

**CHARLOTTE COUNTY AIRPORT AUTHORITY**

**MINUTES OF REGULAR MEETING – JANUARY 17, 2013 – 9:00 A.M.**

5    **1. Call to Order**

**2. Invocation**

          Commissioner Andrews gave the invocation.

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**3. Pledge of Allegiance**

**4. Roll Call**

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**Present:** Chair Herston; Commissioners Andrews, Coppola, Lee and Seay; Executive Director Quill; Attorney Garrard; Assistant Director Parish; Mrs. Cauley; Mr. Coulter; Mrs. Worth-Dugan; Mr. Pizzi and Mrs. Schindler. **Others present:** David Jones, Bob Hall, Commissioner Deutsch, Councilman Cavanaugh, Jim Kaletta, Jerry O’Halloran, Lionel Schuman, Jim Nix, Tyler Ezzi, Carl Parsons, Paul Piro, Andy Stultz, Gary Bayne, Larry McClure, Bob Mauti, other people from the private sector and members of the press.

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**5. Additions and/or Deletions to the Agenda**

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      Mr. Quill deleted item 13 a) SunCoast Trucking Lease and added 13 b) Set Workshop for Board Orientation.

**6. Citizen’s Input**

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**Bob Hall- FIAS** - Commented that there is a great lineup for the upcoming air show but nothing is confirmed. He reported that they are looking at a Harrier group, a Super Hornet and no confirmation on the Raptor. He commented that a C-17 is interested in participating and the Authority is looking for a location to park it. He reported that Freddy Cabanas has died in a plane crash in Mexico. He thanked the Board and the staff for being supportive of the Air Show and he commented that he is looking forward to a great Air Show.

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**Gene Weeply, Mike Cargus, Chris Neilson, Jason Beckner and Matt Macost** spoke on behalf of the Speedway Lease.

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**7. Consent Agenda**

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

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**8. Secretary/Treasurer’s Report**

Mr. Quill reported a loss for the month of December which the Authority had projected. He commented that last year the Authority had Direct Air and those flights have been discontinued. He stated that this year will be a tight budget.

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Chair Herston presented Commissioner Coppola a gavel as a token of the Authority's appreciation for her hard work serving as the Board's Chairman last year. Commissioner Coppola thanked the Authority and commented that it was an interesting and challenging year. She commented that Commissioner Seay did a lot of work on getting the Authority's legislation formulated with the help of the Authority's attorney, Tom Garrard.

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## 9. Committee Reports

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a) **Land Use** - Chair Herston reported that, on the private side, the engineering business appears to be picking up. He reported that there are no other land use regulations being passed through. He reported that Suncoast Trucking is still in negotiations and they are analyzing their costs and he opined that they would be a nice tenant.

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b) **Economic Development** - Commissioner Lee commented that the mobile home park will be expanding and they are pushing to get more residents and opined that the Authority will be getting more complaints. Commissioner Seay asked if the Authority has an avigation easement with the mobile home park. Mr. Parish stated that the Authority does have an avigation easement. Commissioner Seay opined that expanding any kind of residential property next to an airport is just craziness. Commissioner Coppola stated that, according to real estate law in Charlotte County information must be disclosed if there is anything related to airports, substation for sewer projects or whatever is located near the area. She commented that she did not know if that extended to the person selling their mobile homes. Commissioner Andrews commented that they must disclose if it is something that materially affects the value of the property. Commissioner Seay suggested that the Authority should send a letter to every home owner in the mobile home park stating that, if they should sell their property, it is their responsibility, as a seller, to inform any potential purchaser of an airport nearby. She opined that there have been instances when a buyer claims that he was not told and the seller says he did, which causes no end of the challenge. Commissioner Coppola commented that originally they did not disclose that there was an airport nearby when they first started building the mobile park home site. Chair Herston asked about the easement that was recently executed by the POA. Mr. Parish stated that the avigation easement that the Authority has is with the original developer. He commented that the Authority will look into it. He commented that the original land has not been expanded and that they are building another phase on that property. Commissioner Deutsch commented that a disclosure is required when a piece of property is being transferred and the seller is required to provide a printed copy of everything, including an airport in close proximity. He commented that the seller presents the prospective buyer with that disclosure and he signs it, and it is more for protection of the seller, so in the long run, the buyer can't

