

CHARLOTTE COUNTY AIRPORT AUTHORITY

MINUTES OF REGULAR MEETING – JUNE 21, 2012 – 9:00 A.M.

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1. Call to Order

2. Invocation

10 Commissioner Herston gave the invocation.

3. Pledge of Allegiance

4. Roll Call

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Present: Present: Chair Coppola; Commissioners Herston, Lee, Seay and Stasko; Executive Director Quill; Attorney Garrard; Assistant Director Parish; Mrs. Cauley; Mrs. Worth-Dugan and Mrs. Sutcliffe. **Others present:** Gary Bayne, Jim Kaletta, Jim Deustch, Justin Edwards, Carl Parsons, Ned Rose, Larry McClure, Paul Andrews, Debrah Forester, Gary Harrell, Bob Herrington, Rob Humpel, Jerry O'Halloran, Adam Cummings, other people from the private sector and a member of the press.

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5. Additions and/or Deletions to the Agenda

25 Mr. Quill added 13 d) Charlotte County Airport Authority Elections.

6. Citizen's Input

No citizen's input.

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7. Consent Agenda

Commissioner Seay made the motion to approve the Consent Agenda. Commissioner Lee seconded. Motion passed unanimously.

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8. Secretary/Treasurer's Report

Commissioner Stasko commented that over the last 12 months the Authority had made a good recovery in Accounts Receivable. He commented that a year ago things were different than they look today and he stated that by being patient and working with the tenants the Authority has decreased the accounts receivable. He opined that the Authority's staff had done a good job. Mr. Quill reported a loss on the Income Statement for the month of June and typically that is programmed for the summer months. He reported that the Authority was down in May from a year ago due to a decrease in the number of airline flights. He reported that starting the end of June, four cities had been

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added totaling eight additional flights, which is good news, so the Authority will finish the year in the black.

9. Committee Reports

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a) **Land Use** - Commissioner Herston had nothing to report on the land use front.

b) **Economic Development** - Commissioner Lee had nothing to report.

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c) **Personnel** - Chair Coppola had nothing to report.

d) **Public Relations/Special Events** - Chair Coppola stated that she did not attend the Special District Meeting and asked if someone else would like to report on it. Commissioner Seay suggested that they should wait to report on it.

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e) **Governmental Liaison** - Commissioner Stasko commented that the Authority has had as much government in the last two weeks that he would ever want to see again. He had nothing more to report.

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f) **Metropolitan Planning Organization** - Commissioner Herston reported that he attended a MPOCAC university in Tampa. He stated that the organization was glad to see them, since there has been no attendance since 2006. He reported he has information if any of the Commissioners would like to review it.

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10. Attorney's Report

Attorney Garrard had nothing to report.

11. Executive Director's Report

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a) **Development Update** - Mr. Parish reported that most of the development update will be handled under Old Business. He reported that the Authority is waiting for approval on a scope for the design of a new entrance road into the terminal. He stated that this was part of the overall terminal project, but the FAA has asked the Authority to break it up for funding purposes. He stated that the plan is to modify the entrance and the Authority is waiting for approval by the FAA and FDOT. He stated that the entrance road and the design of the terminal will be this year and the construction of the terminal will be next year. He reported that the new administration building and the lease space is progressing. He explained that there is a conference room in which smaller meetings can be held along with a conference room so the Commissioners can have small meetings. He stated that the building is not much bigger than the one the Authority is in, but that it is just in a better location for expansion. Chair Coppola asked when the building will be ready. Mr. Parish stated that it will be ready to move into by August and he stated that the Authority will have a ribbon cutting and ground breaking once the landscaping is in. He stated that the paving is being done; it is painted on the inside and the ceiling tiles are currently going in.

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- b) **Miscellaneous Items** - Mr. Quill commented that he is deferring on those items so more time can be devoted to later items.

