a \$500,000
10 increase from the prior year. That gave you net
11 income of \$4.6 million. Yes, sir.

12 MR. GEORGE: Am I to assume from this that
13 our operating revenue does not cover our
14 operating expenses? In other words, we're not on
15 a positive cash flow from just pure operating
16 expenses?

17 MR. MONK: From pure operating expenses, you
18 are not, that is correct. And your operating
19 revenues primarily are lease revenues and
20 revenues from the fuel surcharges and the fueling
21 operations.

22 Yes, right now, you are losing \$1 million --
23 you did lose \$1 million in 2002 from operations.
24 But that is made up in the nonoperating revenues,
25 which is one reason that you get property taxes.

1 Yes, sir? Oh, I'm sorry. I thought you had
2 a question.
3 MR. GEORGE: Okay.
4 MR. MONK: Anything else, Mr. George?
5 MR. GEORGE: No, not right now.
6 MR. MONK: Okay. That gave you, as I said,
7 net revenue -- net income, I'm sorry, of \$4.6
8 million compared to \$4.5 million in the prior
9 year. And your retained earnings now are \$13.6
10 million.
11 The next statement is a statement of cash
12 flows, which basically shows how the cash was
13 generated and where it went on a cash basis, as
14 opposed to a full accrual basis, which your
15 income statement is stated on.
16 And, again, you can see that from -- as far
17 as just your cash activity, you had a cash
18 outflow from operations of almost a half million
19 dollars. That, again, was made up, however, from
20 some of the nonoperating revenues, and you had --
21 then you spent cash outflow of capital
22 expenditures of right at \$3 million, offset by
23 grants received and cash -- cash inflow of \$2.5
24 million.
25 The net change of all that was that your

1 given to you, and therefore, you no longer have a
2 need to have those restricted, and they were
3 reclassified as unrestricted during the year.
4 Let me turn to the page 11 in the back,
5 where the additional reports are. And this is
6 where we discuss any findings or issues for your
7 benefit. And basically, one of the statements is
8 that there were several findings from the prior
9 year and that all of those have been corrected
10 during the past year.
11 Those were items that we did not consider
12 material to the financial statements last year,
13 things such as failure to issue a 1099 for
14 attorney fees; transfers that were not promptly
15 made between your cash accounts and into
16 investments and such; sales tax payments not
17 being paid promptly and timely; things of that
18 nature. And all of that has been corrected. We
19 found no further instances of any of that
20 occurring.
21 Your annual financial report required to be
22 filed with the state has been filed and is in
23 agreement with the audit report, and you are in
24 compliance with the investment of public funds
25 requirements by the State of Florida.

1 cash was basically almost even. You had an
2 increase of \$72,000 for the year.
3 Following those statements are the notes to
4 the financial statements which give just
5 additional information related to the numbers
6 that are in the financial statement. I will not
7 go through those in detail with you.
8 Again, just let me point out a couple of
9 items, in particular, on page 7, under note 2,
10 you'll notice that there in the last paragraph of
11 note 2 is a statement regarding an impending
12 accounting change. I mentioned earlier a change
13 in accounting rules and that further change was
14 coming.
15 With the adoption of the Governmental
16 Accounting Standards Board, statement number 34,
17 which will be required for the year ending in
18 2004, there will be a change, primarily where
19 that contributed capital will then be blended
20 into your retained earnings.
21 You'll also notice in the last paragraph of
22 note 3, dealing with cash and investments, that
23 your restricted investments were designated
24 previously for possible repayment of fund --
25 refundable grant monies which the state has now

1 Turning to page 13, this is a report on
2 compliance and on internal control. Very
3 briefly, we did not find issues related to
4 compliance or control other than one finding,
5 which I'll mention in just a second, but it does
6 say that one reportable condition is described in
7 our schedule of findings and questioned costs.
8 And I will get to that very briefly.
9 We also indicate that we believe that that
10 one finding is a material weakness. A material
11 weakness basically is a weakness in your control
12 system that would allow a material misstatement
13 to flow into the financial statements.
14 And so, this is something that you really
15 need to correct without question. And I'll go
16 back to the statements in a second and explain
17 what happened.
18 If you look on page 16, you'll find the
19 schedule of state grants. This is a summary of
20 the grants that you -- the expenditures from
21 grants that occurred during the year. All of
22 these were from state assistance, totaling \$2.3
23 million.
24 Then following that is a report on
25 compliance related to each of the major state

1 projects. And, again, in our opinion, you
2 complied with all material requirements related
3 to those projects; however, again, we note that
4 one matter involving the internal control over
5 compliance was identified, and that is reported
6 in our -- as the finding number 1, which we'll
7 get to in just a second.

8 On page 19 is a kind of summary report of
9 the auditor's findings, which basically says that
10 we express an unqualified opinion. It did -- the
11 report does disclose one reportable condition
12 regarding internal control and does not disclose
13 any noncompliance considered material to the
14 financial statements.

15 The one finding, if you'll notice, is at
16 the -- near the bottom of page 19 in section 2,
17 and basically what that says is that
18 approximately \$548,000 of reimbursable costs were
19 identified during the past year that actually
20 were incurred in 2000 and 2001, and were subject
21 to reimbursement by the state, but had not been
22 submitted to the state previously, and when the
23 new clerk came in, they went back and found some
24 of these expenditures and applied to the state
25 for reimbursement, and as such, recouped \$548,000

1 public comment first and then we'll have it.

2 Public comment?

3 (No public comment.)

4 CHAIRMAN GREEN: No public comment? Close
5 that. And then board? Do you have any board
6 discussion? Any questions for -- Mr. George? I
7 thought you had --

8 MR. GEORGE: I had -- I'm not intelligent
9 enough, having this amount of time to go through
10 it to look at it. I -- I will make a note of my
11 surprise that the operating expenses -- that the
12 operating revenue of the airport is not paying
13 for the operating, you know, expenses. And I'd
14 like to, you know, get into that with Ed and find
15 out, you know, how we classify something in the
16 operating as opposed to the capital.

17 For instance, if we're spending a lot of our
18 legal time, you know, on capital funds, are those
19 in the operating expense, or is it some of the
20 time allocated there? I think we need a truer
21 picture of the day-to-day revenue coming in,
22 what's paying the day-to-day bills. I need to
23 get into that.

24 MR. MONK: Right. And it has not been --
25 it's been consistently operating at -- the

1 for the Authority from the state.

2 So, certainly, they're to be commended for
3 those actions. Our concern is that you should
4 have a system where those reviews are done
5 concurrently and routinely so that it wouldn't
6 require someone to go back and review those
7 individual items to see if -- whether they are
8 appropriate for reimbursement or not.

9 And the airport, you'll see that the
10 Authority has included a response, stating that
11 the procedures have been adjusted to facilitate
12 that and assure that that does not occur in the
13 future.

14 That is the only finding that we had, and
15 certainly the financial results are commendable
16 for the Airport Authority. I -- clearly, you
17 ideally want to have your operation -- operating
18 revenues at least equal your operating expenses
19 so that you're not using nonoperating revenues
20 for capital purposes. But at least if -- you
21 have an improving financial picture overall.

22 Tina, did you need to add anything?

23 MS. ROBINSON: No. I'd certainly like to
24 take questions, though, if there are any.

25 CHAIRMAN GREEN: We're going to open to

1 operating revenues have consistently not met the
2 operating expenses for a number of years.

3 MR. GEORGE: Are you knowledgeable enough to
4 tell me that that's typical of an airport our
5 size?

6 MR. MONK: When you have the nonoperating
7 revenues available that you have, it is not
8 atypical. It is not unusual at all for
9 enterprise or -- operations such as this to have
10 operating losses that are subsidized through
11 nonoperating revenues.

12 MR. GEORGE: Okay.

13 MR. MONK: It's not the ideal that you want,
14 but it is not unusual.

15 MR. GEORGE: Well, I think it's the intent
16 of this board to find some point down the road
17 that that -- that that graph is crossed and we do
18 get to a plus so that we can get out of the
19 taxpayers' pockets.

20 MR. MONK: Right. And it's been improving.

21 CHAIRMAN GREEN: Good. Any more comment?
22 Mr. Wuellner, did you have action for us to take,
23 other than to approve the --

24 MR. WUELLNER: No, I think you just accept
25 the audit report results.

1 CHAIRMAN GREEN: Okay. I just want to make
2 sure.
3 MR. MONK: Let me stress again, too, that we
4 are available at any time to meet with you, to
5 answer questions. We're available by phone. And
6 if you'd like us to appear again before the board
7 to answer questions after you've had further time
8 to reflect on any of this information, we'd be
9 glad to be here at your -- at your convenience.
10 CHAIRMAN GREEN: Okay.
11 MR. MONK: Thank you.
12 CHAIRMAN GREEN: Thank you. Discussion's
13 closed. And I think we -- can I have a motion
14 then that we accept the audit report as presented
15 by our accountant company and Mr. Wuellner?
16 MR. GEORGE: I so-move.
17 MR. COX: I'll second.
18 CHAIRMAN GREEN: All in favor -- any
19 discussion?
20 (No discussion.)
21 CHAIRMAN GREEN: All in favor?
22 MR. GEORGE: Aye.
23 CHAIRMAN GREEN: Aye.
24 MR. COX: Aye.
25 MR. GORMAN: Aye.

1 MR. CIRIELLO: Aye.
2 CHAIRMAN GREEN: Any opposed?
3 (No opposition.)
4 CHAIRMAN GREEN: Motion's carried.
5 MR. WUELLNER: Thank you, Harold.
6 MR. MONK: Thank you.
7 MR. WUELLNER: Thank you, Tina.
8 CHAIRMAN GREEN: Thank you very much.
9 Mr. Wuellner, are we ready to go into item B?
10 MR. WUELLNER: Yes, ma'am.
11 11.B. - Airport Master Plan
12 MR. WUELLNER: Next item I have for you is a
13 very brief presentation as we begin -- we've kind
14 of delayed this a month or two, waiting on the
15 new board, because they would be the board that
16 followed through this entire planning effort with
17 the master plan. And I wanted to very briefly go
18 over the process of developing a master plan,
19 what's involved. And I do mean brief here.
20 We have provided you a number of documents
21 for you to look at over the next month. It is
22 our belief that at the next Authority meeting, we
23 will probably be in a position to recommend
24 something relative to entering into a -- either a
25 supplemental agreement or, you know, throwing

1 that out for discussion for completing a new
2 master plan for the Airport Authority.
3 The old master plan, as you're aware of, is
4 something like eight years old at this point. It
5 was literally adopted when I got here, without
6 involvement of current -- anybody that's
7 currently on staff. It provides the framework
8 and the blueprint, if you will, of development
9 plans for the airport, with a 20-year long-term
10 window.
11 And -- and in many cases, you can take that
12 beyond that if necessary. With the -- a
13 particular emphasis on the five- and ten-year
14 planning periods, because they are the most
15 likely to be statistically accurate in their
16 presentation of data that goes into it.
17 I call your attention to the kind of
18 multicolored chart. We -- I looked at this to do
19 it as an overhead or whatever, but frankly, it
20 ends up so small you can't read it anyway. We
21 did put some copies in the back for those of you
22 who want to quickly follow along.
23 But basically, there are a number of
24 elements that go into the development of the
25 master plan. There will be a committee, as it's

1 currently proposed, at least one committee made
2 up of community members who will provide input
3 and technical assistance in developing the plan,
4 in addition to this board. So, they will provide
5 another sounding board for the Authority and the
6 community relative to input into the master plan
7 itself.
8 Basically, the process starts with an
9 inventory of existing facilities here and the
10 conditions under which the airport operates and
11 has been developing to this point in the form of
12 a history and an inventory section of the master
13 plan.
14 Then we're going to look at existing
15 infrastructure, and again, place that in an
16 inventory format.
17 Among the next things that's done is
18 develop -- and this is a key item in the master
19 plan and one of the major milestones in the
20 master plan -- is a development of forecasts of
21 future development on the airport.
22 Now, that -- you're trying to get a handle
23 on what we expect based on historical data, as
24 well as some very detailed models that are used
25 in an attempt to forecast what aviation activity

1 and nonaviation activity is likely to be on the
2 airport throughout a 20-year period.
3 That data, of course, then feeds into a
4 section of the master plan that deals strictly
5 with requirements. It looks at that raw data
6 that we expect to see and what facilities would
7 be necessary, what infrastructure, what projects,
8 what things would need to be in place to
9 accommodate that growth, should it actually
10 occur.
11 The next thing is to look at how do you
12 deal -- once you have those raw numbers of how
13 much hangar space needs to be or how much runway
14 lengths need to be or how many taxiways, how many
15 navalds, tower, you name it, those kind of data
16 pieces come in as raw numbers.
17 Then it's up to this board and community
18 input again to -- to try to address those in
19 development plans, that is blueprints, if you
20 will, of how it would best lay out on the current
21 assets of the Airport Authority, that would be
22 the property, or property that the Authority
23 would need to acquire to address that.
24 But it gets a very interactive, very
25 iterative process to come up with some

1 recommendations that get detailed, typically
2 three or four, including a status quo, that would
3 literally say we ignore the future development,
4 this is what would happen in the event all of
5 this growth happens but we do nothing about it.
6 That's an alternative that's typically plugged
7 in.
8 You also have different scenarios that
9 allow -- you may choose different properties on
10 the airport to develop in different ways and
11 analyze the benefits, the pros and cons, if you
12 will, of why you'd want to develop this way or
13 not, ultimately resulting in a recommendation
14 from the consultant, the public committee, and
15 this board as to a preferred development
16 alternative that would get further scrutiny in
17 the master planning process, a hard look at
18 environmental and fiscal issues relative to that
19 developmental alternative. Can it be
20 accomplished?
21 We're also going to look at a complete set
22 of plans. Planning plans will be developed --
23 not construction plans, but development plans
24 will be developed as a part of this process that
25 are used to illustrate what the future of the

1 airport might look like as well as document the
2 existing nature of the airport itself.
3 Financial feasibility is an element of this,
4 as well as a look-see as to what the economic
5 impact of the airport itself, inclusive of the
6 tenants, is on the community and on the region
7 itself and get a firm feel of what -- what
8 would -- what does the airport contribute to the
9 community in terms of jobs and dollars and
10 spinoff -- spinoff benefits?
11 Then all of these things are then subject,
12 as well as -- you do have a spot here during
13 forecasting that FAA is required to concur in
14 what you believe to be the raw data forecast out
15 there, and that will be compared to some national
16 models and some state models that also deal with
17 forecasting to see if our forecasts align with
18 national trends and state trends for aviation.
19 And if there are significant variants, there'd be
20 obviously discussions as to how to bring these
21 together to be something that's hopefully
22 representative of what we expect to happen.
23 Then eventually the document is adopted by
24 the Airport Authority, a copy provided to the
25 Board of County Commissioners, because part of