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come back to the seller and say he was not aware of it. He opined that if he was going to rent, he would want a disclosure. A citizen commented that he lives in the mobile park homes and he stated that they do not own the land, but own the building and pay a monthly fee for the land, maintenance and etc. Chair Herston asked the citizen if he was aware of any easements when he moved in. The citizen commented that he knew there was an airport there and that is why he moved there

c) **Personnel** - Commissioner Coppola introduced Dan Pizzi, who will do the Part 139 inspections. Mr. Pizzi commented that, being a new member of the Authority, he looks forward to working with the entire team to keep the Airport safe and successful for many years. He thanked the Authority for the bringing him onboard.

d) **Public Relations/Special Events** - Commissioner Coppola reported that she attended the swearing in ceremonies for Sheriff Prummell and Congressman Tom Rooney, and attended the Peace River Republican Women’s Forum. She reported that she is on the Lincoln Day Dinner Committee which will be in April. She reported that she attended a meeting regarding the dredging of Sunshine Lake located by the Cultural Center and the Legislative Delegation Meeting with Commissioner Seay who presented the Authority’s new Legislation to the Delegation. She commented that the Delegation voted to present the Bill and she opined that it is good news for the Authority. She commented that she will be going to Tallahassee in February to make sure that the Authority gets help with the language on the new bill. She reported that she attended the CRA Meeting at Murdock Village and Air Trek’s open house. She reported that the Board will be in the Martin Luther King Day Parade on January 21<sup>st</sup>.

e) **Governmental Liaison** - Commissioner Seay commented that the Board had approved the presentation of the final amendment to the Authority’s Enabling Legislation. She explained that the Supervisor of Elections was unable to locate the Authority’s Enabling Legislation which goes back to 1963 and that the records of the State of Florida only go back to 1997. She commented, as a result of that, the Supervisor of Elections removed three Board members from the ballot causing the Board to petition to the Governor in which the Governor had put the Board members back on the ballot and Chair Herston, Commissioner Andrews and Commissioner Seay were elected. She commented that in 1998 all prior Enabling Legislation were repealed with the exception of 1963, and the last paragraph states how the Board is elected and that is what caused the problem. She commented that the Supervisor of Elections was unable to find that section, so he determined that the Authority was governed by a different section of the State Legislation, Chapter 189, which states that the Board members are non-partisan when the Authority’s Enabling Legislation states that the Board members are partisan. She opined that, rather than going through a long involved and costly process of going to court, the Authority did the most prudent and least expensive method by going to the Legislative Delegation asking them to repair what the state had done. She commented the change that the Authority wants to do is to move that paragraph into the current document which will repeal all versions of the Enabling Legislation making this the current document that will allow the Board members to be elected appropriately. She commented that the

Authority had talked with the Authority's sponsors and they are supportive of the Bill and they unanimously voted to support the Authority's change. She commented that the Enabling Legislation is going to be reviewed and adopted so the Authority will not have the same issues as this past year. She questioned the necessity for all the Board members to attend the meeting in Tallahassee when looking at the Authority's operating losses and current expenses. She commented the expense of traveling to Tallahassee would be approximately \$1,000 per person and she opined that it would be a whale of an expense. She opined that the Authority should allow the Legislators to do the job that they were elected to do. Chair Herston opined that the Board should decide today. H commented that he could back out because he has many meetings scheduled with the MPO for the next couple of months. Commissioner Seay commented that she has a new position and responsibilities at the university and to take additional time from this job will be a challenge. Chair Herston asked who is mandatory to attend the meeting. Commissioner Seay commented that most of the people attending are the staff and this group has been the only elected officials that have gone. Commissioner Coppola commented that she thought that the Board was going and coming back the same day. Commissioner Lee commented that the Board should be visible and a person to touch and talk to. He commented that the Board does not need do everything by phone and via letter, and he opined that all of the Board members need not to go but he stated that someone should represent the Airport Authority. Commissioner Seay suggested that the Authority's Executive Director or the Assistant Executive Director should attend on behalf of the Board. She opined that they are well equipped to handle any information related to the Airport. She commented that the problem of having a group of Board members attend is that the Board members cannot talk to one another which can get awkward and challenging. Commissioner Lee commented that the Airport Authority Board members are responsible for what happens at this Airport and not staff. He opined that someone from the Board should go with the Executive Director and it should be recognized that the Board is the responsible party for this operation and not staff. Commissioner Coppola commented that it directly reflects on the Board's election and agreed with Commissioner Lee. She commented that somebody from the group should go because it affects the Board. Commissioner Seay commented that as the appointed governmental liaison, she has been dealing with the representatives and the senators that she should be the one to attend the meeting. There was consensus to have Commissioner Seay attend.