5 **12. Old Business**

- 10 a) **Cheney Brothers Update** - Mr. Quill gave a background of Cheney Brothers who will be going in on the southern half of the jail-site adjacent to the Airport. He explained that the County is receiving a grant from the State for the construction of the road covered in the Development Agreement. He commented that the Airport will benefit in getting the road and the utilities at no cost to them. He commented that, after this development, all the roads will be done on the Airport with the exception of the east side and any additional cul-de-sacs. Mr. Parish stated that Mr. Gary Bayne has a 30% plan update giving more details about the roads. Mr. Bayne stated that part of their scope of services was to present to the Board, as a courtesy, their 30% plan update showing what they are doing, planning, what is going in and how many acres were taken up. He presented the overall conceptual plan (copy attached) which was proposed in their proposal to the County and had been brought to the Authority Board for approval. He stated that an extension road will be put in which will be part of the Publix Road and this will be able to serve the developments as they go in. He stated that in the preliminary design there are dash lines which represent lots to be plotted. He is recommending that the Airport Authority plot the lots so there will be a point of connection when service for the sewers, laterals and water connections are required. He stated that these parcels are broken into ten to five acre parcels, which are a good size, and if a tenant is interested in more acreage then the Authority can combine the parcels. He commented that this will help them with the drainage. The ditch will go towards Piper Road and will be a drainage easement for the properties on the south end. Commissioner Seay asked if the proposed drainage ditch will affect the Speedway. Mr. Bayne stated that they will be able to dump into that ditch which was proposed for the Publix Road construction. He stated that they are re-running the calculations of the ditch to make sure it is the right size. He commented that the Speedway and all the parcels will be able to dump into that ditch. Commissioner Seay asked if that will isolate access or the potential access to the Speedway from that side. Mr. Bayne stated that it would, but they are following the original plan that Publix had done. He suggested that a culvert or bridge crossing could be put in and then the Airport could use the two parcels for over flow parking with a pedestrian walk-over. Commissioner Stasko asked if the lake adjacent to the Speedway would still be there with the new drainage design. Mr. Bayne stated that lake is where the control structure is and it will dump into the drainage ditch. He explained that the road will be a hundred feet wide with four foot shoulders and the drainage on both sides will be thirty-two feet wide and he estimated that it will be from one foot to three feet deep. He stated that they will continue with the pavement of what was already built. He stated that improvements have been done on the Publix Road and additional improvements will be done near Piper Road so semi-trucks can be accommodated. Commissioner Seay commented that she had discussed this issue with Mr. Tom O'Kane and she stated that his comment was that
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there will never be any semi-trucks using this road. Mr. Bayne stated that the fire hydrant has to be moved and the pavement widens as you enter Cheney Brothers, allowing extra turning movements so there will be no damage to the pavement. There was further discussion on the slides. Mr. Quill asked what the estimated value of the improvements are on the Airport. Mr. Bayne stated that the estimates are a little over \$1 million that the Cheney Brothers will be putting in on the Airport property. Commissioner Stasko asked how many acres are included in this. Mr. Bayne stated that it is twelve acres. Mr. Parish stated that the twelve acres have always been shown as right-of-ways on the Airport's Master Plan. Commissioner Herston asked if the property line will have stub-outs for water and sewer. Mr. Bayne stated that the sewers will have stub-outs, but not the water. He explained that they didn't want to go under the pavement so the manholes are being replaced and stub-outs will be put in so the connections can be made in the future. Commissioner Herston asked what the depth would be on the property line on the five acre tracts. Mr. Bayne explained that as you move to the north it gets shallow, but the terminal manhole is twelve feet deep. Commissioner Stasko commented that this land was already dedicated for the right-of-ways and the Airport is getting a free road and improvements. Mr. Bayne stated that Hanson had done a design similar to this road, but a little further east, and it was shifted over to avoid the wetland and to make a nice gradual sweep into Piper Road so it would perpendicular to Piper Road. Mr. Parish stated that the original plans were developed before Piper Road existed and the Authority always knew that they would have to sweep it in to meet the new Airport Road entrance. Commissioner Herston asked what specs are required for the Authority to meet for the roadway. Mr. Bayne stated that it is being designed to FDOT specs, except the asphalt will meet County specs. Commissioner Herston asked, in regards to the permitting for the roadway, is there a pass through drainage. Mr. Bayne stated that there is, but he explained that there will be minor modifications of the road on the Airport's Master ERP Plan. Mr. Parish commented that the Authority had extended the thirty acres for five years, but SWFWMD has asked the Authority to complete all the construction, specific to the pond, before the Cheney site can become active. He stated that part of that will be constructed with the road in progress and the Authority is working to get all of the pieces and costs put together. He stated that the Authority will get this constructed under the grants. He stated that the Authority will do some of the road themselves, such as on the pond and minor excavation. He stated that the Authority will need to construct a small berm to divert the water which is all part of the original plan. Commissioner Herston asked how much would it cost according to the Master Plan. Mr. Parish commented if the Authority can do the work themselves, it would be five to ten days of work, plus rental of the equipment. Mr. Bayne commented that the Publix ditch is a substantial ditch with a twin box culvert. Mr. Parish commented that it was mentioned to SWFWMD that the box culvert was there before Piper Road, and since Piper Road was built it is not needed and it will be taken out and shown as a modification when they do the Cheney Road. Commissioner Herston asked if a pre-application was made. Mr. Bayne stated that a pre-application was done for the Cheney site and the road will have a separate permit. He explained anytime land is added to a Master Permit, it will trigger a major modification for SWFWMD as when the Developers Agreement was approved for the Cheney site.

