

## REGULAR MEETING

TITUSVILLE-COCOA AIRPORT AUTHORITY

OCTOBER 16, 2003

The regular meeting of the Titusville-Cocoa Airport Authority was held on October 16, 2003, at 1:35 p.m., at the Titusville-Cocoa Airport Authority office, 355 Golden Knights Boulevard, Titusville, Florida. The following members were present: Joel H. Taft, Chairman; Frank Kinney, Vice Chairman; R. Craig Rastello, Treasurer; Russell Alarie; Philip R. Thompson; David N. Edwards, Jr., A.A.E., Executive Director; and Timothy F. Pickles, Esq.; Airport Attorney. Jay G. M. Schenck attended the meeting via phone conference. Brian M. Lally, P.E., Secretary was absent.

### **Roll Call**

Mr. Taft requested roll call and determined a quorum was present. All Authority members were present with the exception of Brian Lally.

### **Election of Officers**

Mr. Taft voiced his opinion that due to the busy and dynamic period of the Titusville-Cocoa Airport Authority and the departure of the Executive Director, he recommended that the Board maintain status quo for the Officers for the following year.

Discussion ensued among the Board regarding the election process.

Mr. Schenck made the following nominations for the next year: Mr. Kinney as Chairman, Mr. Rastello as Vice Chairman, Mr. Thompson as Secretary, and Mr. Alarie as Treasurer.

Discussion continued.

Mr. Schenck motioned to accept his initial nominations, seconded by Mr. Rastello.

Mr. Taft called the question. All voted Aye. Motion passed unanimously.

Mr. Kinney chaired the remainder of the meeting.

### **Approval of Minutes**

Mr. Kinney called for a motion to approve the minutes for the regular meeting on September 11, 2003, the 1<sup>st</sup> Public Budget Hearing on September 11, 2003, and the 2<sup>nd</sup> Public Budget Hearing on September 25, 2003.

Mr. Alarie motioned the approval, seconded by Mr. Rastello. All voted Aye. Motion passed unanimously.

Mr. Kinney addressed the public and advised that if they had a desire to speak on a specific item to fill out a card provided on the wall and turn them in to the Executive Secretary.

**Appearances** – None.

**Presentations** – None.

**Consent Agenda** – None.

**Old Business** – None.

**New Business**

**Item A** – Approval of Space Use Permit with the Gryphon Group for Security Training at Space Coast Regional Airport.

Mr. Edwards reviewed the background on this item and advised that the Gryphon Group had utilized a closed portion of Taxiway "F" for security training mostly related to drivers training, and paid the Authority \$350.00 per day for utilizing the area.

Mr. Edwards stated that Gryphon Group has requested a longer-term arrangement, and Staff has negotiated a one-year Space Use Permit for the premises terminable on 30-days notice by either party. He stated that the premises will be leased at a rate of \$0.12 per square foot annually, with an additional area identified for intermittent use at a rate of \$200.00 per day.

Discussion ensued among the Board regarding the visual impact on the airport and the economic impact.

Mr. Edwards reviewed some possible remedies to reduce the negative visual impact on airport property. He also explained the benefits in converting from a daily rate to a one-year permit.

Discussion continued.

Mr. Vaden, Gryphon Group, reviewed the practice for the training and advised the Board of the procedure in clean-up immediately following the training.

Mr. Pickles indicated that the lease agreement states that Gryphon Group shall be responsible for any environmental damage as part of their clean-up process.

Mr. Edwards requested that the Airport Authority approve the execution of the Space Use Permit, and authorize an Airport Authority Officer or Executive Director to execute the necessary documents, following satisfactory review by legal counsel.

Mr. Alarie motioned to approve the Executive Director's recommendation, seconded by Mr. Thompson.

Mr. Kinney called the question. All voted Aye. Motion passed unanimously.

Mr. Kinney addressed the issue that Mr. Schenck would be disconnecting from the meeting in a few minutes and asked if he had any further comments regarding the remaining items on the agenda.

Mr. Schenck shared his comments regarding the proposal from Island Aviation Partners, Inc. to assume RGGR, Inc.'s Lease Agreement, and asked that the Board take his comments in to consideration when discussing the item.

Mr. Schenck presented his top seven candidates for the Executive Director position.

Mr. Schenck disconnected from the meeting at 2:15 PM.

**Item B** – Discussion of Island Aviation Partners, Inc.'s Request to Assume RGGR, Inc.'s (Merritt Island Air Service) Lease Agreement.

Mr. Edwards stated that he had received a formal request from Island Aviation Partners, Inc. and RGGR, Inc. for the assignment of RGGR, Inc.'s lease agreement with the Authority to Island Aviation Partners, Inc.