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f) **Metropolitan Planning Organization** - Chair Herston reported that he will be attending the MPOAC meeting in Orlando this month and they will be looking at the declining state revenues gas tax for improvement of the Florida highways. He reported that this month there will be a joint meeting with Sarasota County.

g) **Aviation Activities Report** - Commissioner Andrews reported that there are some changes for the month of December which is attributed to the holiday season. He reported that the Avgas fuel sales are down and Jet fuel sales are up from November along with the fuel sales for the airlines. He reported for the month of December there were 10,282 enplanements. Commissioner Seay asked how close the Airport is

in reaching the millionth passenger. Mr. Quill commented there have been 947,532 enplanements. Mr. Parish commented that a program has been arranged for the millionth passenger and it will be discussed at the next meeting. Commissioner Andrews reported that there are eleven cities served by Allegiant Air from Punta Gorda. He reported that Allegiant Air has two aircraft based at the Punta Gorda Airport. He reported for the month of December there were 5,008 operations. He explained that it is either take-off or landing. He reported that the air carriers and air taxi are up and the military and general aviation are down from November. He reported the vacancies in the 600 series hangars and the 200 series hangars are down for the month of December. He reported that runway 9/27 was repainted and reopened and taxi lane lines were repainted in the T-hangar area. He commented that the Authority is looking at flooring, additional signage options for the FBO and that the FBO parking signage will be installed after the roadway is realigned. Mr. Parish commented that the Authority has a contract to realign the road coming into the Airport to make the FBO more obvious. He explained that there will be a turn into the FBO and that the signage will be increased. He commented that the Authority does register overnight parking and the Authority will add signage that any overnight parking that is not registered with the FBO, the vehicles will be towed. He commented that the problem with Allegiant Air pilots, flight attendants, and staff and Quickflight's staff is being worked on. Commissioner Andrews reported that a new gate is being installed on Golf Course Blvd. which will be used to access the T-hangars, which is across from the FedEx building, and the gate on Mooney will be a maintenance only gate. He commented that once both gates are operational the transition of traffic will begin and signs will be posted when the dates are known. Chair Herston requested Commissioner Andrews to research the ratio between the number of square footage that the Authority has available for rent and occupancy.

**10. Attorney's Report**

Attorney Garrard had nothing to report.

**11. Executive Director's Report**

a) **Development Update** - Mr. Parish reported that the Authority is meeting on the Site Improvement Project today and get that kicked off. He reported that the Authority had put the construction on hold until after the Air Show so as to not disrupt the passengers during the busy season. He commented that the construction will be done during the summer months. He reported that the Authority had bid the rental car parking as part of that project and that the Authority has not awarded that. He commented that the Authority is putting the FDOT money towards that project which will expand the rental car parking and they are currently parking where the terminal expansion will be. He reported that the Authority's Industrial Park road is under construction with the sub-base and water and sewer completed. He stated that the base and asphalt will be started in a couple of days. He reported that the swale, which will finalize the Authority's Master Drainage Plan is about 90% complete. He reported that the Authority bought a tractor to mow the swales along Piper Road and