5 He explained that when you add a road to the Mater Permit, it is a minor
 10 modification. Commissioner Herston asked who is the maintenance entity on the
 15 Master Permit? Mr. Parish stated that the Airport Authority is responsible for the
 20 maintenance, but the Authority has in their agreements with everyone who goes into
 the Industrial Park that they pay for their portion of the maintenance. Commissioner
 Herston asked if Cheney Brothers would be the responsible entity on the permit. Mr.
 Bayne stated that it will be co-applicants with the Airport Authority. Mr. Parish
 stated that Cheney will be responsible for all the on-site maintenance, the County will
 be responsible for the roadway system and the Airport will be responsible for the
 swale system and the pond with the agreement that all users pay their proportionate
 share. Commissioner Herston asked if this permit will go to the Governing Board.
 Mr. Bayne stated that the road will not, but the Cheney site will. Commissioner
 Herston asked if they would be able to handle what is required in the Master Permit,
 the County staff and the County material. Mr. Parish stated that it is the Authority's
 goal. Discussion continued on the Publix ditch. Commissioner Herston asked what is
 required by the Master Permit that will not affect the Developers Agreement or
 anybody's permit issuance. Mr. Parish commented that the only thing it would affect
 is SWFWMD. The Authority will have those ditches in place prior to putting Cheney
 in operational phase. Commissioner Herston asked when the construction will begin.
 Mr. Bayne opined that the summer of 2013 they will begin construction.

b) **Developers Agreement - Cheney Brothers** - Mr. Quill asked the Board to approve
 the Developers Agreement with Cheney Brothers. He stated that the Authority will
 receive substantial benefit with some costs as stated earlier, but he stated overall it is
 the first time that the Industrial Park works financially. He explained that when he
 first came to the Airport ten years ago he had sat down with the consultants to go over
 the Industrial Park development. There was a lot of debt service potential associated
 with it that it was not cost feasible, but now with all the pieces coming together, the
 Airport Authority will have the Industrial Park with relatively little out of pocket
 expense. **Commissioner Lee made a motion to approve the Developers
 Agreement with Cheney Brothers. Commissioner Seay seconded.** Commissioner
 Herston commented that on page two, item three, it talks about Cheney's proposed
 development of a distribution center on their property will adhere to all "special
 conditions and provisions". He stated that in the SWFWMD permit there are
 "conditions" and then "special conditions and provisions". He suggested that it should
 only say "conditions and provisions" eliminating the word "special". Mr. Parish
 stated that Cheney Brothers has signed the Agreement, but the Authority can add
 changes and have them initial the changes prior to final approval. He commented that
 the Authority has an agreement for over flight in the Developers Agreement, but the
 Authority should add a formal avigation easement. **Commissioner Lee revised his
 motion to approve the Developers Agreement with Cheney Brothers with the
 deletion of the word "special" to the conditions and provisions and initialed,
 obtaining a formal avigation easement and giving the final papers to Attorney
 Garrard and giving Mr. Quill permission to sign for the Board. Commissioner
 Seay revised her second.** Mr. Parish stated that he met with the FAA and two minor
 modifications were made to the Agreement which was approved by the Authority and

Cheney Brothers to meet the FAA guidelines and they have concurred. He stated that it is usually a six month process and they were able to fast track it and he opined that the Authority does not have any favors left. **Motion passed unanimously.**