1 the comprehensive planning and land development
2 process that we've interacted with the county, we
3 asked them to be on board with that master plan,
4 because we're asking them to, in a sense, help us
5 assure that adequate land use controls are in
6 place to allow that plan to occur.
7 The airport master plan, to a large extent,
8 on and off, beyond airport model, the land use
9 will be determined by the Airport Authority to a
10 great extent with an oversight by the Board of
11 County Commissioners, because it's ultimately
12 their authority. But they in some respects have
13 allowed the Airport Authority to present land use
14 things within their close proximity to the
15 airport to prevent conflicts in land use close in
16 to the airport.
17 So, it's a -- it's a very good model we've
18 developed with the county, and I think it's going
19 to be an excellent long-term benefit to the
20 airport and the community as a whole by
21 eliminating costly relocations of developments
22 and the like into the future by preventing them.
23 And the last item is obviously a publication
24 element here where the document becomes -- once
25 everyone's signed off on it and it's approved,

1 FAA, FDOT, local, and the Airport Authority, then
2 that document becomes subject to the public and
3 the public may have that document and copies
4 available.
5 They certainly get placed in libraries and
6 are made available here. Summaries are printed
7 of it so that they -- they also serve as
8 marketing information at times. But that's --
9 that's the process in a nutshell. And it's a
10 fairly lengthy endeavor. You're looking at a
11 nine-month effort before you get anywhere near
12 the end of this process.
13 There are some holds that are built into a
14 tentative schedule. Variables include FAA review
15 of forecast and sign-off. It makes no sense to
16 proceed on the road with developing scenarios if
17 FAA's going to object to what we project that
18 development to be or the raw data to be.
19 So, you'll typically kind of hold there and
20 are required to do some public hearings at that
21 point, too. And you'll have public hearing -- at
22 least several public hearings during this
23 process, independent of the committee meetings
24 and the Authority meetings in which you'll have
25 small presentations on where we are to date in

1 is currently out, independent of this, doing
2 what's required by a federal -- by federal
3 requirements, which is developing an independent
4 cost estimate being done by a separate firm just
5 looking over this and coming up with a -- in a
6 sense, how much they think this should cost.
7 And that information will be compared to
8 what the consultant expects to be paid to do this
9 work, so that you'll have the ability to compare
10 whether another firm finds those numbers somewhat
11 reasonable. They will not have seen what our
12 consultants prepared in terms of dollars. They
13 will have seen the identical scope. So,
14 hopefully, the process plays itself out pretty
15 well.
16 A reminder, this is under grant currently.
17 You have FAA and FDOT money to accomplish this
18 stuff, so it's not something you're waiting on
19 money for. It's really been on hold since this
20 fall in terms of grants waiting to kick it off.
21 MR. GEORGE: Is that a hundred percent or is
22 that a matching?
23 MR. WUELLNER: You end up with a total of 95
24 percent funding. So, the Authority's input is at
25 5 percent, nickel on the dollar.

1 the process, and eventually result in a brand new
2 master plan that will see you through five to ten
3 years before you're in a position to probably
4 need to do that again, assuming no real big
5 unforeseen circumstances that get thrown into the
6 mix.
7 It will be -- it's a very informative
8 process. It becomes -- if you allow it to be,
9 it's -- it's a great experience. It can be very
10 tiresome and cumbersome, too, if you get sick of
11 that technical reading in a sense. But keep in
12 mind it's probably the single-most important
13 thing you'll do over the next -- next four years,
14 is developing what that master plan is going to
15 look like.
16 In a sense, you commit future boards to that
17 development until the next planning process. And
18 that's what staff administers in terms of
19 building work programs with the state and the
20 federal government that result in capital
21 projects back to the airport. So, it's a very
22 important process.
23 And the other document you have is a copy of
24 a draft supplemental agreement that deals with
25 the scope of services with the consultant. This

1 The last document we have is a master
2 planning guideline book that Florida DOT
3 developed. It largely integrates everything I've
4 said into -- and hard to believe, but even more
5 words, and allows and gives you a -- more -- some
6 examples of what some of those sections of a
7 master plan might look like. This is -- we made
8 you copies of it, but it's also available to the
9 general public. It's also available online at
10 the Florida DOT web site. So, we can make you a
11 copy or you're welcome to pull it off the web
12 site if you see fit.
13 That's in a nutshell what you can expect. I
14 would suspect you'll want to be in a position to
15 execute some agreement or some formal direction
16 as to how you're going to move through the
17 process at the February meeting, because we do
18 want to get this up and rolling. As it is, it's
19 an important one, and the one we have is fairly
20 old in terms of what we -- what's been
21 accomplished, and the circumstances surrounding
22 it.
23 CHAIRMAN GREEN: Okay. Thank you. Open
24 that to public comment. Mr. Slingsluff?
25 MR. SLINGLUFF: Yeah. Ed, given the

1 repetitive nature -- given the repetitive nature
2 of the master planning, it's a five-year master
3 plan?
4 MR. WUELLNER: Twenty year.
5 MR. SLINGLUFF: Twenty year.
6 MR. WUELLNER: Yeah.
7 MR. SLINGLUFF: And they're reviewed or
8 renewed every five years?
9 MR. WUELLNER: Your earliest you can apply
10 is about five years, unless there's some
11 extraneous circumstances that would dictate.
12 MR. SLINGLUFF: Is there some sort of review
13 process of the previous master plan to develop a
14 matrix so we know how accurate it is, whether the
15 money that is being spent on the new master plan
16 is -- is well spent? I mean, is it something
17 that's actually followed and there are so many
18 developments according to the plan?
19 MR. WUELLNER: Yeah. It's essentially, at
20 the point of forecast development is where the
21 development -- the comparison of what the
22 previous forecast data predicted compared to what
23 the new forecasts are going to predict. That's
24 the -- that's kind of the benchmark of the past
25 master plan performance.

1 Only other gauge we have is comparing where
2 development, as predicted in the last master plan
3 is, versus the 10-year planning cycle that it
4 might have covered.
5 You know, I'm fairly comfortable in saying
6 you're probably in year twelve or better, in
7 terms of total development that's been squeezed
8 into probably seven or eight, based on demand
9 being generally higher than what was originally
10 forecast back in '96. But, you know, there are a
11 lot of variables in that equation.
12 MR. SLINGLUFF: Yeah.
13 MR. WUELLNER: And another thing I need to
14 just call everybody's attention to, the
15 development that's called for in a master plan is
16 demand driven. So, it's not something you go out
17 and build and hope they come to.
18 When the forecast numbers suggest -- they
19 kind of suggest at what point you start other
20 developments or where latent demand might be
21 for -- as an example, T-hangars. It might
22 suggest that we -- we needed to build 50 new
23 T-hangars immediately because there's already
24 demand for that many more. Those are the kind of
25 things that occur. Or, when we exceed 160,000

1 operations, is a good time to start building this
2 to satisfy the continuing demand. Those are the
3 kind of things that come out of the master plan
4 itself.
5 CHAIRMAN GREEN: Any other public comment?
6 (No public comment.)
7 CHAIRMAN GREEN: Close public comment.
8 Board? Yes, Mr. Cox.
9 MR. COX: Ed, what kind of action are you
10 going to be looking for from the -- from the
11 board members in February, if any at all?
12 MR. WUELLNER: Actually, we're looking for
13 input prior to February, because we would like
14 you to look at that information, in particular,
15 the supplemental -- the consultant-developed
16 document there, for items that you don't see in
17 there that you believe are either critical to
18 airport development or things that need to be
19 considered that aren't typically addressed in a
20 master plan.
21 You have set aside a small amount of money
22 in terms of planning, but you've set aside some
23 money within the budget process to add some
24 items, that while may not be eligible for federal
25 or state money, you feel are -- need to be

1 integrated into this master plan study and looked
2 at and made sure that that's a part of it.
3 MR. COX: Well, barring having each of us
4 come in individually to talk to you to get that
5 kind of an input, would it be inappropriate to
6 have a workshop --
7 MR. WUELLNER: That's entirely up to you.
8 MR. COX: -- about that? Because this is
9 going to be a huge deal.
10 MR. WUELLNER: Yeah.
11 MR. COX: And just the only way we're going
12 to get input then --
13 MR. WUELLNER: The February time line is --
14 is internal. I mean, you --
15 MR. COX: Right. I understand that.
16 MR. WUELLNER: If that slips to March or
17 April, that's -- that's entirely your call.
18 MR. COX: Well, that's why I was asking what
19 kind -- what are you looking for us in February?
20 That's not a drop-dead --
21 MR. WUELLNER: I mean, we would like to be
22 at a point to initiate at least the first several
23 tasks within the master plan; that is, get the --
24 the inventory completed and an update of the
25 history, which are fairly minor elements anyway

1 In the master plan, because this was -- this is
2 an update of those kind of things. You know, the
3 hard-core number crunching doesn't occur until
4 like steps three and four in the master plan and
5 after. So --
6 MR. COX: I might suggest then we have
7 either another meeting prior to the official
8 February meeting or a workshop.
9 CHAIRMAN GREEN: The workshop would have to
10 be an open --
11 MR. WUELLNER: Oh, yeah.
12 CHAIRMAN GREEN: Yeah, because it's
13 obviously an open forum.
14 MR. WUELLNER: Yeah. And we can even get --
15 I mean, consultant input relative -- you know,
16 take notes of what y'all want to do so that that
17 scope gets revised before the February meeting,
18 or March meeting, or whatever you ultimately pick
19 as a schedule for it.
20 CHAIRMAN GREEN: Mr. George?
21 MR. GEORGE: It sounded like we had plenty
22 of -- of input cycles throughout -- or input
23 points throughout this cycle, so what is it
24 you're actually trying to get out of the board in
25 February? When you say --

1 MR. WUELLNER: Anything you want in, it
2 can -- a contract with your consultant as a work
3 element within the job. If you -- If you stray
4 from what the contract is, obviously they're
5 going to expect more money. You're going to
6 expect some -- some result.
7 But it's -- rather than wait till you get
8 into the process and decide to integrate who
9 knows what into the planning process when it's
10 not had benefit of the earlier steps of the
11 master plan. You may decide at an iteration of
12 alternatives that you -- why didn't we consider,
13 you know, a blimp mooring facility, you know --
14 and I'm just throwing that out. I know it may be
15 absurd, but why didn't we consider that in
16 forecasting the number of blimp operations? And,
17 you know, it's really important to me that we
18 deal with blimps.
19 And now you're back all that -- all that
20 data you just developed didn't include or maybe
21 didn't isolate that data, and it could have
22 easily been done when it was being brought
23 forward.
24 MR. GEORGE: Is it appropriate for us to go
25 back to the granting agency that's paying 95

1 percent of the bill and let them give us the
2 names of other airports that have been through
3 this --
4 MR. WUELLNER: Oh, yeah.
5 MR. GEORGE: -- so that we can call and say,
6 "What is it you left out of the contract that you
7 think should have been in there?"
8 MR. WUELLNER: Sure, you -- we can try to
9 isolate. And the board's already -- we've got a
10 few items that aren't reflected in this that have
11 already been communicated by the board, some
12 minor items related to a run-up area for -- for
13 Grumman.
14 There's a heliport landing or a helipad,
15 whatever you want to call it. Things that
16 aren't -- while they might get picked up normally
17 in the planning process, we're specifically
18 making sure those get addressed --
19 MR. GEORGE: I gotcha.
20 MR. WUELLNER: -- well in the planning
21 process, instead of maybe a cursory review and
22 saying, "Well, there are plenty of places to land
23 helicopters."
24 Well, we want to make sure that a place is
25 identified that makes sense and can be identified

1 on the property.
2 MR. GEORGE: Have we requested this type of
3 an input from our tenants on the field?
4 MR. WUELLNER: Just during the meeting
5 process. But this is what we want to do.
6 CHAIRMAN GREEN: Right.
7 MR. GEORGE: Okay. Well, that would be a
8 good time to have that --
9 MR. WUELLNER: We want a scope that
10 obviously represents exactly what you want done,
11 to the greatest extent possible.
12 CHAIRMAN GREEN: Mr. Gorman?
13 MR. GORMAN: Would you call that a
14 marketing-driven master plan, in other words,
15 where you're actually -- you're actually feeling
16 and finding the market?
17 MR. WUELLNER: Oh, yeah. Absolutely.
18 MR. GORMAN: Finding out what is going to
19 sell before we're actually planning this thing?
20 MR. WUELLNER: Master plans are used to
21 develop the niches as you -- you're alluding to,
22 you know, where this airport accelerates,
23 perhaps, and does its best job, or where do we
24 fit best in the picture in Northeast Florida?
25 This is an excellent document to be used to

1 strengthen that position, if that's the direction
2 you want to go. It's also a way to strengthen
3 positions you want to go to but haven't -- aren't
4 making enough market share inroads. There are
5 ways to structure development that perhaps
6 encourages one type of infrastructure development
7 over another.
8 CHAIRMAN GREEN: More discussion from the
9 board? I'll close discussion, but I think,
10 Mr. Cox, did you want to make a motion with
11 regards not to any recommendation, because there
12 is none, but...
13 MR. COX: I'll make a motion that we have
14 either a secondary meeting this month or sometime
15 prior to the meeting in February or we resolve to
16 have a workshop concerning this issue.
17 MR. WUELLNER: Do you want to delay the
18 discussion of the meeting date until we get the
19 meeting item down here and we'll just talk both
20 dates at one time?
21 CHAIRMAN GREEN: I think we have a motion on
22 the floor.
23 MR. WUELLNER: I'm sorry.
24 CHAIRMAN GREEN: Anyone want to second, or
25 do you want to amend or elaborate your motion?