5 in the Airport. He reported that the Authority is talking to a consultant to look at the terminal expansion and to justify the expansion with the FAA. He commented that one of the reasons the Authority did not start construction on the expansion was the loss of Direct Air and FAA wanted supplemental justification for the terminal expansion. He explained that the Authority has been talking to an airport in Jacksonville, NC that is similar in size and they received \$28,000,000 for expansion, which includes a tower and relocation of the terminal. He commented that they have more flights and most of them are RJs, 40-50 passenger jets, but they have the same number of enplanements. He commented that the Authority is talking to their consultants to see how they were able to do that and that the Authority is asking the consultant to put something together to allow the Authority to build what the Authority wants. He commented that the consultant may have different ideas and the Authority could re-arrange things to make the FAA happy. Chair Herston commented that it is great news and would like to see the Authority have the ability to plan further ahead. He asked if that included the possibility of a two story terminal. Mr. Parish stated that the consultant agreed that the second level boarding is a little bit out for the Airport. Chair Herston asked what percent is completed by the architectural firm on the design of the terminal. Mr. Parish commented that the Authority has stopped everything at 30%. He commented that a lot of things were further along because of the timeframe the Authority was under when Direct Air closed down. Chair Herston commented that a couple of months ago, the Authority did not know who was going to build the Master Drainage System ditch. Mr. Parish explained that the County included it in their development plans for the road because the County has so much money for the utilities and the roadway design that it got worked out. He reported that the pond was finished last week and that the Authority traded the excess fill from the swale for the work.

30 b) **T-Hangars** - Mr. Quill commented that the Authority has been discussing in great lengths the T-hangar occupancy and that he liked Commissioner Andrews idea of a partnership with a realtor to jointly market T-hangars with the intention of pulling retirees with aircraft into the Authority's T-hangars. He commented that for the first time in the state of Florida, there are locations that have never had T-hangar vacancies have them now. Commissioner Andrews commented that prior to hurricane Charley general aviation had a huge presence at the Airport and there was a waiting list for hangars and tie-downs. He commented that the program he has looked into is partnering with realtors to target a niche market, retirement age general aviation pilots, and to sell them on the community, life style and the benefits of basing their airplane at the Punta Gorda Airport. He explained that he saw a need for this partnership when the Authority has 30 to 50 vacant hangars and tie-down spots. He commented that by using local realtors to target a market, this niche group can develop a low cost way to increase the general aviation presence at the Airport. He commented that it will reduce the inventory of vacant hangars and tie-down spots and the revenue in rent and fuel sales will be increased. He commented that the advantages are increases in the revenue from rent and fuel sales, low cost to implement, flexible and easy to manage, businesses on the Airport will benefit from the increase need for their services; such as maintenance, upgrades or additional flight

5 training. He commented that the disadvantage is the economic uncertainty and he  
opined that it is starting to dissipate. He suggested that the Authority should recruit a  
couple of realtors and help them build a data base of retirement age aircraft owners  
and pilots from high density areas and create some marketing tools. He commented  
10 that everything has to be approved by the Executive Director. He suggested that  
rather than pay commissions for hangars or tie-down spots, the Authority will  
contribute towards the marketing costs. He commented that the requirements desired  
for the realtor should have aviation experience, but not required. He opined that the  
Authority would insist on tracking their marketing and reporting to the Authority's  
15 staff. He commented that all marketing materials referring to the Airport must be  
approved by the Authority's staff. Commissioner Seay commented that she liked it  
and stated that it is creative. She commented that it would be an opportunity to  
showcase what the Authority has to people that might be interested and she  
commented that she has never heard anything like this and it is a great idea.  
20 Commissioner Andrews commented that the builders use it and he has seen it in other  
aspects. Commissioner Seay asked if Commissioner Andrews knew of any realtors  
that might be interested in doing this. Commissioner Andrews commented that he  
knows a couple of aviation realtors that may be interested, but he has not approached  
anyone. Commissioner Seay commented that it is a tremendous idea and she  
25 suggested getting with the Authority's staff to find out what the cost would be and  
what it would entail to get it started. Chair Herston suggested that this should be  
added to the Aviation Activities Report and he opined that it would be a great  
program. Commissioner Andrews commented that he had researched and found a  
company that provides a data base and that there are many ways to do this, such as  
30 advertising in certain magazines or publications. He commented that the Authority  
needs to see who is interested and where the Authority can go with it. Chair Herston  
commented that type of marketing would fit in with Commissioner Lee's goal of  
pushing for marketing and that could be one aspect of it. Commissioner Coppola  
commented that it could encompass everything from airlines, racetrack, baseball  
35 fields and it would be a type of tourism development. She commented that it could  
be HUGE. She commented that there are a lot of assets and potential to expand and  
grow and she liked it very much. Commissioner Lee commented that it would be a  
perfect fit. Chair Herston suggested changing the title of Commissioner's Andrews  
committee to Aviation Activity/Asset's Report. Commissioner Coppola commented  
40 that the Authority will need a good person to develop the material. Commissioner  
Andrews commented that the Authority would want somebody to develop it and have  
it cleared through the Authority's staff.