5 **13. New Business**

10 a) **Air Show Insurance Claim** - Mr. Quill stated that a couple of years ago a spectator had fallen during the Air Show and the Authority had not heard anything more since the incident; but subsequently, the Authority has learned that the Authority's and the
15 Air Show's insurance companies had split an insurance award of \$110,000. He commented that he wished the Authority was involved in it but the Authority had learned about it after the fact; therefore, the Authority will tweak the Agreement the Authority has with the Air Show and will meet with the Authority's insurance people. Attorney Garrard commented that he was the person to obtain the insurance for the
20 Florida International Air Show for the last twenty-five to thirty years. He commented that at the time of this event the Air Show had \$5 million in coverage for any incident during the Air Show, including the surrounding areas that the Air Show used on the Airport grounds. He stated that the Charlotte County Airport Authority is named as additional insured on the policy which means if an incident happened on the Airport in which the Airport is not negligent or contributory to the injury, then the Air Show's policy would be primary and the Airport's policy would be secondary for excess over the \$5 million limit. He stated that this claim happened on April 10, 2010, and he was first notified that the adjusters were on the case a couple months later. He stated that he did not hear anything until February 9, 2011, from an adjuster for the Air Show's insurance company. He stated that he had never discussed this case with the Airport's insurance company, and he figured that the Air Show's policy had taken care of this. He stated that he received a General Release from a Tampa law firm saying that they had settled the Authority's claim for \$55,000.00 and the Authority was not aware of any settlement. He opined that the two insurance companies got together and agreed to cut their losses, get it over with, do not get attorneys involved, do not have any suits and pay a settlement. He stated it should not affect the Airport Authority's rates because Archer Insurance is not being used by the Authority any longer. He opined that the insurance provision in the Air Show Agreement should be tweaked noting a situation where somebody else determines that the Authority is negligent. An indemnification should be inserted in case the Airport's policy premiums go up. Chair Coppola commented that someone without the Authority's knowledge determined that it was equal fault. Attorney Garrard opined that the only way they could have settled it was that it was an economic decision rather than based on the law of negligence. Commissioner Seay commented that generally they need the participation of the affected parties. Mr. Quill stated that the Authority will work with Attorney Garrard to set up an agreement with the Air Show showing that the Authority is in excess. Commissioner Seay opined that this indicates a problem with the Air Show's insurance company in that there should have been communication to the Airport Authority and she stated that the indemnification or hold harmless clause
45 may not be adequate. She opined that the Authority needs to bolster or reconsider the manner in which the Air Show is held or not. Commissioner Stasko suggested that the

Authority look at the dollar amount of insurance with the scope of the number of Air Show attendees and risks of exposure should a catastrophic accident occur. He opined that \$5 million is a low figure if you can get \$100,000 for falling down in a grass parking lot and he stated what if a large number of people were affected by, God forbid, something happening. He opined that \$5 million is a start for one person. He suggested that the Authority look at the primary amount of coverage, because once the primary insurance level is met, as far as claims, that insurance company walks and the Authority's insurance company takes over the burden of that insurance claim. He opined that the Authority should look at the amounts of insurance before the next Air Show. Attorney Garrard commented that he will get with the Authority's staff and the Risk Manager to do an analysis and decide how to handle this. Chair Coppola asked if each acts had their own insurance. Attorney Garrard stated that they did and that the Airport Authority is named as an additional insured under their policies. He stated that all the policies do not cover any incident that happens in the air. Commissioner Lee stated that the premium may go up the next time you go for insurance because of the risk.

b) Road Name Change - Mr. Quill stated that all the Board members have a copy of a letter from Cheney Brothers. He commented that a couple of months ago the Board tentatively named what was the Publix Road to Innovation Way and the road that goes through was going to be named Logistics Lane. He stated that Cheney Brothers is requesting that Logistics Lane be changed to Cheney Way. It would intersect at the northern end at Piper Road making it visible to the delivery people. He stated that the Authority staff does not have a problem with that and he suggested that what was named Innovation Way should be changed to Logistics Lane and Logistics Lane changed to Cheney Way. Commissioner Seay opined that she like Innovation Way better than Logistics. There was more discussion on changing the road names. Mr. Parish stated with the new road connecting to Piper Road, Cheney Brothers would like to have a presence on Piper Road saying Cheney Way so the people know how to get to them. He stated that it will be a wider section so Cheney Brothers will have queueing for their trucks and he stated that there will be gates on Cheney's side of the property. Commissioner Herston asked who will be handling the name change. Mr. Parish stated that the Authority gives the names to the County when the road is dedicated. Commissioner Herston asked when the road was designed did the right-of-way become a plat. Mr. Parish stated that it is an easement. **Commissioner Stasko made a motion to change the name of the road signified in green on the chart (copy attached) to Cheney Way. Commissioner Herston seconded. Motion passed unanimously.**