1 MR. GEORGE: It seemed -- It had a lot of
2 commas. Take a few commas out.
3 MR. COX: Okay. I'll make a motion that we
4 have a workshop concerning this issue prior to
5 the February meeting.
6 MR. GEORGE: I second that motion.
7 MR. COX: Okay.
8 CHAIRMAN GREEN: Any discussion?
9 MR. CIRIELLO: Yes, Madam Chairman. Do you
10 think maybe you ought to take the word "workshop"
11 out and make it a meeting? Because if I'm not --
12 if I'm correct in parliamentary procedures, at a
13 workshop, the board cannot make any decisions.
14 You can't make any motions. You can't say you're
15 going to do this or do that. It's just that.
16 It's just a investigative meeting where you can
17 say things you like to, but you can't.
18 So, if you take the word "workshop" out and
19 make it a regular meeting, then you can actually
20 make a decision.
21 MR. COX: I think that's what the February
22 meeting would be.
23 MR. WUELLNER: I was going to say, I don't
24 think your -- the workshop, as I understand what
25 you want to do, is to do that information

1 building and the like, with something to be
2 consolidated into a document or --
3 MR. COX: Just brainstorming.
4 MR. WUELLNER: -- something in the February
5 meeting.
6 MR. COX: That's all we're going to do.
7 MR. CIRIELLO: Well, then you're not going
8 to say anything at this workshop that --
9 MR. WUELLNER: You should walk away in --
10 this workshop with an understanding of what
11 you'll see at the February meeting.
12 MR. CIRIELLO: All right. Okay.
13 CHAIRMAN GREEN: We can put on the agenda to
14 say --
15 MR. WUELLNER: You won't have adopted it at
16 that meeting, but you will have provided the
17 input necessary that should reflect what your
18 meeting results were.
19 CHAIRMAN GREEN: Any other further
20 discussion?
21 (No further discussion.)
22 CHAIRMAN GREEN: Okay. There's a motion on
23 the floor with regards to having a workshop prior
24 to the February 10th meeting. Is there a second?
25 MR. GEORGE: I second.

1 MR. COX: He seconded it earlier.
2 CHAIRMAN GREEN: All in favor?
3 MR. GEORGE: Aye.
4 CHAIRMAN GREEN: Aye.
5 MR. CIRIELLO: Aye.
6 MR. COX: Aye.
7 MR. GORMAN: Aye.
8 CHAIRMAN GREEN: All opposed?
9 (No opposition.)
10 CHAIRMAN GREEN: I think we're going to
11 defer a date until we get to our -- end of our
12 agenda. Okay. Mr. Wuellner, we're on to the
13 Customs, item C.
14 11.C. - U.S. Customs Facility
15 MR. WUELLNER: Yes. As I spoke to each of
16 you individually and kind of brought you up to
17 speed as to try and get some general feeling as
18 to whether we wanted to generate a response to
19 U.S. Customs, who placed a -- historically, so
20 everybody's up to speed at the same time, the
21 Airport Authority, through its staff, has been
22 working with U.S. Customs for several years, two
23 to three years, my best recollection, in
24 developing a facility in support of basing some
25 P-3s that are currently located at N.A.S. Jax,

1 It's my understanding, from that facility to some
2 other facility in Northeast Florida at the
3 request of U.S. Customs.

4 They launched a site selection study that
5 was done, in fact was wrapping up this time last
6 year with a recommendation that was supposed to
7 occur in March of last year. I think the time
8 line got changed dramatically with the events of
9 September 11th.

10 As a result -- and as a result of that, U.S.
11 Customs, this fall, was absorbed into the
12 Department of Public -- Homeland Security. And
13 the approach to the project that previously was
14 on a schedule to perhaps result in a facility by
15 year 2005, all of a sudden is on the front burner
16 and cooking, and we're trying to result in a
17 project and a place for them to rest by the end
18 of this year, by December of 2003.

19 And, of course, they have some very detailed
20 specifications they're going to want to have
21 addressed in -- in sites that can -- could
22 possibly handle this project.

23 They placed notice in the paper over --
24 during the month of December, asking that folks
25 that had a place for them to call their own,

1 agreement with U.S. Customs. Now, the part --
2 the only part in this that -- and I'm sure we'll
3 get more information over the next month as those
4 site visits occur, is the length of term of the
5 lease.

6 It is obviously -- when you look at the
7 specification data that they're throwing out --
8 and I think we provided that as a part of your
9 agenda package, there's -- you know, there's
10 something in the order of 120,000 square foot of
11 facility, hundreds, 3- or 400,000 square foot of
12 apron space.

13 It's a -- it's a very large-scale project
14 that will be very expensive to put in place. And
15 unless we can find a way with them to get the
16 term of the lease longer than the ten years
17 they're willing to initially guarantee, you know,
18 may not prove financially feasible to do it.

19 Now, an item that Mr. Ciriello has called to
20 my attention, and I actually -- you know, he and
21 I accuse each other of never seeing eye to eye,
22 but in this case I agree with him completely;
23 we're talking -- the property that we're
24 asserting to Customs as being a possibility for
25 this is the property that we have been working

1 either an existing facility or something you
2 would propose to develop, to respond to U.S.
3 Customs. After conversing with all of you
4 independently, everybody seemed to have a general
5 idea that we probably ought to respond, at least
6 take the first step and see what goes on.

7 We did that. You have a copy of the
8 response back from U.S. Customs that was received
9 last week that basically says, yeah, we've got
10 your proposal; now we want to begin the process
11 during the month of January of looking at sites.

12 Now, I think they really, if they want to
13 look at their own workup, they probably have
14 everything they ever need to know about St.
15 Augustine Airport already, because it was a part
16 of the original feasibility study that looked at
17 us and Cecil Field as probably the only two
18 Northeast Florida contenders for this project.

19 Now, what has changed is the original
20 project was one where U.S. Customs came in,
21 leased the property from the Airport Authority,
22 built their own facility, and lived happily ever
23 after out in someplace.

24 What has changed is now they're looking for
25 the facility to be developed for them for a lease

1 on, we lease from Grumman next to the North 40
2 complex there.

3 In that, you probably recall that Grumman
4 was reserving a 20- or 30-acre parcel there to,
5 in a sense, facilitate a duplication of the North
6 40 complex should they elect to do that within
7 the term of their lease. Considering they don't
8 have that many years left in the lease, it's hard
9 to say whether their business decision will be to
10 develop a facility.

11 But in any case, they're retaining that
12 property within their option, which released
13 about 60 acres of property back to the Airport
14 Authority -- or would.

15 We have not executed that agreement because
16 those final documents have yet to materialize
17 between -- out of New York, out of Grumman. And,
18 indeed, Mr. Ciriello pointed out that perhaps we
19 wouldn't want to do that.

20 In the event we don't take advantage of this
21 project, the return potential of the North 40
22 complex coming out of lease early -- and I say
23 early, coming in the original term, that is 2007,
24 versus the extension that was granted to get the
25 property back, the extension granted through

1 2011, or would be granted, that it may not make
2 sense -- if we can't facilitate this property, it
3 may not make sense for us to accept the property
4 back in lieu of a -- in exchange for an extension
5 of the original lease term, because the revenue
6 obviously that would be received from the North
7 40 would be entirely profit back to the Airport
8 Authority with no debt service obligations, no
9 nothing. And -- and the terms of the lease
10 require it to be at market value, as well as your
11 policy requires it.

12 So, if this size of a project can't be
13 accomplished and we can't make the numbers work,
14 it probably doesn't make any sense to finish the
15 agreement with Grumman and take this 20 acres
16 back -- or, excuse me, 60-some acres back,
17 because it won't all be able to be developed.
18 Some of that's wetlands. Some of it -- it's not
19 all going to be at high dollar value that's
20 already in place with Grumman. So, that's kind
21 of a call we're going to have to make moving
22 ahead.

23 What we know now is they're supposed -- in
24 the letter, you know what I know based on the
25 letter you have a copy of, that they're going to

1 delineation, have we ever gotten to the point
2 where you've really figured out what you can use
3 out of that wetland delineation and what you
4 can't? I know it's a --

5 MR. WUELLNER: Actually, we have a pretty
6 good number based on the delineation that was
7 done with some permitting in the original North
8 40. That's not to say some encroachment hasn't
9 additionally occurred in that last ten years.
10 I'm sure there has been a little. But the latest
11 one showed there's about 36, 37 acres, I believe
12 the drawing showed, of true uplands in there.

13 MR. GORMAN: When was the last time the
14 delineation people, shall we call them, have
15 actually been there --

16 MR. SLINGLUFF: '96, I believe.

17 MR. WUELLNER: I'm not 100 percent sure of
18 that answer. Was it '96?

19 MR. GORMAN: May be some -- only my own
20 information, there may be some rather radical
21 changes. I don't know.

22 MR. WUELLNER: It happens. It continues to
23 encroach if you don't -- can't keep a mower on
24 it. And that's not property we get out there and
25 mow. In fact, it's not even ours at this point.

1 provide us with the details of what they would
2 expect to be built.

3 We indicated in our initial response to them
4 that there was really no way that we were going
5 to be able to meet a December time line on this.
6 The environmental permitting related to that
7 property, the engineering and development costs
8 and permitting with the county, if the Authority
9 has to borrow money to facilitate a project of
10 this magnitude, all of those things take time to
11 accomplish statutorily, and none of those things
12 are directly influenced by this board in terms of
13 how long they take to accomplish.

14 So, as a result, we made them aware of that
15 when we submitted the letter. So, if that was
16 going to be a big problem, they've been made
17 aware of it when we submitted, and I'm sure will
18 be a basis of some discussion when they make a
19 visit here later this month.

20 MR. GORMAN: Just a side comment, has --
21 since I think a lot of the property that's
22 adjacent to this -- what do we call it, the North
23 40 Grumman property --

24 MR. WUELLNER: Yes, sir.

25 MR. GORMAN: -- that's subject to wetland

1 It is, but it isn't.

2 MR. GORMAN: In terms of total usable
3 acreage you've got.

4 MR. WUELLNER: Correct. Our best guess is
5 there's about 35 to 40 acres of up -- true
6 uplands.

7 CHAIRMAN GREEN: Did you have any more
8 presentation on this right now before I open it
9 up to public comment?

10 MR. WUELLNER: No, other than we'll continue
11 to keep you informed. And obviously, if we have
12 something at the workshop, we'll try to get it on
13 there. You won't be able to action as
14 Mr. Ciriello pointed out.

15 The time line I'm seeing here is they're
16 probably not looking for anything else formal
17 back to them in terms of proposal till well into
18 February, if not March, which just further
19 illustrates the unreasonableness of their
20 schedule they developed.

21 So, I think they're aware of that; they
22 just -- they throw that out there in case you
23 just happen to have 120,000 feet of airport space
24 with 8,000 foot of runway sitting there. No one
25 does.

1 CHAIRMAN GREEN: Is there any public comment
2 on it?
3 (No public comment.)
4 CHAIRMAN GREEN: Okay. Board discussion?
5 MR. McCLURE: I did want to mention --
6 CHAIRMAN GREEN: Questions?
7 MR. McCLURE: I did want to mention that the
8 question had come up from Ed before about if we
9 have a project of this scope, which obviously
10 this is a big ballpark, but is like \$10 to \$20
11 million to do, and my understanding is that the
12 request for proposals or notice of interest
13 contemplated a 10-year lease with a 10-year
14 option, so that you only have a guaranteed
15 tenant, even though it's obviously a credit
16 tenant, for ten years, what are the options that
17 are available to the Authority in terms of
18 financing?
19 And in the event y'all had a question, and
20 that is clearly beyond the area of my expertise,
21 Peter Dame, who is -- has a very civilized bond
22 practice in our office, came down to respond to
23 any questions you might have about if you chose
24 to do something that required a commitment of
25 that dollars, that was beyond grant and revenue

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1 for the present fiscal year, what those
2 alternatives are. He's available to respond to
3 any questions you might have about that.
4 MR. WUELLNER: Yeah. That's a good point.
5 I'm sorry I forgot to introduce him. But the --
6 the other issue that some of you brought to, you
7 know, brought up in -- when I was briefing you
8 earlier in the month, had to do with, if
9 financed, you know, how is the project going to
10 be viewed from a -- from a borrower's standpoint
11 or lender's standpoint, I should say, as a public
12 project because it's got the federal government
13 as a lessee, or is it -- you know, it is an
14 exclusive single tenant arrangement in this case.
15 Is it going to be looked at as a private sector
16 tenant?
17 And, you know, I -- we bounced that off on
18 the phone and, you know, unfortunately it's not
19 going to be viewed as a public project, even
20 though it's exclusively built for the United
21 States Government. And, you know, if you want to
22 come up and try and wave the wand over it and
23 clear it all up, you're welcome to try.
24 MR. DAME: Thank you. My name is Peter
25 Dame. I'm in the Jacksonville office of Rogers,

1 Towers. I'll just briefly address that. I don't
2 necessarily want to get into a whole lot of
3 mechanics on bond law, but the real question here
4 is can we do a tax exempt borrowing to finance
5 this project, which would obviously be a much
6 cheaper way than a taxable borrowing.
7 The federal government, in their wisdom, has
8 deemed that for airport projects such as this, if
9 your major user is the federal government and
10 you're basically going to be deriving your
11 revenues to pay off the debt service from the
12 federal government, you cannot finance it tax
13 exempt. That's their concept of double dipping.
14 So, we would not be able to do it tax exempt.
15 I think Ed was sharing with me earlier some
16 of the property tax aspects of it, which would be
17 the other side of the -- the analysis on this.
18 I would be happy to answer any questions you
19 have about the ability to finance this project
20 down the road or come back at a time when we're
21 further along in the project and get into it
22 further.
23 CHAIRMAN GREEN: Yeah. I think that's kind
24 of our position. We're just delving into it
25 right now, and when we -- unless the board has

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1 some questions. Obviously, it's a panel
2 discussion right now. But I personally would
3 like to see what they're actually looking for,
4 numbers, when we're a little more enlightened as
5 to what our questions would be.
6 MR. WUELLNER: I can tell you the first
7 blushes we made, just guessing on construction
8 costs and, you know, and factoring debt service
9 and all the things in there, I mean, it's -- it's
10 a fairly -- it's pricey from construction, and it
11 would be pricey from a lessee standpoint, and
12 especially if you're looking to retire any type
13 of borrowing in the 10-year initial term.
14 That dramatically affects what you'd have to
15 get in terms of rent in order to assure that
16 that's -- you have no debt at the end of ten
17 years. And if they extend the lease, then that's
18 great, but, you know, the other alternative is
19 the Authority would have to determine whether
20 they want to take that risk over the 10 year, 15,
21 20, whatever.
22 And then you've got certainly questions that
23 will come up as to whether it's something you
24 want to pledge Authority revenues against,
25 project revenues against, or commit general

1 obligation of the Authority, which would require
2 some -- or likely require, I should say, some
3 input from the voters in the county, depending on
4 how you go about facilitating or guaranteeing the
5 bond issue in the future.
6 But there's a lot to think about, not
7 necessarily today, but there's a lot out there
8 that would still have to have some very
9 interesting deliberations on to move it forward
10 as the details become available.
11 CHAIRMAN GREEN: Any other discussion from
12 the board? Mr. Ciriello?
13 MR. CIRIELLO: Yes. Ed, according to this
14 letter, somebody from the Customs is going to
15 meet with you and come down and physically look
16 at the property and -- and all that?
17 MR. WUELLNER: Uh-huh.
18 MR. CIRIELLO: Well, you know, I'm kind of
19 like a nosy person. I'm like a fly on the wall.
20 I'd like to be -- know what's going on.
21 Is there any problem, if no other member of
22 the board wants to, just tag along and watch
23 what's going on without -- if it's possible for
24 me to keep my big mouth shut and see what's going
25 on and not make any statements? Because I -- I'd