40 c) **Miscellaneous Items** - Mr. Quill reported that the City of Punta Gorda is having a  
parade for the 500<sup>th</sup> anniversary of the founding of Punta Gorda and that it will be a  
challenge to participate in the parade because it will be on Saturday morning of the  
Air Show. He commented that the Board needs to be creative if they want to do the  
parade and to let the Authority know so it can be worked out. Commissioner Seay  
commented that she is on the committee and that they are promoting the 500<sup>th</sup>  
45 anniversary of the landing of Ponce de Leon in Charlotte Harbor. She explained that  
the celebration of 500 years is not just for Charlotte County but it is going on state

5 wide through various historical organizations looking for contributions. She stated that  
the Ponce de Leon Foundation, which is part of the Conquistadors, is the local  
organization that is spear heading it here. She commented that it is for 500 years ago  
and it will not happen again for another 500 years and she opined that it is something  
10 special to the area. Mr. Quill commented that the Authority will have more  
information next month on the millionth passenger. He reported that the Enterprise  
Charlotte Airport Park (ECAP) and the County's Economic Development Office will  
meet in January with the owners to discuss their Certified Site program. He  
15 explained that the County would know which sites are available that have utilities for  
when a developer is looking for an industrial space. He commented that the Airport  
has the water and sewer, off site retention and gas. He reported that another topic to  
be discussed is renaming of the ECAP and that they have eight items to discuss and  
Authority will attend the meeting. He commented that the Economic Development  
Office will be concentrating on getting movement in the Airport area. He reported  
that the Cheney Road is under construction and within two years they will commence  
building.

## 12. Old Business

- 20 a) **Enabling Legislation** - Mr. Quill commented that Commissioner Seay had explained  
the Enabling Legislation. He commented that the Legislative Delegation voted  
unanimously to endorse the Enabling Legislation.
- 25 b) **Punta Gorda Speedway** - Mr. Quill reported that the Speedway lease expires March  
31, 2013 with a three year option. He commented that the Authority has met a  
number of times with Mr. Williams and his attorney, Kevin Russell. He explained  
that the Authority had subtracted the value of the incentives from the land that  
Cheney had purchased from the County to determine a fair market value, which came  
30 to approximately \$7,500 per month based on 24 acres, and Mr. Williams could not  
pay that. He stated that the FAA wants the Authority to bid it out among multiple  
parties with \$4,000 - \$5,000 per month based on the same criteria. He commented  
that Mr. Williams has until March 31, 2013 to exercise that option. He commented  
that if the Authority bids it out, unless Mr. Williams had formerly rescinded his right  
35 for renewal, Mr. Williams could trump it by offering to pay \$7,500. He reported that  
the Authority is proceeding to get a survey of the area and a formal appraisal so the  
Authority has a record of what an independent third party would propose as the value,  
but he hopes that the Authority would be able to work something out with Mr.  
Williams. Commissioner Coppola asked what would be the cost of an independent  
40 appraisal. Mr. Quill commented that the Authority will be receiving the proposals  
from Bass and Associates. Mr. Parish commented that the Authority did an appraisal  
in September 2011 for sites greater than five acres of the Industrial Park, including  
the Speedway, and that is what the Authority had been using for the basis of a fair  
market value. He explained that the Authority negotiated with the FAA from that  
45 \$100,000 appraisal down to \$47,900 based on the most recent sale in the vicinity. He  
explained that the Authority did not appraise the race track, but the land and the  
Authority has to lease the land on the land value. He commented on the