c) Set Budget Workshop and Hearing Dates - Mr. Quill proposed dates for the Budget Workshop and Hearings to the Board for their approval. He reminded the Board that the dates picked by the other governmental entities cannot be used. Commissioner Seay commented that a convention is being held in Tampa on August 27th through August 31st and some of the Commissioners will be attending. **Commissioner Lee made a motion to approve the Budget Workshop to be held on Friday, August 24th, 2012 at 9:00 a.m. and the Tentative Budget Hearing Wednesday, September**

12th at 5:01 p.m. and the Final Budget Hearing on September 26th, 2012 at 5:01 p.m. Commissioner Stasko seconded. Motion passed unanimously.

5 **d) Charlotte County Airport Authority Elections** - Mr. Quill stated that there have
 been multiple correspondences, meetings and the latest guidance the Authority has
 received from the Supervisor of Elections, who quotes the Attorney General’s
 opinion, is that the election needs to be non-partisan, which means that everyone that
 10 qualified for the primary in early August will be disqualified and the candidates will
 be able to re-qualify as non-partisan for the general election in November. He
 suggested that the Board should have the legislative body revisit the Authority’s
 Enabling Legislation to specify exactly what it should be. Chair Coppola stated that a
 special meeting was held as to what to do and the communication received from the
 Supervisor of Elections was that the Board should decide what the Board wanted and
 that is why the special election is held. She commented that the Board thought it was
 15 all set to do the traditional partisan election, which means you are either a Republican
 or Democrat, but that was overturned when the Attorney General’s office reviewed
 some statutes and, in their opinion, they claim it should be a non-partisan election.
 She commented that Commissioner Herston was already elected in a partisan race;
 Commissioner Seay, Commissioner Stasko, Paul Andrews and another gentleman
 20 were qualifying as Republicans. She commented that the Board does not know what
 will happen and the Board does not know what rules and regulations will come down.
 She opined that the people who have been to the election boards, did all the
 paperwork, had the cards signed and paid a fee to run will be disqualified and they
 will be able to re-qualify under the new ruling of a non-partisan election. She
 25 commented that the final ruling has gone back and forth and she opined that she does
 not know what will happen. Commissioner Stasko commented that he doesn’t know
 if they are elected officials because the elections four years ago were not held by the
 standards that they say that the Authority should have had. He commented that he
 does not know how they are going to re-qualify when all of the campaign materials
 30 that they have had for the last eight years is not legal material anymore because of the
 disclaimer. He commented that the ruling was a preliminary opinion from the
 Attorney General’s Office and he opined that this may not be what it is. He
 commented that they do not have any idea of who they are, what they are and where
 they are going which makes it confusing and he stated as candidates they had always
 35 done what they were asked to do. He stated that he hopes that in the near future that
 someone will say this is exactly what it is and how it is going to be, so we can move
 forward. Chair Coppola stated to go with the premise that, if it isn’t broke, don’t fix
 it and she opined that it worked fine for the last forty-nine years. Commissioner
 Stasko commented that since it was going to be an open primary everybody would
 40 have a chance to vote for whomever. He opined that someone did not realize that and
 said that it would disenfranchise certain voters, which it doesn’t because everybody
 gets to vote in the primary if it is not closed. He commented that he understood Mr.
 Stamoulis’ stance and due to his research when he found out that there was a
 possibility that the elections since 1962 or 1998 were not handled correctly, and as a
 45 constitutional officer he had no choice. He commented that the timeframe was
 inconvenient. He explained that he went to Mr. Stamoulis the day before qualifying