1 like to just be involved in things like that.
2 And if they're down here at a meeting and
3 you're going to drive them around and show them,
4 I'd just like to tag along if it's possible. But
5 if other board members want to, then I guess you
6 can't legally do that, so I'd just make a
7 request --
8 MR. WUELLNER: We would definitely have to
9 change the structure of it if you all want to
10 participate or more than one of you.
11 MR. CIRIELLO: I'd just make a request --
12 MR. WUELLNER: I can -- past that, we don't
13 care. Any of you are welcome on anything we do.
14 MR. CIRIELLO: If they come down -- well,
15 you know, I've told you that many a times, that
16 I'd like to be involved. So, if it's possible
17 and they're coming down and nobody else wants to
18 tag along, just to tag along, I'd like to be
19 involved in it.
20 MR. WUELLNER: I'm sure if your -- none of
21 your fellow members have any objections to it, we
22 certainly don't.
23 CHAIRMAN GREEN: I think we'll just leave it
24 in your discretion, Mr. Wuellner. If there's
25 more input, you just tell us and we can structure

1 it a different way.
2 MR. WUELLNER: Thank you.
3 CHAIRMAN GREEN: Okay. Does that take care
4 of item C?
5 MR. WUELLNER: Yes, ma'am.
6 CHAIRMAN GREEN: We have our project
7 updates?
8 MR. WUELLNER: Well, I'll try to be as brief
9 as possible on this.
10 CHAIRMAN GREEN: Thank you, Mr. Dame.
11 11.D. - Project Updates
12 MR. WUELLNER: The project update sheet that
13 we provided you lists the Authority's new web
14 site address, that is the Beta site. So it is up
15 and running, but is not readily accessible to the
16 public at this moment.
17 You have the address. It's provided on your
18 sheet there. I would encourage you to look at
19 over there. There are pieces and parts of it
20 still missing, and we're filling in those blanks
21 in a hurry. But our goal is to get it up within
22 the next two weeks, out and available to anybody
23 on the public side.
24 So it is very far along. Part of the
25 picture-taking ordeal that occurred before the

1 first portion of the meeting is a part of the web
2 site effort. Those photos will appear on the web
3 site.
4 MR. COX: Heaven forbid.
5 MR. WUELLNER: We didn't tell you that
6 before? But we would ask you, if you have
7 internet capability, to please take a look at
8 that over the next week or two.
9 Comments, input, things you like, don't
10 like, please try to get that -- that feedback
11 back to us so we can at least get some version up
12 and to the public finally. If you don't have
13 internet capability, stop in and see us. We'll
14 walk you through the web site so you have some
15 idea what everybody else is seeing or will be
16 able to see.
17 And then when we're all up and running the
18 first part of the address, which is obviously
19 www.staugustineairport.com will be the web site
20 for the airport. So, it's pretty
21 straightforward.
22 And TVOR. As you -- I think I've brought
23 everybody up to speed with at least what we know
24 as of today. Your contractor, Talus ATM, who was
25 originally contracted to do the feasibility of

1 the TVOR relocation, they will be -- they are --
2 already have gathered the data necessarily --
3 necessary to do the computer modeling of the
4 site, the proposed site there off the southeast
5 side of runway 31 there. They are going to be
6 running that model, and we expect a full report
7 on that by the end of January, which will give
8 some sort of details as to what we can expect
9 that site to yield long term.
10 Now, they've taken -- part of the modeling
11 effort is to take development alternatives that
12 are reflected in the old master plan and the like
13 for the surrounding area.
14 So, they're -- they're going to be looking
15 at future things in -- in generating the model,
16 too, so that if we develop the airport, you don't
17 create the exact same problem you had today by
18 placing the next hangar, for instance, next
19 T-hangar. Maybe that generates the exact same
20 problem and would be, you know, a poor investment
21 in a poor location at that point.
22 So, that's what we'll know in detail by the
23 end of January. What we do know is there's no
24 chance short of doing that exact same study in
25 the existing location. But the existing site can

1 From a construction side, I don't think
2 there's any issues going on there. What we don't
3 want to do is place it out there and have the
4 exact same scenario with the next investment the
5 Authority makes in a building or whatever, end up
6 with the exact same point.
7 Now, things that FAA has stressed to us is
8 that you've got to stop in general looking at the
9 facility as an area navigational aid. It is --
10 it was -- TVORs were never developed as area
11 navals. They're strictly designed to facilitate
12 approaches at airports.
13 And, you know, it was simply a matter of --
14 as we've had the discussion, of NOTAM-ing out
15 sections or restricting use in certain segments
16 of it. We -- that could have been done if that
17 were the only problem going on.
18 But, apparently, the approaches as they're
19 developed off that navaid are unusable because of
20 the interference and the things going on with
21 them. It's not so much the -- although that
22 exists, too, apparently it keeps the area part of
23 it from being used. But the facility's not an
24 air space system navaid for the purposes of area
25 nav.

1 be brought back up. There's something going on
2 out there that prevents it from being used as an
3 instrument approach right then.
4 MR. GORMAN: Has the -- when they're doing
5 this study to be able to ascertain where to put
6 it, have they entertained the idea of any waiver?
7 In other words, the actual tower itself was put
8 there with an FAA waiver as to its adjacency to a
9 runway, an active runway.
10 Have they ever just thought about a simple
11 solution, you know, of an extended height versus,
12 you know, a waiver of a few feet --
13 MR. WUELLNER: Right.
14 MR. GORMAN: -- to be able to put it on an
15 existing area without the problems that
16 Mr. Cooper's briefed me with, with the
17 environmental and the dredging and, of course,
18 the entire island.
19 MR. WUELLNER: Yeah, I don't think the --
20 the model is going to address the -- any
21 environmental. And from what we've been able to
22 glean out of those entities, I don't think we've
23 got an environmental issue that's of any
24 significance to placing it at that site from an
25 environmental standpoint.

1 MR. GORMAN: I might want to put out just
2 for public comment that now this airport is
3 devoid of any approach.
4 MR. WUELLNER: For about 15 more days, yes.
5 Well, you have GPS approaches, if you have that
6 equipment.
7 CHAIRMAN GREEN: Where, on the northeast
8 development --
9 MR. WUELLNER: Yeah. By the way, VOR --
10 ILS, I didn't put it down here, but ILS will be
11 published by all -- I've heard nothing to change
12 that. Will be published on the 23rd with the
13 next update and will be usable.
14 We did ask the question that was brought up
15 at the last meeting, why couldn't -- could we get
16 things in advance? And we were flat told no way.
17 Part of the reason is that, if you recall,
18 the conflict we had was a frequency issue that
19 went with the Navy. And the Navy won't be
20 swapping out that frequency until just shortly
21 before the 23rd that will actually allow us to
22 even turn the equipment on.
23 We're not even powered up right now out
24 there because we're not allowed to because it
25 conflicts with the existing license of the Navy.

1 So, that's -- that's the general reason.

2 I think we had some copies of a "not for
3 navigational use" approach that's going to be
4 published. But it's -- as it states, it's not
5 legal to use right now.

6 Northeast development area is under
7 construction. Those of you driving through the
8 north area will certainly see that. The road's
9 been relocated at this point. Was done shortly
10 before Christmas and is now entirely gone. The
11 old road is entirely gone during -- in the area
12 of the project.

13 Nearly all of the underground utility and
14 drainage and the like and infrastructure work is
15 complete. And I expect probably by the end of
16 the month that you'll see the slabs in place for
17 at least the first set of buildings, if not the
18 second and third sets of buildings, and you'll be
19 starting coming out of the ground here, I would
20 think, no later than mid-February on most of the
21 building. So, we're still on target to wrap this
22 up in late April and early May. So, it's on
23 schedule based on when we finally got it going.

24 And the terminal project's already -- we
25 beat to death early.

1 with -- we have met briefly with Aero Sport and
2 Fannin Danis, our design/build folks, to get some
3 conceptual stuff motivated on the replacement
4 Phase 2 in the terminal area, so we have had some
5 initial meetings on that. And I think
6 everybody's trying to get their ducks in a row as
7 to exactly how and what's going to be best to go
8 in as a Phase 2.

9 MR. MARSH: Madam Chairman, one of the
10 things that -- that our board did, the two boards
11 we did, we bought a lot of property across the
12 west side of U.S. 1.

13 I was -- I was interested when Buzz picked
14 up on the deficit that we're having with the
15 expenses and operational income. And one of the
16 things that we were trying to do when we got it
17 started, but it was never completed after that,
18 is develop an industrial park on the west side
19 with property that we already own.

20 If you look at Bartow, I've been to Bartow,
21 and it would be great maybe for y'all to fly down
22 there one day and meet with their director down
23 there. It's a fully self-supported airport.
24 It's off the tax rolls.

25 And my approach, when we were chairman, was

1 MR. GEORGE: Well, beat it one more time.

2 CHAIRMAN GREEN: Could I just interrupt?
3 What I'd like to do, I think, is to open up to
4 public comment after the presentation, because
5 that enlightens us, too --

6 MR. WUELLNER: Sure.

7 CHAIRMAN GREEN: -- as to what other
8 questions we can ask.

9 MR. WUELLNER: Taxiway B is under -- you
10 know, is under contract and we've been holding
11 notice to proceed waiting FAA and FDOT
12 concurrence in the contract documents. But those
13 grant funds, all of that's all been sitting there
14 waiting to go.

15 The equipment from the existing VOR shelter
16 has been removed and stored so that it can be put
17 in a new location in support of the Taxiway B
18 project. So, the shelter, no matter what, was
19 trash. So, it would have to be replaced in any
20 case. And that's kind of where we are with --
21 with projects that are ongoing here. So, go
22 ahead.

23 CHAIRMAN GREEN: Do we have some public
24 comment on the project updates? Mr. Marsh?

25 MR. WUELLNER: Oh, yeah. We did meet

1 try to run this thing like a business, treat our
2 tenants like customers. Instead of having a
3 squabble between two lawyers, why don't we walk
4 across the field and sit in the conference room
5 and work this stuff out instead of paying lawyers
6 a lot of money. These are little things that can
7 be easily done with the direction that you have
8 now. You can kind of, you know, do that kind of
9 thing. The chairman can be very powerful in
10 that.

11 But I heard nothing about development of our
12 industrial products -- properties that we already
13 own, and I would charge this board to come up
14 with a program to develop these properties and --
15 and get some income coming off of them.

16 CHAIRMAN GREEN: Thank you. Any other
17 public comment?

18 (No further public comment.)

19 CHAIRMAN GREEN: Board discussion?

20 MR. COX: Are we -- are we -- have we -- did
21 you go through point E. there, the design/build?

22 CHAIRMAN GREEN: We're not there yet. We're
23 just on D.

24 MR. COX: We're just in the project update
25 section. All right. I've got some comments I'll

1 save until we go to the authority members.
2 MR. WUELLNER: That -- the comment that
3 Mr. Marsh offered is exactly the kind of thing
4 you want to make integrated into the master plan
5 study so that those kind of nonaviational revenue
6 development projects get accomplished.
7 MR. GEORGE: I have a couple of comments.
8 CHAIRMAN GREEN: Sure, Mr. George.
9 MR. GEORGE: On the project updates, we're
10 talking about the temporary VOR. And I know
11 you're probably getting tired of hearing me beat
12 this drum, but we have another terminal situation
13 on our hands if we let this -- if it falls in the
14 crack, you know, because of a one-week delay here
15 or a two-week delay there.
16 You indicated that the -- this feasibility
17 study and the site study should be done by the
18 end of January. I would like to propose that we
19 include, you know, a briefing on that.
20 MR. WUELLNER: On the --
21 MR. GEORGE: If -- sooner than the next
22 meeting so that we can be ready to proceed.
23 MR. WUELLNER: If we get the report before
24 that, I'll be happy to include it in this
25 information for the workshop.

1 We had the initial scope meeting or discussion
2 with Aero Sport on how best to -- what Phase 2
3 would -- they'd like to see as a new Phase 2 of
4 the terminal.
5 MR. GEORGE: Okay. All right. I just want
6 to make sure that --
7 MR. WUELLNER: And then I've got an agenda
8 item to deal with the --
9 MR. GEORGE: -- while we're waiting on the
10 litigation, let's get our --
11 MR. WUELLNER: Yeah.
12 MR. GEORGE: -- planning and everything out
13 of the way.
14 CHAIRMAN GREEN: Any other board discussion?
15 I believe I made a note, and I think it was
16 Mr. Cox said -- requested that we make a motion,
17 and this was the area we were going to do it, or
18 at least Mr. Cox was, with regards to a --
19 MR. COX: Workshop?
20 CHAIRMAN GREEN: Well, no, a faster update
21 on litigation rather than -- or was it you,
22 Mr. George, I'm sorry?
23 MR. GEORGE: That was me.
24 CHAIRMAN GREEN: And at this time, since
25 it's on the agenda as far as our updates, I

1 MR. GEORGE: Okay.
2 MR. WUELLNER: We'll put it on as a part of
3 the agenda items. If we have the information,
4 we'll be in a position to talk about it. If we
5 don't, then it will be at the regular meeting.
6 MR. GEORGE: Okay. When you come up with
7 that, if you wouldn't mind laying out the time
8 frame of, okay, we got this information --
9 MR. WUELLNER: Sure.
10 MR. GEORGE: -- and here's the earliest we
11 can do this or earliest we can do that and --
12 MR. WUELLNER: I think if the model supports
13 the location, then you're in a position to go --
14 go move through the process, you know, make your
15 application with FAA on the site and the like and
16 go.
17 MR. GEORGE: Okay.
18 MR. WUELLNER: I don't think it makes any
19 sense to go through all those efforts if you're
20 not going to be able to site it.
21 MR. GEORGE: The other item, back to the
22 terminal project, there was three additional
23 hangars that were part of the terminal project.
24 And I know that --
25 MR. WUELLNER: That's what I was mentioning.