5 misconception that this is a three year lease, but in actuality it is an eight year lease,  
10 five years was negotiated with the FAA at a considerable lower price because of the  
15 construction of Piper Road and a three year option at fair market value. He stated the  
20 only way the Authority can go under the stated fair market value is to put it out to bid  
25 and the bidders will decide the fair market value for the site. Commissioner Seay  
30 commented that the appraisal was conducted by an approved certified appraiser  
35 which states that the property is valued at \$100,000 per acre. She commented that  
40 there is a limit that the Authority is allowed to do and the FAA mandates that because  
45 this is an airport which is subjected to the Federal Aviation Administration policies.  
She explained, per the FAA policies, that if an airport leases properties on the Airport  
property it has to be at fair market value because the properties are intended by the  
government to support the Airport. She commented that it is helpful and positive that  
it supports the community as well and that the Authority has been doing that for 20  
some years when it started off as a mud bogging track. She explained that the fair  
market value according to the FAA requires that the Authority look at the highest and  
best use, and that there is a limitation on that because the highest and best use has to  
include the current use, and the limitations on changing that use the Authority cannot  
realistically do. She commented that the lease states the term of this lease is for five  
years with a three year option at fair market value which was established at that time  
and the current rent is lower than what the FAA had wanted it to be five years ago.  
She congratulated Mr. Parish for the additional work that has been done in  
negotiating with the FAA. She commented that she goes to the track on a regular  
basis and she sponsors a car and a truck, and the crowds can be big. She commented  
that the 30 day per year operation cannot sustain a 365 day per year lease. She  
commented that the Authority had explained this to all the owners and that they need  
to have diversification and without that diversification the track cannot support a 365  
day a year lease. She commented that the Authority had talked about reducing the  
footprint by changing the 24 acres to 23 which would allow for a reduction in the  
actual lease rate and that would reduce the parking spaces. She commented that she  
is willing to do anything to keep the track open except sell short the Airport and that  
when the FAA says this is the amount of money that the Authority has to lease that  
property for and, as a governmental entity; the Authority does have that limitation.  
She commented that the Authority had provided documents on alternative uses and  
that the baseball stadium does alternative uses all year and these are done to help  
support the property. She commented that the decision is not the Authority's and the  
lease was clear that it is fair market value and Mr. Williams signed it. She  
commented that if the Authority is to operate appropriately it has to be at fair market  
value and that if Mr. Williams chooses not to continue with the lease under the terms  
of which he signed it, there is nothing the Authority can do. Commissioner Coppola  
commented that Mr. Williams was represented by counsel at the signing of the lease  
and that there was no question of any clause that was not understood or something  
was not made clear. She suggested the possibility of raising the ticket price to help  
the race track out. There was discussion of ticket prices. Commissioner Seay  
commented that the business decision is to be made by Mr. Williams, that the  
Authority has restrictions which the Authority must abide. She commented that the  
Authority has come up with options which have been refused so the Authority is