with a question about qualifying. The Airport Authority is a Special District that should have been \$25 or twenty-five signatures. The Board learned that at the Special Districts Conference and that investigation brought on all the other findings. He explained that it started off innocently and that all he wanted was \$425 back from the Supervisor of Elections Office and when they reviewed the statute, they uncovered the rest. He stated that it is Mr. Stamoulis' duty to notify the Commissioners with what he thought the Authority had to do to or at least try to get out the ballot for the primary election. Chair Coppola commented that Mr. Stamoulis asked the Authority to make a determination according to some other statute that he had read. She stated the Commissioners held an emergency meeting and the Authority made the decision to do it the traditional way and that was overturned and the Authority's decision became null and void. Commissioners Stasko commented that it is unfortunate that this came up with the time constraints and this lead to errors being made. He opined that if this was done in April, it would have been a different outcome. Chair Coppola suggested that the Authority should let this election year go and do it in a calmer and quieter non-election year. She asked if the Attorney General or the Board of Elections in Tallahassee will make the decision. Attorney Garrard commented that the Attorney General's opinion does not carry any weight of law and this is a preliminary opinion. Commissioner Lee recommended that Attorney Garrard contact them and see what can be done to resolve the issue. Attorney Garrard stated that the Supervisor of Elections will make the determination. He commented that he will talk to the Supervisor's attorney. Commissioner Lee recommended that Attorney Garrard contact the proper people and see if a resolution can be made that will work for everybody. Chair Coppola asked what the procedure would be for this final resolution since there were so many back and forth. She asked who would have the final word, the final seal on the stamp that says this is the rule and this will be what you do or else. Commissioner Stasko stated that the determination should be done as quickly as possible because there are events coming up and the Commissioners could be in violation of campaign laws by displaying signage that may not have the verbiage that will be required. Chair Coppola asked if they will be grandfathered in under the old law. Commissioner Lee suggested that Mr. Garrard will have to work it out. Commissioner Herston asked if a declaratory judgment can be filed to get a determination from local judges. Attorney Garrard stated that is what was planned until this opinion came down and they were working with another lawyer on this. He stated that the problem is that it takes so long without cooperation from the other side. He stated that the November elections will be over before they can get a hearing without some kind of cooperation. Commissioner Lee commented that it will not be easy and he opined that they should not be throwing barbs at anybody, which will not solve anything. He suggested letting Mr. Garrard talk to the proper parties and get it resolved. Commissioner Herston commented on reading about the Authority's charter and what change needs to be made. Chair Coppola commented that the Authority is going to the Legislature to re-do some language that was left out or not made clear when the Authority changed from the Development Authority to the Airport Authority. Mr. Quill commented that the language was the same from previous enabling legislations but the change was in Special Districts. Attorney Garrard stated that the original 1963 language said that the elections shall be held and provided by

5 the general election law which carries forward. He stated that in 1989 this statute comes up stating that all Special Districts elections shall be non-partisan and over the years, the statute was never read. Commissioner Stasko stated that in 2007 the
10 qualifying language changed in the statutes from three percent to \$25 according to the statutes that he received from the Supervisor of Elections Office and he stated that he received copies of 2006 and 2012 statutes and in 2012 the language was not in there. He commented that when he backtracked, he found that the year after a piece of paper that they were using was when the statute changed in 2007. Chair Coppola asked if the Legislature changed it without notifying the Special Districts. Commissioner
15 Stasko stated, apparently, because the verbiage in the statute states that the qualifying fee would be three percent of the annual salary, or the percentage of the registered voters. As far as the petitions, it changed to \$25 or twenty-five petitions. He opined that is a drastic change and he stated that it did not have any exceptions and that the language states all Special Districts. He commented that by that statute the Authority is a Special District since 2007 and he stated the Authority should have been charged the qualification of \$25 or twenty-five signatures. Chair Coppola commented with that change. the Supervisor of Elections should have notified the Authority. Commissioner Stasko commented that they were using a 2006 piece of paper which started the avalanche. Chair Coppola asked if all the Commissioners were due a
20 refund. Commissioner Stasko opined that it will be as difficult as to what is happening now when you start changing the language with the Enacting Legislation, because if they change this to non-partisan then they will have to put the Commissioners in office, or the Governor will have to appoint the Commissioners to the Board. He opined that if this happens, the Commissioners will be non-partisan this year and then two years from now there will a partisan race with non-partisan people and he commented that it will be confusing. He stated if the Commissioners are non-partisan on the Board, they would have to run as a partisan. He stated unfortunately this is not a word puzzle, but real life and he commented that he did not know how this will be solved, but it is very confusing. Chair Coppola commented that
25 it is more complicated than what the Commissioners thought. Commissioner Stasko commented that there are a lot of ramifications that go back years.