1 didn't know if you still wanted to make that
2 motion.
3 MR. GEORGE: Well, I thought that we were
4 going to do that at the end of the whole meeting.
5 But, if not, yes, I would like to make a motion
6 that we accelerate the information and
7 communication flow on the terminal project.
8 And -- and the motion is that every week, we
9 have a report from counsel to the board -- to Ed
10 and to the board members. And as far as I'm
11 concerned, this can be done by e-mail. Doesn't
12 have to be a, you know, fancy, formal report.
13 But at least we have a report stating the
14 progress on it and what the hurdles are that
15 we're trying to face at that time.
16 In addition, if we come up with something
17 that we anticipate having something done by
18 Thursday, the 13th, then on Friday the 14th, I'd
19 like to have an e-mail that says what the status
20 of that was. I think we're -- that's my motion.
21 CHAIRMAN GREEN: Do we have a second?
22 MR. GORMAN: I would like to second that
23 with one contingency, that you're going to have
24 to put that on paper, not e-mail.
25 MR. WUELLNER: Well, e-mail's acceptable; we

1 just have to provide that compilation to the
2 public.
3 MR. GORMAN: And back that up with
4 something --
5 MR. WUELLNER: Yeah.
6 MR. McCLURE: Whatever I send to y'all, I
7 have to furnish a copy of it by e-mail to the
8 Authority that they need to keep in their
9 permanent records because it is a public
10 document.
11 And if each of you will simply advise me
12 what's the format, I can either mail you a
13 letter, e-mail you a letter, fax you a letter, or
14 put it out here for you to pick up. And just let
15 me know what each of your preferred delivery
16 mechanism is and I'll make sure that a copy is
17 retained for the Authority's records, too.
18 CHAIRMAN GREEN: Mr. Wuellner -- do you want
19 to readdress your motion or do you want to leave
20 it with the e-mail?
21 MR. GEORGE: I'll readdress the motion.
22 Strike the part about the e-mail and do it in a
23 means that is most efficient for each of the
24 board members.
25 CHAIRMAN GREEN: Is there a second to the

1 quick. But basically, one is the rehab, revised
2 rehab, if you will, of the bulk hangar, which now
3 would include pressure washing or preparation and
4 painting of that hangar and replace or redoing of
5 the roof, with a longer range plan of coming up
6 with a different facility over the course of a
7 few years.
8 The second piece of this puzzle relates to
9 the removal of the two partially constructed
10 hangars over there, since they share a common
11 wall with the new large hangar there, would be
12 obviously the -- to complete the external wall,
13 which should just be some sheet metal work.
14 Envisioned in this was the possibility
15 you'll see under the -- some unit pricing they
16 gave us, the possibility of doing some -- having
17 to do some paving and some lime-rocking in the
18 disturbed area around that Phase 2 work.
19 We've since found out with some assurity
20 that the Phase 1 terminal project work already
21 included that. So, our obligation right now
22 would be simply to get the stuff from Phase 2 out
23 of the way at the appropriate time so that they
24 can facilitate that paving and prep, as it's
25 already being paid for by the bonding company.

1 motion?
2 MR. GORMAN: I second.
3 CHAIRMAN ROSE: Any further discussion?
4 (No further discussion.)
5 CHAIRMAN GREEN: All in favor?
6 MR. GEORGE: Aye.
7 CHAIRMAN GREEN: Aye.
8 MR. CIRIELLO: Aye.
9 MR. COX: Aye.
10 MR. GORMAN: Aye.
11 CHAIRMAN GREEN: Any opposed?
12 (No opposition.)
13 CHAIRMAN GREEN: Motion carries. Okay. I
14 think we need to go to item 11.E.
15 11.E. - Bulk Hangar Design/Build Scope Services
16 MR. WUELLNER: Yes, ma'am. Go right over
17 here. This item deals with the design/build
18 information related to the hangar rehab over in
19 the terminal area, as well as there's a second
20 item tied together, which is the removal and
21 demolition of what is or what is left of Phase 2
22 in the terminal area.
23 And you have two separate proposals from
24 your design/build contractor. A couple of
25 clarifications. Let me walk through them real

1 So, there's no need to worry about unit price
2 additions for asphalt and lime rock on the hangar
3 demolition portion of the project.
4 The two -- the hangar rehab work is proposed
5 at \$71,600. That's the painting and roof work,
6 and the site cleanup at \$65,000.
7 Now, that -- I do need to make you aware of,
8 it was recommended by them that at this point,
9 until we make a final determination of what the
10 new Phase 2 was like, that the slabs related to
11 those first two buildings be left there and
12 intact because they may be able to be utilized in
13 that, and rather than have that removed and then
14 come back in a few months and pour some other
15 concrete slab for just the hangar footprints. No
16 new slabs placed or anything like that. Yeah?
17 MR. GORMAN: We haven't made a decision that
18 you are not going to continue with the
19 construction as designed on Phase 2?
20 MR. WUELLNER: I think that it was thrown
21 back to us to get with Aero Sport, since they
22 were the people that were going to lease that
23 facility, and they've since indicated to us --
24 and we don't have an issue with it as long as it
25 can be budgeted properly -- constructing a Phase

1 2 that's much more meaningful to the tenant
2 that's going to use it.
3 MR. GORMAN: That will come up in the
4 workshops?
5 MR. SLINGLUFF: If it facilitates a faster
6 build time and helps everything move along, given
7 the fact that the materials for all hangars are
8 sitting there and have been deemed unusable.
9 Now the airport needs to go out and rebuy
10 the materials. If we're going to rebuy the
11 materials, let's look at the more cost-effective
12 use of that space. That's merely what we were
13 trying to do.
14 CHAIRMAN GREEN: Is there any additional
15 public comment, since Aero Sport's brought that
16 up?
17 (No additional public comment.)
18 CHAIRMAN GREEN: Okay. Board discussion
19 then? Joe?
20 MR. CIRIELLO: Yes. Ed, these two items,
21 Ed, the bulk hangar and the rehab, this is
22 covered under the budget, right? I mean, we've
23 got it budgeted.
24 MR. WUELLNER: Correct.
25 MR. CIRIELLO: Now, at the end on both of

1 yes, we would. But --
2 MR. CIRIELLO: Well, that's -- you know.
3 This other stuff was covered under budget and
4 this unexpected expense, and I'm just wondering,
5 if it's within the framework of the budget.
6 MR. WUELLNER: They could not incur any
7 expense nor bill us for something that wasn't
8 already approved. And these items are not
9 included in things that are approved, so it would
10 require additional action.
11 CHAIRMAN GREEN: Any further discussion from
12 the board?
13 MR. WUELLNER: Also would just point out
14 that the one is based on the other in terms of
15 mobilization-type costs, that if -- the one
16 includes the other.
17 CHAIRMAN GREEN: Mr. George?
18 MR. GEORGE: At one time, Ed, didn't we
19 think that we could get some of this demolition
20 done by giving whoever is doing it the use of the
21 material he takes offsite?
22 MR. WUELLNER: It's -- it's got scrap value.
23 The cost is in hauling this off.
24 MR. GEORGE: Okay.
25 MR. MARSH: Madam Chairman?

1 these, it says "by-owner costs if required."
2 Could be some extra expenses over and above the
3 \$65,000 and 70-some thousand.
4 So, do we have that? I mean, since there's
5 no figure, we don't know what those overruns are
6 going to be, but will we be covered, no matter
7 what it comes out to?
8 MR. WUELLNER: You're referring to the
9 construction trailer and power water and --
10 MR. CIRIELLO: Well, the --
11 MR. COX: These by-owner costs?
12 MR. CIRIELLO: -- both of these. At the
13 end, it says "by-owner costs if required." But
14 there's no figure set to it. So, in other words,
15 this is an additional cost over the \$65,000 and
16 additional cost over the --
17 MR. WUELLNER: Yes. If -- if you want those
18 items accomplished, or for some reason they come
19 out of some regulatory requirement that would --
20 which I'm not aware of, they're saying they're
21 not included in the price.
22 MR. CIRIELLO: But we do have the money to
23 cover it if it comes up.
24 MR. WUELLNER: We don't -- there's no
25 numbers associated with this, so I'm assuming

1 CHAIRMAN GREEN: Yes, sir, Mr. Marsh.
2 MR. MARSH: I think there is some people,
3 Buzz, that took down the other buildings that are
4 very interested in taking these buildings down to
5 get the scrap off the yard. They could do it
6 for, you know, for the scrap.
7 MR. GEORGE: Yeah.
8 MR. MARSH: There are people that have
9 talked about that on the field that we could put
10 Ed in touch with and at least get something out
11 of it.
12 MR. WUELLNER: Absolutely.
13 MR. MARSH: The problem I've got with the
14 thing is you're tearing down -- you've got two
15 buildings on the ground; you've got two half up.
16 You're tearing them down. We're not going to be
17 compensated fully by the bonding company, as the
18 other gentleman said. He said we're going to get
19 a -- a contribution, I think was the word he
20 used, towards the second phase.
21 Where are we getting the money to do the
22 second phase? Where is it coming from?
23 CHAIRMAN GREEN: I think Mr. McClure can
24 answer that. If I understand, that's dealing
25 with our suit.

1 MR. McCLURE: That's the suit against the
2 professional liability carrier for the inspecting
3 engineer.
4 MR. MARSH: So, we're going to have to bring
5 about a suit, Mr. McClure, that we brought
6 against so -- I'm asking as a taxpayer now, that
7 we brought against the engineering company that's
8 going to offset the second phase.
9 MR. McCLURE: Yes.
10 MR. MARSH: That's how we're coming back up
11 with the money.
12 MR. McCLURE: Yes.
13 MR. MARSH: Okay. And -- and the second
14 phase won't start until that suit is finished?
15 MR. McCLURE: I think the contemplation at
16 this point, if I understand it correctly, is with
17 Mr. Slingluff's cooperation and the Airport
18 Authority's input, is that there's some changes
19 that we would want to that design.
20 So, it's not so much contingent upon the
21 recovery of the money as it is a determination of
22 what it is that we want to build there now,
23 because the original configuration may change
24 because of the change in needs of the tenants,
25 time frames --

1 MR. MARSH: Well, suppose Aero Sport doesn't
2 want to make any changes; they want it as they
3 agreed to?
4 MR. McCLURE: Then I guess it would be
5 possible --
6 MR. WUELLNER: It's still subject to the
7 same in terms of the Authority being made whole.
8 MR. MARSH: So, we're going to recover --
9 the taxpayers are going to be compensated for the
10 loss of revenue on that Phase 2 project.
11 MR. McCLURE: Yes.
12 MR. MARSH: Very good. Thank you very much.
13 CHAIRMAN GREEN: Mr. Gorman? Do you have
14 anything? Okay.
15 MR. GEORGE: I'm George.
16 CHAIRMAN GREEN: I'm sorry, George. Yeah.
17 MR. GEORGE: No problem.
18 CHAIRMAN GREEN: I didn't know if you had
19 asked something.
20 MR. GEORGE: What it sounds like we're
21 talking about is a lineal line of this doesn't
22 happen before this happens. I think that we've
23 all, you know, regardless of where the
24 responsibility of the blame is, we know that we
25 want those hangars.

1 Is there a possibility of we -- that we can
2 divert existing budget items to cover the
3 construction to get it underway, holding that as
4 a financial statement, anticipation of receiving
5 reimbursement for that? I mean, I just see us,
6 we're sitting here with some cash or some
7 capability --
8 MR. WUELLNER: Yes. You have the ability to
9 do -- to approach this however you would like to.
10 The risk at that point, in terms of being made
11 whole, would be the Authority's risk if you would
12 elect to advance-fund what you expect the -- to
13 recover in litigation.
14 MR. GEORGE: Right.
15 MR. WUELLNER: But you could -- you could
16 certainly appropriate that out of reserve and
17 facilitate the balance of the project.
18 You have some money left in the original
19 grant that still can be accommodated. You have
20 what money was left in the rehab project, the
21 original \$200- or \$250,000 that wouldn't be
22 expended in what we're talking about right now
23 that could be applied to the project. You also
24 have the cash contribution from the bonding
25 company that is to be contributed specifically

1 for Phase 2.
2 My guess is that -- that the Authority's
3 number is probably in the \$3- to \$500,000 number,
4 is what we would have without going into reserve,
5 available from these three -- from those three
6 portions in available total project on a revised
7 Phase 2.
8 You also have what you expected to be the
9 balance of Phase 2 to be made whole that you
10 could appropriate out of reserves --
11 MR. GEORGE: Right.
12 MR. WUELLNER: -- or whatever number you see
13 fit.
14 MR. GEORGE: I'd like to ask George then --
15 MR. WUELLNER: You're not at a point to
16 enter into any contract on this yet anyway.
17 MR. GEORGE: Right.
18 MR. WUELLNER: But you certainly have that
19 within your prerogative to do.
20 MR. GEORGE: George, do you feel that in --
21 in your opinion, that our position, that we will
22 ultimately recoup those funds, even if it's two
23 years, three years down the road?
24 MR. McCLURE: Well, I certainly think
25 that -- that our position factually, I think

1 is -- is very good. There are -- it's -- I
2 haven't seen a story yet that didn't have at
3 least two sides to it.
4 MR. GEORGE: I understand. Right.
5 MR. McCLURE: And it's usually more like
6 three or four. It's like yours, mine, and
7 whatever is the real facts in between. But, yes,
8 I do feel that we have a strong position in the
9 litigation that we have.
10 The other thing that -- that I thought you
11 were asking me, and maybe you did or didn't and
12 so if I'm answering something you didn't ask, I
13 apologize. But, that is, that if you chose to
14 determine that because of availability of other
15 funding, the money that Liberty has contributed,
16 the -- the remaining undisbursed portion of
17 the -- of the funds that we had already
18 appropriated for this job are enough to do a
19 meaningful project, I do not believe, subject to
20 Greg jumping up and waving at me that I'm wrong,
21 I don't think that -- that implementing a project
22 like that will prejudice your position in the
23 litigation.
24 If you choose to move on and do -- do the
25 same thing or do something different, it's not

1 anticipated was that the number was going to
2 change; a follow-on contractor is always going to
3 be more expensive than the original one, because
4 they don't know what conditions may already exist
5 that they have to cure -- then it gives you a
6 firm and not a speculative number for litigation
7 purposes.
8 So, if we were to go to trial a year from
9 now and we're arguing about, well, we hired four
10 experts to come in and tell us what it would have
11 cost us to complete this project because of the
12 default or the act or omission, instead of
13 presenting someone's opinion about what it would
14 be, we would have a figure that it actually was.
15 Now, whether that's worth building something
16 that you wouldn't want to build now, that's
17 different than what the airport in the passage of
18 time has decided might be a better project or
19 better utilization of the money, I don't know
20 that you -- that you make strategic decisions or
21 long-term decisions based upon litigation
22 tactics.
23 MR. GEORGE: Okay.
24 CHAIRMAN GREEN: I did see Mr. Gorman's
25 hand.