5 between a rock and a hard place. She commented that the Authority had received a letter from Mr. Williams stating that by the end of January the lights, grandstands and his restaurant equipment will be gone. She commented that the Airport Authority Board has not received any further communication and she opined that the Authority's staff has made extraneous efforts to figure out what can be done. She commented that the Authority cannot force Mr. Williams to continue his business if it is not in his best interest and the Authority, as a government entity, does not have any latitude and have to work within the FAA guidelines. Commissioner Coppola asked if there is a penalty if the Authority does not follow the FAA rules. Mr. Parish commented that the Authority had sent a request to Mr. Williams and his attorney outlining the fair market value determination, which is based on the Cheney sale and the incentive reductions, and offered a three year option plus two one-year options at CPI adjustments. He commented that this option was made to the Speedway to give them more time to capitalize their investment. Commissioner Lee commented that he rarely agrees with Commissioner Seay, but she is absolutely right and that it is incompetent for Mr. Williams to not find a way to make enough money to pay his lease. He commented that if Mr. Williams can't do that than the Authority will have to find somebody else. Chair Herston asked of it would create a problem if the Authority would get somebody else in that area when the footprints are decreased and they would want to rent that. He asked if the new lease could include a first right of refusal on that property. Mr. Parish stated the problem with first rights is that no one will look at it if they negotiate with the Authority and someone could trump them at the last minute. He commented that the Authority has looked at a lot of options such as, a daily rental of the property for the Speedway, and if somebody wanted to lease that property that area will be lost. Chair Herston commented that the probability of that happening is small because of the condition it creates. Mr. Parish commented that is one of the reasons the Authority had discussed extending the lease from three to five years and the probability of the Authority developing the Industrial Park 100% in five years is slim to almost none. He commented that the Authority is comfortable with a five year extension and that the Authority could work around the footprint of the race track and the Authority had talked to Mr. Williams about shrinking it a little bit more. He reported that the Authority has done four sketches and descriptions of the property since Mr. Williams took over, all at his direction, and the Authority has paid for it each time. He commented that the Authority has never gone to full survey because Mr. Williams has never agreed to a sketch and description even though he has drawn it out on paper. He commented that Mr. Williams requested that the Authority do another area and the Authority had sent the request to the surveyors to put together another sketch and description. Chair Herston asked if the Authority based the rent on a percentage of the final number. Mr. Parish commented that it is based on a white paper from the FAA that the Authority had given to Mr. Williams' attorney explaining what the FAA considers fair market value, which is 8-12% and the Authority is at 8%. Chair Herston asked when the paper was written. Mr. Parish commented that it is a newer document and that it has been the rule of thumb. Chair Herston asked if a meeting is scheduled. Mr. Quill commented that the Authority is proceeding with the survey and the appraisal and the Authority will get with Mr. Williams as soon as they have it. He opined that, in the interim, the Authority will

continue discussions. Chair Herston asked if the Authority needs to go any further other than a sketch attached to Speedway's lease. Mr. Parish commented that generally no, but the Authority had mentioned to Mr. Williams that the Authority will pin the property for him so Mr. Williams can do improvements.

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### 13. New Business

#### a) Lease with Sun Coast Trucking – (Deleted)

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b) **Set Workshop for Board Orientation** - Mr. Quill commented that there were discussions about holding a Board Orientation Workshop. After discussion **Commissioner Lee made a motion to approve the Board Orientation Workshop on January 30, 2013 at 5:00 p.m. in this meeting room. Commissioner Seay seconded. Motion passed unanimously.**

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Commissioner Seay asked to be excused due to a prior commitment. Chair Herston excused her.

### 14. Citizen's Input

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**Carl Parsons** - Commented that he has been coming to these meetings for over four years and that he has seen only one land sale, which was Cheney Brothers. He commented on fair market value, getting an appraisal done, the importance of the Speedway and that 2013 will be a difficult year in the region.

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**Commissioner Deutsch** - Commented on behalf of the County Commission, the commissioners look at the Airport as one of the jewels in Charlotte County. He commented that there will be two ribbon cuttings through the Economic Development Office this year, the road and Cheney breaking ground. He commented that the County is looking into a new sign machine which will enable the County to do things beyond what they are currently doing. He commented that if the Authority is interested they might be able to work an arrangement with the County on usage of the sign machine. He commented that the people would like to see another airline that would go north and further east than Niagara Falls. He commented that there are seven curmudgeons at this meeting who will be getting a tour of the facility. He commented that anything the County Commissioners can do through tourism and economic development to help the Authority in their efforts to get a new airline here they are interested in doing that