14. Citizen's Input

35 **Adam Cummings** - Stated that he is a candidate for Supervisor of Elections and he stated that that he was curious as to where the Supervisor or the staff were. He assured the Board that with this kind of confusion going on, regardless of what the intentions are, he would attend the meeting to be able to answer these questions. He stated that there were four positions and three years ago Commissioner Lee was told don't worry, be
40 happy. He stated then there was an intervention that says you are not going to be on the general primary but you will be on the general election and it will be non-partisan. He stated then you heard the Supervisor of Elections will run the election in a way that the Supervisor believes is illegal as long the Airport Authority can be blamed for it. He commented that as of last night an email was sent stating that the Commissioners will not be on the primary ballot and to ask the Airport Authority what is going to happen, which
45 leaves Authority Commissioners hanging. He commented that it does bring the question

if they take the position that the Supervisor did, that it is the Airport Authority's responsibility to either hold the election or set the procedures for the Supervisor. He opined that in his research he states that the Supervisor's role is ministerial and does not have the authority to look beyond the directions that the Authority had given to him. He
 5 opined that he would be able to have a conversation with the Commissioners, but sending an email to a candidate was interpreting the law, not applying the law, which brings another whole can of worms and the question does become is this a fight worth having? And at some point along the line, has the race been botched so badly that the Commissioners are in a position of starting over and getting guidance from the Attorney
 10 General or the Division of Elections to conduct a special election. He opined that he is not stating that the Commissioners should do this, but he is posing the question if it is something that the Commissioners would want to consider. He opined that the questions the Commissioners should ask are who pays, is there an estoppel argument that says the Supervisor's Office should pay, what is the timetable and is it even possible to get it done in a timeline that would allow it to happen in the general election and how does that
 15 impact the existing candidates. He stated that a clean reading of the law would make it appear that all the candidates are disqualified. He commented that he had seen one recommendation that might muddy the waters, but the important question is whether or not the Commissioners are candidates. Because if the Commissioners are not qualified, or
 20 for that matter, are the Commissioners filed because the filing papers for the treasurer have been filed differently and are the Commissioners allowed to campaign. He commented that if the Commissioners are disqualified, it will bring the need for the special election, and can it be done on a timetable to avoid the additional costs to put on the general, or will the law require the Commissioners to have it done separately with
 25 higher costs and a dismal voter turn-out. He commented that he does not know the answers to this and every time he thinks he has something clear and then he finds another recommendation or a court case that muddies the waters. He commented that it does seem to endorse the position that the Commissioners are searching for an answer and he opined that the Supervisor has passed the ball back into the Authority's court and the
 30 Authority are the ones that need to make the determination and he commented that seeking advice would be a good plan. He stated that he is here for his own edification and he is trying to learn as much as he can. He stated that he appreciated the Board for allowing him take a few minutes of time to offer insights from an outside observer.

35 **Justin Edwards, Hoyle Tanner and Associates** - Stated he was a former director of the Trenton Airport in New Jersey for thirteen years and prior to that he worked for Mr. Quill as his deputy at Lakeland. He stated that as he drove around the Airport he saw a lot of positive developments and that the Airport Authority has done a tremendous job. He stated that he has been to airports across the state over the last few months and he
 40 commented that he saw more building, more development and more people working at this Airport than he has seen anywhere else. He stated that he attributes that to the leadership of the Board and his mentor, Mr. Quill who taught him to think outside the box, innovate and push the envelope and dream. He stated that Mr. Quill has worked with this team of professionals and experts to make that happen. He commented that he is
 45 very proud of Mr. Quill, the Board and he commended everyone for their efforts.

15. Commissioner’s Comments

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Commissioner Herston - Thanked everybody for coming. He stated he is trying to digest what is happening.

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Commissioner Stasko - Thanked everybody for coming. He stated that hopefully this will straighten out soon so we know who we are, what we are and where we are going. He stated that he thought by the time he turned sixty-two that he would know all of the answers to all of the questions.

Commissioner Seay - No comments.

Commissioner Lee - No comments.

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Chair Coppola - Thanked everybody for coming.

16. Adjournment - Meeting adjourned at 10:20 a.m.

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Kathleen Coppola, Chair

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Gary Stasko, Secretary/Treasurer