1 going to affect the fact that this project did
2 not get completed on time and that we had a
3 financial loss as a result of it.
4 So, if -- if you -- I think that you can
5 look at this project just as the array of
6 possibilities that you have of things that the
7 airport needs, prioritize it wherever you feel
8 like it ought to fall, determine if you have the
9 funding for it, and do it without -- without
10 regard to the litigation, except for whether
11 you're thinking of it as -- as a potential
12 additional funding source in the future to recoup
13 the money or whatever.
14 If you chose to decide whether I get no
15 penny out of it at all, I would fund this project
16 now, you could go ahead and do that without
17 reference to the litigation.
18 MR. GEORGE: Would the fact that we leave
19 the design the way it was originally defined,
20 would that strengthen our position?
21 MR. McCLURE: The only thing that I think
22 that it would do -- and -- and I may defer to --
23 to Greg on this, is that if you were to do the
24 same job and competitively bid it, then whatever
25 that number becomes -- because what we all

1 MR. McCLURE: I see Mr. Lunny's hand up.
2 CHAIRMAN GREEN: I'm sorry.
3 MR. McCLURE: You might need to get over
4 here to this guy for the tape. Turn on the tape,
5 Janet.
6 MR. LUNY: The component -- what we're
7 talking about, is a part of the lawsuit, the
8 component part of the lawsuit is liquidation of
9 damages. And George corrected that if you build
10 the exact same structure that you had
11 contemplated, it certainly lends credibility to
12 the number of your -- your hard number for
13 damages.
14 But ultimately, any number that we present
15 at trial with respect to damages would be -- can
16 be attacked by an opposing expert on the theory
17 that you didn't hire the cheapest contractor;
18 there were alternative means you could have used
19 to get it done for a little cheaper.
20 So, I think George's advice is sound, that
21 if the Airport Authority has a change in mind or
22 the Airport Authority wants to get going on Phase
23 2 rather than wait, that I would make that
24 decision independent of the legal consequences,
25 because the damages consequences of having a

1 constructed number versus having an expert say
2 this would be the constructed number are minimal.
3 Either one's going to be subject to attack.

4 MR. GORMAN: Can I ask one -- one question
5 at the risk of becoming a cynic? Why could we
6 have not gotten that information, I apologize,
7 ahead of time, a year ago, in other words, to
8 proceed to finish this? I have been through
9 terminal Phase 1 with an architect. It is not 93
10 percent finished. But it may be 85 or 80 percent
11 finished. It's certainly a lot of construction
12 there.

13 Why could we have not been advised many
14 months ago to just proceed to finish that and
15 continue with the litigation? Also, again, with
16 the secondary Phase 2; that same advice would
17 certainly have saved a number of different
18 tenants a number of different months, and all of
19 us, including the law firm, some embarrassment.

20 MR. LUNY: Well, the response is this: That
21 the -- the necessary order of attacking this
22 legal problem is that, first, we had to go after
23 Global; i.e., the surety.

24 And until we resolved the situation with the
25 surety, the liability of the project engineer,

1 MR. LUNY: And the answer is two-fold. One,
2 I think the terms I used was they stepped up to
3 the plate vis-a-vis funding Phase 2. And --

4 MR. GORMAN: That's probably right.

5 MR. LUNY: And I think that, again, without
6 getting into too much detail, vis-a-vis our --
7 our litigation/settlement strategy with them, I
8 think the bonding company had some possibility to
9 argue that they did not have to make any such
10 contribution to Phase 2.

11 With respect to the timing issue, surety,
12 construction sureties are very rarely called upon
13 to do anything. They're in the business of
14 getting money and not having to do anything for
15 it. When they are actually called to the mat,
16 they almost always require a lawsuit to get off
17 ground zero.

18 So this, when I was referring to stepping up
19 to the plate, the initial contacts from the time
20 that we first approached the surety about this
21 issue until the time that we achieved
22 resolution -- and I would submit to you, again,
23 without getting into too much information which
24 should remain in the shade, we've got a very
25 favorable result.

1 the amount of the contribution, and what would
2 ultimately happen with Phase 2 -- forget Phase 2;
3 what would happen with Phase 1 were all up in the
4 air.

5 So, we needed to resolve the situation with
6 the surety first. And then once that situation
7 was resolved, then we move on in the -- in the
8 strategy to, okay, now we pursue the project
9 engineer, and now we have a good idea of what we
10 have, vis-a-vis Phase 2.

11 MR. GORMAN: I have in previous minutes
12 noticed that you had made a comment that the --
13 you felt the surety had bent over backwards. I'm
14 not sure of the exact -- in other words, they had
15 certainly fulfilled their obligation, you know,
16 as an actual bonding underwriter. And in fact, I
17 don't understand how that could be so if in fact,
18 in your experience with the bonding companies, is
19 there normally a delay of this great extent?

20 I know that a bonding company is not -- is
21 not -- they're not actually responsible for
22 delays. But in my experience, with delays, we're
23 talking two or three weeks or whatever to find
24 another contractor. We're not talking about a
25 year. So, that is my major concern.

1 That time could have never been accomplished
2 through the commercial litigation. There is no
3 way we could have started the lawsuit with an
4 insurance company and achieved resolution within
5 the time -- that time frame.

6 MR. GORMAN: Then why is our situation so
7 much different than normal bonding procedure with
8 normal contractual agreements? Why do we enjoy a
9 year while other people enjoy three weeks?

10 MR. LUNY: Well, with respect -- with
11 respect to the construction industry?

12 MR. GORMAN: In respect to the normal
13 performance of a bonding company.

14 MR. LUNY: Okay. The answer is that the
15 different therein is a construction bond. Surety
16 bonds are -- it is a rarity that they are called
17 upon to fund their bonds.

18 If you look actually at the rates that you
19 obtain such bonds, the payment performance bonds
20 and other bonds that are available, you'll note
21 that you can get a surety bond to cover the
22 amount of damages for much, much cheaper in the
23 construction context, and that's because they
24 don't anticipate having to step up to the plate.

25 MR. GORMAN: But they're contracted to do

1 so.
2 MR. LUNY: They are contracted to do so
3 subject to a series of legal defenses. And I can
4 tell you that I've been involved -- it's a rare
5 case to have this ever happen. I've been
6 involved in two other construction bonding cases.
7 Both of them required litigation. Both of them
8 were well over a year. One was about three years
9 before it was resolved.
10 MR. McCLURE: I -- I think I heard a
11 different question, too, from you, Mr. Gorman,
12 and let me see if -- if we may not have answered
13 this.
14 The second question I heard from you was
15 that what you asked -- what we were asked in
16 connection with Mr. George's comments was, is
17 there a downside to us going ahead and fronting
18 the work out of budget, and then does that damage
19 our position to recover our damages in money, to
20 get back so that the job gets done?
21 MR. GORMAN: I actually asked why that --
22 why that particular advice was not preferred much
23 earlier. That's all.
24 MR. McCLURE: Okay. Well, I guess the
25 difference is -- and, Greg, do you know what -- I

1 much, much, much greater.
2 And so, if the question had been in March of
3 last year, which is I think when we ultimately
4 decided that the contractor wasn't coming back,
5 as of today, can we go ahead and complete the
6 work, it would have been a financially daunting
7 task for the -- for this board to have taken that
8 amount of money and done the work and then been
9 in a position with the bonding company of
10 deciding whether it was the correct method --
11 MR. WUELLNER: Don't we dramatically
12 compromise our position to recover at all --
13 MR. LUNY: Yeah.
14 MR. WUELLNER: -- if we undertook the work
15 ourself in Phase 1?
16 MR. LUNY: And you also -- yeah. We -- we
17 dramatically compromise both our legal position,
18 but also there's a very practical situation.
19 Phase 1 is different from Phase 2 in this
20 respect: As you noted, Phase 1 is largely or
21 most -- almost all complete.
22 There are some proof issues with respect to
23 the quality of construction that have gone in,
24 whether that was sufficient, what would be
25 required to get us the building that we

1 know that we're not entitled to know it, but I
2 don't know whether through the grapevine we know
3 what the cost of Asset Builders is for the
4 completion of Phase 1.
5 MR. LUNY: We do have that number. It's in
6 the contract, and I --
7 MR. McCLURE: Do you have the range of it?
8 MR. LUNY: I don't want to speculate. I
9 know that the number is -- it's appreciably
10 higher than our estimate to finish the job. And
11 that's typical.
12 MR. McCLURE: Well, I think the only other
13 thing is -- and perhaps I didn't understand the
14 question. If -- if it was a year ago, if someone
15 had said, well, can we go ahead and complete the
16 work and sue the bonding company for the cost to
17 complete, the number involved in that, instead of
18 being a differential now of having \$4- to
19 \$500,000 in our pocket to pay for a job that was
20 originally six and a quarter, I think, and -- and
21 still having a source to recover that difference
22 and hopefully delay damages and lost revenue and
23 all that stuff, the number that it would have
24 taken, instead of being a few hundred thousand
25 dollars to complete the job, would have been

1 contracted for?
2 If we were to run ahead and finish Phase 1,
3 there would have been some tear-down in the
4 discovery process. So, you would have had people
5 coming in, tearing out Drywall, looking for
6 defects. You would have had a substantial
7 practical proof problem of going forward against
8 the surety.
9 So, there's really no question from a
10 practicality standpoint that the first avenue was
11 to pursue the surety. But Phase 2 is a little
12 different situation, obviously.
13 MR. GORMAN: This tear-down thing, where did
14 this data come from? From the -- in other words,
15 the supposition that we were going to have to
16 tear it down to find out what was wrong --
17 MR. LUNY: Well, I think completed
18 construction. In other words, if you -- if you
19 go ahead and commence either lawsuit or approach
20 the surety and say, okay, we want you to make us
21 whole on this, and then you complete
22 construction, go ahead and dry it in, throw up
23 the rock, put the carpet in, et cetera, then --
24 and part of the issues involved in this
25 discussion, if it were a lawsuit-lawsuit, would

1 have been what was the status of construction at
2 the time Global walked off the job? And were
3 there defects in place, et cetera?

4 And those are proof issues that would have
5 been covered up as a practical matter by
6 Sheetrock, carpeting, et cetera. The status of
7 the curtain wall -- I mean, there's numerous
8 issues that we would not have been -- it would
9 have been much more difficult to go back and
10 prove.

11 MR. GORMAN: My only comment is that this
12 bonding company's performance certainly is far
13 different than others that I am familiar with.

14 CHAIRMAN GREEN: Okay. I'm just going to
15 shift this, because we are in panel discussion,
16 and I think before us right now is the tear-down
17 contract, whether we need to go forward with
18 that. And I appreciate Mr. Luny bringing us back
19 to what's going on with that with the terminal.

20 Are there any other comments or questions
21 with regards to the demolition contracts and
22 tear-down from the board? Joe, did you have
23 something?

24 MR. CIRIELLO: Well, I was going to ask
25 something, and I guess it's about that \$200,000.

1 walk out of here without owing a penny; and I
2 sign it, I'm done right then and there. When I
3 come out and somebody says, "You dummy, you
4 shouldn't have done that; you could have sued
5 them for millions."

6 So, my question is if we accepted this
7 \$200,000 on that phase, then are we still allowed
8 to go ahead and try to sue for other things like
9 Aero Sport and them were saying about loss of
10 income and stuff?

11 MR. McCLURE: We -- we could not settle
12 anybody else's claims but our own. We only have
13 the authority to settle our own claims and can't
14 bargain away any rights of Aero Sport or anyone
15 else. It does settle the case with the surety
16 company.

17 MR. WUELLNER: Only.

18 MR. McCLURE: They -- only. It does not
19 settle the case if there are any funds available
20 from the construction company. It does not
21 settle the case if there are funds available from
22 the engineering company. So, all of those things
23 remain viable. It's not done. It is done as far
24 as the surety company is concerned.

25 But we have taken the position reasonably

1 I wanted to know exactly what that -- about that
2 figure of \$200,000. That's in Phase 2, right?

3 CHAIRMAN GREEN: Right. And I think that's
4 back with the terminal.

5 MR. CIRIELLO: I just wondered, did we
6 actually get that money, or is that what they
7 proposed to give us, or we signed anything to
8 accept it, or what?

9 MR. WUELLNER: I'm sorry. I missed it, the
10 very first part.

11 CHAIRMAN GREEN: He went back to the
12 terminal question with regards --

13 MR. McCLURE: We signed a settlement
14 agreement with the company, that upon execution
15 and delivery of the completion bond, we receive
16 \$200,000.

17 MR. CIRIELLO: \$200-?

18 MR. McCLURE: \$200-.

19 MR. CIRIELLO: Well, what I'm -- what I'm
20 thinking is -- I'm probably wrong, but, you know,
21 say if I was hurt in a car accident or on the job
22 and I was in the hospital and some attorney comes
23 in there and says, oh, you're going to have
24 hospital bills, this and that, and you sign this
25 document and we'll pay for everything; you can

1 that there are other parties who also are, to use
2 our fancy word, the proximate cause or the -- or
3 have contributed to the loss that we have in a --
4 in a way for which they can be held legally
5 responsible. So, if you're asking if you got hit
6 by two cars, you settled one of them, but the
7 other car you've still got the right to go after.

8 CHAIRMAN GREEN: Okay. Any more discussion
9 on the recommendation as presented by Staff?

10 MR. GEORGE: I think that we need to get
11 visibility on what these salvage companies, you
12 know, might offer us for that, you know, scrap
13 material that's there, before we approve the
14 \$65,000.

15 CHAIRMAN GREEN: Do you want to make a
16 motion to that, Mr. George?

17 MR. GEORGE: Yes.

18 MR. WUELLNER: We can certainly do that.
19 Our -- the only reason we approached it this way
20 was you can have both projects complete and
21 totally -- totally off the books, if you will,
22 prior to PGA. I don't -- you know, can we
23 identify this firm that Mr. Marsh has?