Mr. Edwards stated that Staff began a preliminary review of the documentation and responded with a letter outlining the additional information needed to complete an appropriate evaluation of the request.

Mr. Popp, Representative for Island Aviation Partners, Inc., expressed their strong desire to operate Merritt Island Air Service and introduced Mr. Baer to conduct a presentation of the business plan.

Mr. Baer, Island Aviation Partners, Inc., introduced all parties involved in the business proposal. He conducted a presentation outlining the business plan and the additional information that was requested in Mr. Edwards' response letter to the initial proposal.

Ms. Lasher, tenant, stated that she supported this proposal and voiced her opinion that should the Board decide not to move forward with this proposal, it would be a major disservice to the pilots and the Authority.

Discussion ensued among the Board.

Mr. Edwards requested that the Airport Authority defer a final decision until a thorough evaluation of the information can be completed by Staff, Legal Counsel, and the Authority's CPA firm.

Discussion continued regarding the importance of researching the information before making a final decision on the item.

Mr. Pickles clarified that Island Aviation Partners, Inc. are seeking approval of an assignment of the lease. He stated that the second alternative would be an assignment of conditional approval subject to submittal of additional documents. Lastly, a third alternative would be a consensus that they know of a strong likelihood that approval will take place at the next meeting upon submission and approval of the additional information.

Mr. Taft motioned to agree to the assignment of the lease subject to the satisfaction of the requirements requested by the Executive Director and upon approval, the Board would allow the assignment to take place at the next meeting. The motion failed due to lack of a second.

Discussion continued.

Mr. Edwards reiterated that if a qualified company comes forth that meets all the criteria, the Board would have no choice other than assign the existing lease. However, should Island Aviation Partners, Inc. be missing a particular qualification, then they would need to be willing to negotiate those items.

Mr. Kinney closed discussion of the item and stated that he appreciated the efforts in trying to make Merritt Island Airport a better airport and improve the activity.

The Board took no action on the item.

Mr. Popp expressed his personal appreciation to Mr. Edwards for the ongoing relationship enjoyed during his tenure at the Airport Authority.

Mr. Yacono, tenant, asked that the Board take a strong consideration in their decision regarding the assignment of the lease. He stated his opinion that this proposed business plan would benefit the airport and the pilots in a very positive way.

Mr. Edwards requested to skip Item C on the agenda and present it as the final item due to the fact that a lengthy discussion may take place.

The Board agreed to honor Mr. Edwards request.

**Item D** – Proposed Amendment to the Sheltair Dunn, LLC Lease Agreement at the Arthur Dunn Airpark.

Mr. Edwards stated that the Board previously approved an amendment for the lease agreement for the construction of three t-hangar facilities at the Arthur Dunn Airpark. He stated that the amendment provided for additional time for Sheltair to meet its investment requirement per the agreement, and the date that rent would commence.

Mr. Edwards explained that the approved amendment disconnected the investment requirement versus the rent commencement date, which technically required Sheltair to invest \$600,000.00 by December 31, 2003. He stated that rent commences 8 months following the issuance of final building permits, and Sheltair has requested that their investment requirement be tied to the rent commencement date as previously approved by the Authority.

Mr. Edwards requested that the Airport Authority approve the extension of the dates for Sheltair's investment requirement, and authorize an Airport Authority Officer or Executive Director to execute the necessary documents, following satisfactory review by legal counsel.

Mr. Thompson motioned to approve the Executive Director's recommendation, seconded by Mr. Rastello.

Mr. Kinney called the question. All voted Aye. Motion passed unanimously.

**Item C – Review of Candidates for the Position of Executive Director.**

Mr. Edwards stated that the Authority advertised for the position of Executive Director and all resumes were forwarded to each Authority Member for their review.

Mr. Kinney opened the meeting for discussion of the candidates.

Mr. Taft presented his idea in ranking the candidates.

Discussion ensued with additional possibilities in ranking the candidates.

Mr. Kinney suggested running through the entire list and create an initial shortlist of those candidates where at least one Board member felt that an individual is qualified for the position.

The Board reviewed the entire list of candidates and created a shortlist of 25.

Discussion ensued regarding the next step in the process of creating a shortlist for those that would require an interview.

The consensus of the Board was to give each individual Board member the opportunity to review the resumes of the final candidates and present a ranking from 1 to 25 at the next public meeting.

Discussion continued regarding the criteria that should be considered in ranking the final 25 candidates.

Mr. Taft motioned to down select to the final 25 candidates determined in the preliminary shortlist, seconded by Mr. Alarie.