24 MR. MARSH: The same group who took it down
25 last time.

1 MR. WUELLNER: And maybe they can get it out
2 of here next week, for all I know. And if they
3 can, great. I mean, I'm all for it, too. I
4 mean, if we can save 30 grand or 40 grand --
5 MR. GEORGE: It would seem to me that -- It
6 would seem to me that if we have not approved any
7 action to start completion of Phase 2, then the
8 leaving of that scrap sheet metal there is not
9 harming us one bit.
10 MR. WUELLNER: It's not harming us. It's
11 harming Aero Sport because it's in the area of
12 their apron and is blocking parking area that
13 would otherwise be available for them to use
14 every day of the week, and especially around PGA
15 time. This removes all the obstacles on what
16 would be airside.
17 MR. GEORGE: Okay. Sorry. I didn't
18 understand that.
19 MR. WUELLNER: Restores the paving in that
20 area and allows them to continue using,
21 regardless of what we do in Phase 2. It's more
22 of a cleanup issue than it is --
23 CHAIRMAN GREEN: Well, we're just --
24 MR. SLINGLUFF: It also complicates the
25 Phase 1 because that material's laying on Phase 1

1 MR. GEORGE: You mean authorize Ed.
2 CHAIRMAN GREEN: Ed.
3 MR. CIRIELLO: Oh, I thought she said Mr.
4 Marsh, since he's in construction. He might know
5 somebody. Okay. Whoever. Whatever.
6 CHAIRMAN GREEN: It would -- okay. I make a
7 motion to have Mr. Wuellner look at an
8 alternative for -- and I believe it's the \$65,000
9 portion of this, to have it removed at either no
10 cost or cost of scrap within two weeks of today's
11 date. If he is not able to do so, then he has
12 authority to go forward with the \$65,000
13 contract.
14 MR. GEORGE: I second that. Good idea.
15 CHAIRMAN GREEN: Any discussion, further?
16 (No discussion.)
17 CHAIRMAN GREEN: Okay. All in favor?
18 MR. GEORGE: Aye.
19 CHAIRMAN GREEN: Aye.
20 MR. CIRIELLO: Aye.
21 MR. COX: Aye.
22 MR. GORMAN: Aye.
23 CHAIRMAN GREEN: All opposed?
24 (No opposition.)
25 CHAIRMAN GREEN: Okay. That part of the

1 property.
2 MR. WUELLNER: Exactly. They're going to be
3 required to complete.
4 CHAIRMAN GREEN: And I have a recommendation
5 or maybe something we could banter, that if there
6 is somebody out there that Mr. Marsh knows or we
7 know, that maybe there's a motion we can say, all
8 right, if you can find somebody within ten days
9 or two weeks that will remove it, then that --
10 then do it that way, and then authorize just the
11 repair work, and if not, then we authorize the
12 demolition, I mean, the cleanup and the rehab.
13 That would accommodate Aero Sport getting it off
14 of there. I'm just open for discussion. I don't
15 know if anyone --
16 MR. CIRIELLO: Would you like that as a
17 motion? I'll make the motion.
18 CHAIRMAN GREEN: Be my guest. Thank you.
19 MR. GEORGE: What's the motion?
20 MR. MCCLURE: What she said.
21 MR. CIRIELLO: To realow Mark to see if he
22 can find somebody to do this cleanup so that they
23 can use the parking area and then continue on
24 with the construction phase. If not, we just go
25 ahead and do it all ourselves.

1 motion carries, and I'll make a second then to
2 approve the second phase, as I'm calling it, the
3 \$71,000, which is the restoration. So, I make a
4 motion to recommend Staff's recommendation to
5 accept the \$71,600 restoration contract.
6 MR. COX: I'll second that.
7 CHAIRMAN GREEN: Any discussion?
8 (No discussion.)
9 CHAIRMAN GREEN: All in favor?
10 MR. GEORGE: Aye.
11 CHAIRMAN GREEN: Aye.
12 MR. CIRIELLO: Aye.
13 MR. COX: Aye.
14 MR. GORMAN: Aye.
15 CHAIRMAN GREEN: All opposed?
16 (No opposition.)
17 CHAIRMAN GREEN: Okay. Mr. Wuellner, we'll
18 put that in your hands, but two weeks from
19 today --
20 MR. COX: It's out of there.
21 CHAIRMAN GREEN: Okay.
22 11.F. - Airport Maintenance Facility Design/Build
23 MR. WUELLNER: Last item I have for you has
24 to do with the design/build progress on airport
25 maintenance facility.

1 I know we provided this late to you, but
2 It's not hard to see that the initial estimates
3 of this facility are extremely high, and we've
4 been unable to quickly come to a feeling of why.
5 And one of the things that's out there that is --
6 you know, at this point in the design/build
7 process, you have very little factual data to
8 base your pricing on other than the what-if's and
9 could-be's on the project.
10 And what we're asking to do, instead of
11 jumping headlong into either a contract here for
12 the entire design/build that is probably way in
13 excess of what it ultimately would result in, is
14 that we authorize simply proceeding with the
15 design portion of this project to allow a further
16 qualification of the information of what it will
17 take to build it and have all that back to you at
18 February to consider.
19 Worst case is you've got the facility
20 designed. And I guess you could go out and bid
21 it separately if you wanted to or hire somebody
22 else to do it. But at least at that point we'll
23 know what was -- what the real numbers are to
24 construct it. And hopefully those will plug in
25 much better to the budget number than what this

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1 Initial guess is.
2 That's kind of the danger of design/build.
3 You just don't have factual data up front.
4 CHAIRMAN GREEN: Any public comment?
5 (No public comment.)
6 CHAIRMAN GREEN: Board discussion?
7 MR. COX: I like Ed's idea.
8 CHAIRMAN GREEN: Any other discussion?
9 MR. MARSH: I've got a comment.
10 CHAIRMAN GREEN: Sure.
11 MR. MARSH: I'm in the construction industry
12 and sell pipe housing fittings and everything,
13 and I would get away from design/build projects.
14 I would put a design out and a competitive bid
15 situation. Unless you have a long, long-term
16 relationship with the contractor that you trust,
17 then you shouldn't enter into a design/build on
18 projects, in my opinion and in my experience.
19 CHAIRMAN GREEN: Any further discussion?
20 MR. GEORGE: Do we know where this
21 maintenance facility will go? And will the
22 five-year plan impact it and therefore have to
23 change the design?
24 MR. WUELLNER: Yes, we do know where and we
25 do know that it will not.

1 MR. GEORGE: Okay.
2 CHAIRMAN GREEN: And this -- my question,
3 the \$50,000 or not to exceed is what's in our
4 budgeted -- proposed budget that we had.
5 MR. WUELLNER: It's almost literally out of
6 what they were proposing design of a facility
7 would cost. And, again, it's in a not-to-exceed
8 number, so...
9 CHAIRMAN GREEN: Any further discussion?
10 (No discussion.)
11 CHAIRMAN GREEN: I'll entertain a motion
12 with regards to Staff's recommendation.
13 MR. COX: I'll move that we accept Staff
14 recommendation.
15 CHAIRMAN GREEN: Second?
16 MR. GORMAN: I second it.
17 CHAIRMAN GREEN: All in favor? Any
18 discussion first?
19 (No discussion.)
20 CHAIRMAN GREEN: All in favor?
21 MR. GEORGE: Aye.
22 CHAIRMAN GREEN: Aye.
23 MR. CIRIELLO: Aye.
24 MR. COX: Aye.
25 MR. GORMAN: Aye.

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1 MS. GREEN: All opposed?
2 (No opposition.)
3 CHAIRMAN GREEN: Okay. The motion is
4 carried to accept Staff recommendation on the
5 airport maintenance facility. Have we concluded
6 your --
7 MR. WUELLNER: Yes, ma'am.
8 CHAIRMAN GREEN: -- action items, Mr.
9 Wuellner?
10 MR. WUELLNER: Other than some schedule
11 things we'll deal with.
12 CHAIRMAN GREEN: Would you like to deal with
13 that now?
14 MR. WUELLNER: Fourteen, if you'd like.
15 CHAIRMAN GREEN: Sure.
16 MR. WUELLNER: If you want to jump to 14.
17 14. - Next Board Meeting
18 MR. WUELLNER: Next board meeting is
19 tentatively schedule for the 10th. However, this
20 is customarily when we ask you if that's when you
21 want to hold your meetings, is the -- they've
22 been on the third Monday of the month for at
23 least as long as I've been here. Probably goes
24 back much longer than that.
25 MR. COX: What would the third Monday be?

1 MR. WUELLNER: We always have a schedule
2 problem in January and February with national
3 holidays.
4 MR. COX: What's the third Monday?
5 MR. WUELLNER: Third Monday is President's
6 Day in this case.
7 CHAIRMAN GREEN: I think my
8 recommendation -- we talked about this before,
9 and I think all the new members were here, that
10 we keep that on the 10th. And in light of our
11 master plan agenda, that if we go back to the
12 third Monday in April or something, we could
13 squeeze in some more either special meetings or
14 workshops, whatever, within that space of time.
15 Just a suggestion.
16 MR. COX: What is the third Monday in
17 February?
18 CHAIRMAN GREEN: That's President's Day.
19 MR. COX: I mean, what date is that?
20 MR. WUELLNER: 17th, I think.
21 MR. CIRIELLO: 17th.
22 CHAIRMAN GREEN: That's President's Day.
23 MR. GEORGE: I'd like to make the board
24 aware that I will be out of the country from the
25 15th of February to March 26th.

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1 MR. COX: We can do all kinds of things.
2 MR. GEORGE: I figured I'd take my beating
3 now.
4 CHAIRMAN GREEN: And not that it makes any
5 difference, the third Monday in March is St.
6 Patrick's Day, but that's not a holiday. So -- I
7 know. So, in other words, we could reconvene
8 our -- our third Mondays in March and fit
9 something in, even though we might be one member
10 short, to work on that master plan in February,
11 the latter part of February.
12 MR. COX: That's okay.
13 MR. WUELLNER: Well, we've got a regular
14 meeting date here proposed is February 10th. And
15 then prior to that, toward the end of this month,
16 is a workshop. We've got to come up with a date
17 that's agreeable to everybody. Doesn't have to
18 be a Monday; can be whatever day you want for the
19 workshop on the master plan.
20 You want to allow -- what do you think you
21 need, about a week, ten days, to convert a
22 workshop information into a document that would
23 be back to y'all on the 10th? So, you want to
24 conclude that maybe the third week of January?
25 CHAIRMAN GREEN: That's the week of the

1 20th?
2 MR. WUELLNER: Yeah. The holiday's what,
3 the --
4 CHAIRMAN GREEN: The holiday is the 20th.
5 MR. WUELLNER: Holiday is the 20th. So,
6 after the 20th. Anything other than the Monday?
7 MR. COX: I'm on vacation January 16th
8 through the 20th -- or 22nd.
9 CHAIRMAN GREEN: Well, I think if we have a
10 workshop, it's --
11 MR. WUELLNER: Toward the end of --
12 MR. GEORGE: Workshop, you can be on
13 vacation.
14 MR. McCLURE: Can do it on the 27th.
15 MR. COX: That's good.
16 MR. McCLURE: That's two weeks ahead of
17 time.
18 MR. WUELLNER: How about the 27th, Monday,
19 the 27th. Is that all right with everyone?
20 CHAIRMAN GREEN: What time?
21 MR. WUELLNER: That's up to y'all.
22 CHAIRMAN GREEN: Are we talking an hour, two
23 hours?
24 MR. COX: Well, it would be pretty
25 comprehensive. It should be quite a while, I

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1 would imagine.
2 MR. WUELLNER: Couple of hours, I would
3 think, you know, if you're going to need that.
4 MR. GORMAN: Early afternoon.
5 MR. WUELLNER: One o'clock, two o'clock?
6 MR. COX: Anytime.
7 CHAIRMAN GREEN: I won't be able to. I'm in
8 trial. I mean, I just can't. But that's my
9 problem, so...
10 MR. WUELLNER: Are you in Friday before that
11 or Thursday before that? I mean, are you in
12 trial?
13 CHAIRMAN GREEN: Huh-uh. The 24th, Friday.
14 MR. WUELLNER: You're back by then, Mr. Cox?
15 MR. COX: 24th? Yes.
16 MR. WUELLNER: Does that work for everyone,
17 24th, Thursday the 24th?
18 CHAIRMAN GREEN: That's Friday the 24th.
19 MR. WUELLNER: I'm sorry. Friday the 24th
20 or Thursday? I don't care. I mean, I'm just
21 trying to find a date that we can get everyone
22 here. I think it's important everybody has not
23 only an understanding but input.
24 CHAIRMAN GREEN: Input. Friday the 24th,
25 does that fit? And somebody had mentioned early

1 afternoon? It's Friday, I know.
2 MR. COX: Particularly on a Friday.
3 CHAIRMAN GREEN: Do you want to start early,
4 then, like around 1:00 to accommodate?
5 MR. WUELLNER: That's fine.
6 CHAIRMAN GREEN: Do we need a motion? No?
7 Yeah? Okay. I make a motion that we have our
8 workshop on the master plan commencing Friday,
9 the 24th of January, at 1 p.m.
10 MR. COX: Okay.
11 MR. GORMAN: I'll second that.
12 CHAIRMAN GREEN: Any further discussion?
13 MR. WUELLNER: At this point, that agenda
14 would cover the master plan?
15 CHAIRMAN GREEN: Correct. And, actually,
16 can we -- let me amend that. Can I address the
17 master plan and any update on the terminal?
18 MR. WUELLNER: Okay.
19 MR. McCLURE: The other thing, at some
20 point, Madam Chairman, is that at some point,
21 it's usually appropriate to have a short workshop
22 or in-service on the Sunshine Law, because it's
23 a --
24 MR. GEORGE: On what?
25 MR. McCLURE: On the Sunshine Law, because

1 (No opposition.)
2 CHAIRMAN GREEN: I have a second motion then
3 with regards to the Sunshine Law, if we would
4 like to commence our meeting on the 10th at 3:45,
5 and I'm going to hold you to that 15 minutes.
6 MR. McCLURE: That would be fine.
7 CHAIRMAN GREEN: Is that all right? I'll
8 make a motion that we commence our meeting on the
9 10th at 3:45 instead of 4:00 for the adding the
10 agenda item of Sunshine, which we can put first
11 on the agenda.
12 MR. GEORGE: Second.
13 CHAIRMAN GREEN: Any discussion?
14 (No discussion.)
15 CHAIRMAN GREEN: All in favor?
16 MR. GEORGE: Aye.
17 MR. CIRIELLO: Aye.
18 MR. COX: Aye.
19 MR. GORMAN: Aye.
20 CHAIRMAN GREEN: Aye. Any opposed?
21 MR. WUELLNER: I don't vote. But my
22 question is we also made mention of the VOR, if
23 we have information on that, you want that on the
24 workshop in the event it is available by the
25 24th?

1 It's an easy way to get tripped up with all good
2 intentions. And so, sometimes it's not a bad
3 idea to take 15 or 20 minutes and run through
4 that.
5 That's probably a long meeting to think
6 about doing that then, too; but at some point, if
7 you'd care for us to, we'd be happy to give you a
8 quick rundown of what you've got to be cautious
9 about. And I mean, I know like everybody
10 encounters each other socially, and you need to
11 make sure you know what's okay and what's not
12 okay. And it's not real hard and it doesn't take
13 too long, but it's probably an appropriate thing
14 to do.
15 CHAIRMAN GREEN: All right. Let me go back
16 to the motion, then. I think it was seconded and
17 then we had discussion. Any further discussion
18 on the 1 o'clock meeting on the 24th? All in
19 favor of that?
20 MR. GEORGE: Aye.
21 CHAIRMAN GREEN: Aye.
22 MR. CIRIELLO: Aye.
23 MR. COX: Aye.
24 MR. GORMAN: Aye.
25 MS. GREEN: All opposed?

1 MR. GEORGE: I want it as soon as it's
2 available. So, if it's available on the 23rd,
3 yeah.
4 CHAIRMAN GREEN: I think that can be put
5 into -- into the --
6 MR. WUELLNER: Put it on the agenda. If the
7 information's there, it's there. If it's not --
8 CHAIRMAN GREEN: Okay. Then I'll go to
9 comments from the Authority members. And in
10 deference to all members and new members and the
11 public, I'm going to defer to the end, and I just
12 ask that we all keep it as brief as we feel we
13 can. So, Mr. Ciriello?
14 12.A. - Mr. Joseph Ciriello
15 MR. CIRIELLO: Well, last meeting, I
16 mentioned something about investigating the
17 possibility of being on TV for public viewing of
18 our meetings. Has anything been done on that?
19 MR. WUELLNER: No.
20 MR. CIRIELLO: Is there anything going to be
21 done on it?
22 MR. WUELLNER: Yeah. I just had to remember
23 it long enough.
24 MR. CIRIELLO: Okay.
25 CHAIRMAN GREEN: Anything else?

1 MR. CIRIELLO: No.
2 CHAIRMAN GREEN: Mr. George?
3 12.B. - Mr. Wayne George
4 MR. GEORGE: I'd like to make a comment as
5 a -- as a new member of the board. Prior to the
6 Sunshine Laws taking effect, I had the
7 opportunity to talk to the other, you know,
8 members. And I think we all have some things
9 that are on our, shall we say agenda, you know,
10 things that we personally would like to get
11 accomplished.
12 I started compiling mine, but my copier ran
13 out of paper at 85 pages, Ed. I'm just kidding.
14 Just kidding. But I don't think that -- that the
15 other members of the board will disagree with
16 this comment.
17 While we have an agenda, I don't think it is
18 our intent to come in and stir the pot up and
19 change this and change that. We all have
20 talents, and we have past experiences that --
21 that we have been -- that we have acquired over
22 the years that I think are valuable to the
23 airport, you know, to making it get to the point
24 that we want to get it to.
25 Before we stand up and say we want to change

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1 this and change that, I feel a need for a
2 workshop where we are presented by Ed and your
3 staff of what's the organization? You know,
4 what's the key people? You know, what do they
5 do? What's the objective we've been running on?
6 How are the appraisals for employees and what are
7 their objectives, you know, for improvement and
8 things like that?
9 If we can pick up this knowledge all
10 collectively, that gives us a better foundation
11 for making concrete and feasible recommendations,
12 you know, to the board.
13 So, I would like to strongly recommend that
14 we consider expanding the workshop or doing
15 another one at another time to include that type
16 of a briefing. And maybe the two existing
17 members of the board don't need to be there, you
18 know, but I would prefer to have you there just
19 for your input.
20 CHAIRMAN GREEN: Anything further?
21 MR. GEORGE: No, ma'am.
22 CHAIRMAN GREEN: No, no. I just wanted to
23 make sure. Thank you. Mr. Cox?
24 12.C. - Mr. Bob Cox
25 MR. COX: Yes. I've got some comments. I'd

1 like to ask, and with the concurrence of all the
2 board members, all of our commercial tenants to
3 prepare data for this board concerning the dollar
4 amounts of real and projected financial loss that
5 you have so that we can give this to our legal
6 representatives to present in that lawsuit.
7 That way, we have a finite number to go by.
8 So, we'll add it all up, every -- everybody, the
9 commercial tenants on the field, because we don't
10 have anything to work with at this point. And I
11 think that's something we could probably use, or
12 at least as a target and a window, and present
13 them with a number amount for damages sometime in
14 the future.
15 So -- and I saw that Kramer Upchurch left,
16 so if one of y'all could pass that along to him
17 or we could send out --
18 CHAIRMAN GREEN: Could I interrupt you one
19 second?
20 MR. COX: Go ahead. I lost -- no.
21 CHAIRMAN GREEN: Kramer --
22 MR. COX: Kramer left. If you could pass
23 that along to him, because if you guys could hop
24 right on that, in all seriousness, I think if we
25 could get something out, you know, if you could

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1 generate something as quickly as possible, it's
2 only going to help. But the sooner we get it, I
3 think the sooner --
4 MR. SLINGLUFF: We run a business. We have
5 numbers every day.
6 MR. COX: Okay. Great. And I don't --
7 should we formalize that in a letter to the
8 commercial tenants or just by word of mouth?
9 CHAIRMAN GREEN: I think your comment, I
10 have no doubt that they'll jump on that and --
11 MR. COX: All right.
12 CHAIRMAN GREEN: -- provide those.
13 MR. COX: Does that work for everybody?
14 CHAIRMAN GREEN: I think so.
15 MR. COX: All right. That's the only
16 comment I have.
17 CHAIRMAN GREEN: Okay. Mr. Gorman?
18 12.D. - Mr. Jack Gorman
19 MR. GORMAN: Yes. I think we've already
20 addressed it to a great extent. I think the
21 board's in tremendous agreement that the working
22 separately with the airport administration staff
23 is in effect exchanging ideas and overall
24 problem-solving and that these workshops are
25 essential. And I think these workshops will be a

1 quantum leap in the ability to solve problems.
2 We have to make sure that they are -- you know,
3 comply with the Sunshine Law.
4 But I think that really -- that really will
5 work well. That was the first thing on my agenda
6 and it's already been addressed, and I feel very
7 good about it.
8 I only have one other -- I have lots and
9 lots of agenda items. I'm actually going to put
10 them off for 30 days, you know, and then we'll
11 address them then.
12 I only would like unobstructed access to all
13 areas of the airport 24/7. And I think that
14 there's a lot of agreement on that as to board
15 members. I think that pulls the staff out of the
16 problem of being responsible for any and all, you
17 know, observation of things. I'd like to see
18 that put together.
19 The rest of my agenda, I'm going to leave
20 for 30 days from now. But I appreciate it. I
21 think this will work really well. I think we're
22 going to have a very good problem-solving
23 situation.
24 12.E. - Chairman Suzanne Green
25 CHAIRMAN GREEN: Okay. My comments are

1 workshop earlier than that and do the briefing
2 thing that Mr. -- I think with Mr. Cox or -- I'm
3 sorry. Mr. George did?
4 MR. GEORGE: Yeah, I'm at a loss for when we
5 make comments, how do we get -- do we make a
6 motion while we're making the comments?
7 CHAIRMAN GREEN: I think when we're dealing
8 with times of meetings, we can just request
9 whatever our times of meetings are. I don't
10 believe -- I mean, we'll have to make a motion
11 for Sunshine purposes to make sure it's out
12 there.
13 MR. GEORGE: I know, but what about a
14 workshop so that we understand the basic
15 operation, the organization, the employees?
16 MR. WUELLNER: That's the one I'm asking
17 about. Do you want to do that earlier on the
18 10th?
19 MR. GEORGE: Do we need a motion for that?
20 CHAIRMAN GREEN: Yes. If you want to expand
21 that time on the 10th, I believe we do.
22 MR. WUELLNER: You want to start at 2:00?
23 MR. GEORGE: Well, we're starting at 1:00
24 already.
25 MR. McCURE: No, that's on the 24th.

1 actually directed to welcoming the new members,
2 and I, too, I think we need to get together and I
3 think working in some workshops to see that we
4 can function as a unit to come up with these
5 problem-solving things. And I heard, Mr. Gorman,
6 some of those agenda items can be addressed at
7 our workshop, which might incorporate some of the
8 master plan. Just bring them at that point, too,
9 because a lot of them probably do.
10 I also want to congratulate the airport on
11 an award. And I think Mr. Wuellner has some
12 comments with regard to that, but I understand
13 that from all the work that everyone's been
14 doing, the last board and this board and all the
15 staff, they've been presented with a very nice
16 award for the tower. So, Mr. Wuellner?
17 MR. WUELLNER: Last thing I've got.
18 CHAIRMAN GREEN: Yeah.
19 MR. WUELLNER: Do you want to expand the
20 workshop on the 10th to include that?
21 CHAIRMAN GREEN: The 10th included the
22 Sunshine for 15 minutes.
23 MR. WUELLNER: Yeah, which is 15 minutes.
24 CHAIRMAN GREEN: Right.
25 MR. WUELLNER: Do you want to start that

1 MR. WUELLNER: That's the 24th.
2 MR. McCURE: On the regular meeting of the
3 10th.
4 MR. WUELLNER: We meet at 4 o'clock. Do you
5 want to start at 2:00 on the workshop for what
6 you're asking as well as we'll incorporate the
7 Sunshine thing and then --
8 MR. GEORGE: That would be great, to start
9 it on the -- start at 2 o'clock on the 10th so we
10 can cover those organizational --
11 MR. WUELLNER: That way, you don't add
12 another workshop; you just extend the time.
13 MR. GEORGE: Right. Okay.
14 CHAIRMAN GREEN: Is there a second on the
15 motion?
16 MR. COX: I'll second.
17 CHAIRMAN GREEN: Any discussion? The only
18 discussion I have is those of us that can't
19 attend will make it at 2:00, and those of us that
20 can't -- I need a vote on the motion. All in
21 favor?
22 MR. GEORGE: Aye.
23 CHAIRMAN GREEN: Aye.
24 MR. CIRIELLO: Ye.
25 MR. COX: Aye.

1 MR. GORMAN: Age.
2 MS. GREEN: All opposed?
3 (No opposition.)
4 CHAIRMAN GREEN: So, the meeting on the 10th
5 will commence at 2:00 with the workshop regards
6 to being indoctrinated with the staff, and then
7 at 3:45, we'll have the Sunshine and then our
8 regular meeting.
9 MR. WUELLNER: We were lucky enough to
10 receive an award that was actually submitted by
11 our contractor for the tower vault project, and
12 received the 2002 excellence in construction
13 award, award of excellence to the Airport
14 Authority and Fannin Danis Construction by the
15 Associated Builders & Contractors Association.
16 So, we are now the proud recipient of having done
17 one project right.
18 MR. GEORGE: That's beautiful.
19 CHAIRMAN GREEN: Yeah. Thank you. I think
20 that exhibits everything, the hard work that's
21 been done the past few years.
22 Do we have anything further before we
23 adjourn? All right. Thank you. Oh, I'm sorry.
24 Yes, ma'am.
25 13. - Public Comment

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1 MS. BROWN: I won't be long and hopefully it
2 will be on a light-note nature. I'll say good
3 evening. My name's Linda Barbara Brown. And I,
4 when I was growing up, spent some time here on
5 the airport. My father was a fixed-base operator
6 and we actually lived on the airport.
7 My dad's service here at the airport was
8 during the war and also in several different
9 activities, flying school, aircraft maintenance.
10 And he was fixed-base operator the late '40s,
11 early '50s.
12 He died October the 2nd. And in his memory,
13 we wanted -- we had thought we'd like to do
14 something for the airport. He spent his whole 58
15 years in aviation.
16 And I contacted Mr. Cooper, and he suggested
17 something we might be interested in doing was to
18 actually do a permanent exhibit, chronicling the
19 history of the airport.
20 And I was talking to Mr. Wuellner, and he
21 tells me that there's not a lot of early
22 information that we've got. We've also got a lot
23 of pictures.
24 And I've been contacting the Historical
25 Society, and they're willing to help us in

1 whatever way we can. So, I just wanted to let
2 you know that our family is willing to help in
3 any way we can. We can provide the funding, help
4 with the presentation and the publicity,
5 whatever, but I just -- you know, we'll wait for
6 y'all to direct us on how you want us to go about
7 it.
8 The only other thing is we collected money,
9 but we have five or six checks. They're made out
10 to the airport. And we do need to get those
11 cashed, fast. And so, I just wanted to mention
12 that. And Mr. Cooper had told me that any
13 monies -- any money situations would need to be
14 brought in front of the board.
15 MR. WUELLNER: I think the suggestion was we
16 create some sort of permanent display --
17 CHAIRMAN GREEN: Oh, I meant the funding.
18 MR. WUELLNER: -- incorporate it in the
19 terminal and it just reflects the history and
20 certainly reflects the family contribution as
21 well.
22 MS. BROWN: Yeah, we've got a lot of
23 pictures, old pictures, and there's still several
24 members in this community who were involved with
25 the early history of the airport. And they're

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1 still -- they're still around, and it's really
2 important that we get to them and get what we can
3 from them.
4 I -- I've always known a lot of this, but I
5 haven't pursued it because my dad was there. And
6 now I realize there's all these things. There's
7 gaps that need to be filled in. And these people
8 are aging. They're the people that took over the
9 airport after the Navy left, the ones that had
10 some small businesses here. And I think we can
11 get quite a display going.
12 So, just to mention, we had at one time the
13 military gave the St. Augustine Airport a World
14 War II bomber that was at the front entrance.
15 And I was the only -- only child in St. Augustine
16 that had her own bomber. So, the other kids
17 loved to come play with me.
18 But we're looking forward to this project.
19 We think it will be a lot of fun. I've worked on
20 a lot of other projects with the Historical
21 Society. So, I think with their expertise, we
22 can do -- we want to do something that's really
23 nice, a really nice job that everybody will be
24 proud of.
25 CHAIRMAN GREEN: I'm sure the board, all of


1 us would encourage this, by all means. Speak
2 with Mr. Wuellner.
3 MR. WUELLNER: We can set up a revenue place
4 for it over here --
5 MS. BROWN: Okay. That's great.
6 MR. GEORGE: We're sorry to hear of your
7 loss. And I think what you're doing is great.
8 It fills in a gap and I commend you for it.
9 MS. BROWN: Well, thank you.
10 MR. COX: Behind you a hundred percent.
11 MS. BROWN: Thank you. I appreciate that.
12 Thank you.
13 CHAIRMAN GREEN: That's a nice way to end a
14 long meeting. Thanks, everyone for their
15 patience. And we're adjourned.
16 (Thereupon, the meeting adjourned at 6:55 p.m.)
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1 REPORTER'S CERTIFICATE
2
3 STATE OF FLORIDA)
4 COUNTY OF ST. JOHNS)
5
6 I, JANET M. BEASON, RPR-CP, RMR, CRR, certify that I
7 was authorized to and did stenographically report the
8 foregoing proceedings and that the transcript is a true
9 record of my stenographic notes.
10

11 Dated this 22nd day of January, 2003.
12

13 *Janet M. Beason*
14 JANET M. BEASON, RPR-CP, RMR, CRR
15 Notary Public - State of Florida
My Commission No.: DD102224
Expires: April 30, 2006

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17  Janet M. Beason
18 Commission # DD102224
19 Expires April 30, 2006
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