Mr. Kinney called the question. All voted Aye. Motion passed unanimously.

### **Executive Director's Report**

**Outstanding Issues** – Mr. Edwards stated that he would provide a list of outstanding issues to the Board prior to his departure. He stated he would also leave the information for the future Executive Director to give him an idea of where the Authority stands on the issues.

**Finance** – Mr. Edwards stated that the Board has been provided with the monthly check register and budget to actual report.

**Project Report** – Mr. Edwards presented a project report for all three airports listing the current projects, accompanied by the fuel flowage reports.

### **Authority Member's Report**

Mr. Thompson asked about the negotiation process with Helicopter Adventures for the FBO facility at the new Corporate Terminal.

Mr. Edwards stated that he was meeting with Mr. Corr, Helicopter Adventures, on Friday, October 17 with legal counsel to present a second draft FBO lease agreement.

Mr. Edwards advised that Mr. Lally had requested to change the date of the next meeting to November 12, 2003, and asked for any Board comments.

The consensus of the Board was to send an email to all Board members regarding the change of the meeting. If there are any discrepancies with any other Board members, the meeting will remain on its originally scheduled date.

Mr. Edwards stated that Mr. Rastello has volunteered to join Staff in the process of the t-hangar inspections. Also, Mr. Vogel, Fire Marshall for the City of Titusville, will accompany Staff for the inspections related to the Space Coast Regional Airport and Arthur Dunn Airpark in an attempt to inspect anything that might be hazardous.

Mr. Thompson thanked Mr. Edwards for his time, service and friendship over the years. He wished him and his family all the best for the future.

Mr. Thompson thanked Mr. Taft for his service and leadership as Chairman over the past year.

Mr. Alarie thanked Mr. Edwards and commended his services to the Airport Authority.

Mr. Alarie thanked Mr. Taft for his past service as Chairman and commended his work during his period of service.

Mr. Rastello thanked Mr. Edwards for aiding him in his education about the airport operations and updating him on all issues when he first accepted service on the Board. He stated that Mr. Edwards would be greatly missed.

Mr. Rastello commended Mr. Taft on his time and efforts put forth during his service as Chairman.

Mr. Rastello asked Ms. Lasher about the compass rose at the Merritt Island Airport, and why there has been a problem in the past placing one at the airport.

Ms. Lasher explained that the past compass rose had been demolished. She explained the ideal location and advised that there are not many places on the airport that meet the criteria. Should an acceptable location be found, she volunteered as a member of the National Association of Women Pilots that they would lay out a new compass rose after it has been engineered.

Mr. Taft advised that Commissioner Pritchard is still attempting to create additional changes to the Enabling Legislation, and reviewed the outcome of the last County Commission and Legislative Delegation meetings.

Mr. Taft stated that due to a non-consensus at the above referenced meetings, Commissioner Pritchard has called another meeting on October 30, 2003 at 1:30 pm and advised that Mr. Kinney should attend as the newly elected Chairman of the Authority.

Mr. Taft stated that the Economic Development Commission needed to be notified of the Authority representative.

Mr. Edwards stated that the Chairman would be responsible for appointing a representative.

Mr. Taft thanked Mr. Edwards for making his past year as Chairman an enjoyable one.

Mr. Kinney thanked the Board for their vote of support in electing him as the new Chairman. He appreciated Mr. Taft's leadership over the past year.

Mr. Kinney stated that Mr. Edwards will be sorely missed. He thanked Mr. Carr for his contributions during the transition.

Mr. Taft brought up the subject of adjusting Mr. Carr's salary while he takes over as Interim Executive Director until a new Executive Director joins the Authority.

Mr. Taft motioned to adjust Mr. Carr's salary in the amount of \$500 per week for the period of time he sits as the Interim Executive Director and will become effective on November 10, 2003, seconded by Mr. Alarie.

Mr. Kinney called the question. All voted Aye. Motion passed unanimously.

**Public Comments**

Ms. Barbash, Helicopter Adventures, asked if the Authority could conduct an initial phone call to those that are illegally parked on airport property prior to issuing a towing warning. She thought this would be a better practice for positive public relations with the tenants of the airports.

Mr. Edwards stated a possibility of making an initial phone call for a first offense, and moving forward with the warnings should it become an ongoing issue with a particular individual.

Ms. Lasher expressed her thanks to Mr. Edwards for his hard work and wished him all the best in his new endeavor.

Mr. Taft motioned to adjourn, seconded by Mr. Thompson.

The regular meeting was adjourned at 4:55 PM.

  
FRANK KINNEY, CHAIRMAN

  
PHILIP R. THOMPSON, SECRETARY