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**Gary Bayne (SW Engineering)** - Commented that Cheney will be breaking ground at the end of this year and they are in the conceptual stages of a 289,000 sq. ft. building and a 426,000 sq. ft. building. He commented that SW Engineering is selling property from \$120,000 to \$130,000 an acre in the Industrial Park at the Airport Commerce Center and Cheney came in at \$80,000 an acre because there was no access to water and sewer and they spent \$1.2 million in grants and funding from the County to put in a road, water and sewer. He commented that he hopes that the appraisal took that into account when

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looking at \$80,000 so when the numbers are worked out the \$100,000 an acre is probably a pretty good number and he hopes that the Airport can work with the Speedway.

5 **Matt Butbosk** - He commented on behalf of the Speedway issue which included lease issues on the FAA website and noise.

10 **Melanie Beckner** - Commented on ticket prices at the Speedway, business generated by the Speedway and her concerns on bidding out the Speedway site. She opined that Mr. Williams has done a great job and she has known him for years and knows what kind a person he is.

15 **Richard Pitz (Curmudgeon)** - Commented on the proposed terminal building as to the size, location, drawings being available and future plans and that he is not impressed with the tower. Chair Herston commented that the Authority will have that information available on the tour.

20 **Bill Abbetematteo (Curmudgeon)** - Thanked Mr. Parish for attending their meeting and for inviting the Curmudgeons to attend the Airport Authority's Board Meeting. He commented that it will give them more insight on what to write in their articles and when speaking on issues with more authority. He suggested that the Authority contact their Congressman and have him introduce legislation attaching it to another bill and get it passed which will exempt the Airport Authority from the FAA regulations as it pertains to this racetrack. He commented on the appraisals and fair market values, the racetrack as entertainment, it employs people and it is an attraction for the Airport to get notoriety.

25 **Gene Weeply** - Commented on doing a partial lease because the Speedway is a partial business and to have another business in there.

30 **Jessica Bryant** - Shared with the Board an online petition that she had started to show their support of the racetrack. Chair Herston commented that there are 418 signatures.

35 **Jason Beckner** - He expressed his concern that if somebody else rents the Speedway site for more money that there will not be a racetrack. He commented that it would be great to get Jet Blue to fly into this Airport.

**Chris Neilson** - Commented on the time restraints on going out to bid and the appraisal being done.

## 40 15. Commissioner's Comments

45 **Commissioner Coppola** - Commented that the Airport is ruled by the FAA and the Airport loses money if the Airport does not follow these directions and conditions. She commented that as it stands now the Airport has to get fair market value for that property and that is why the Authority will either stick to the one the Authority had done a year ago or do a new one if things have changed. She commented that Cheney Brothers gave the Authority an idea of what the fair market value is. She commented why is Mr.

Williams afraid to go out for the bid if it could actually benefit him in the long run. She asked if there was a reason that he is afraid to do this bid and the bids could come in even lower. Mr. Quill commented that the FAA said to bid it out with a \$4,000 or \$5,000 a month. Commissioner Coppola commented that the Authority has always worked with any business entity to help them along and that as long as she has been a commissioner she has not seen the Authority turn their backs on anybody. She commented that the Authority does have to follow the rules and regulations and it can be changed by the Congressman through the legislature and she does not know if it is good or bad. She opined that something like that would not fly because it would affect the entire state and maybe the country. She opined that the Authority's hands are tied and that the Authority has to follow the rules. She thanked everyone for coming to the meeting.

**Commissioner Andrews** - Thanked everyone for coming to the meeting and speaking up for what they feel and believe in and he commented that is what makes this country what it is. He commented that he is not going into the speedway issue and he dealt with the FAA a good portion of his life and he has confidence in the Authority's staff to seek a solution that everyone can live with and stay within the requirements of the FAA. He welcomed Dan Pizzi for coming on board and he is a very knowledgeable and energetic person and he looks forward to seeing him continue with the Airport.

**Commissioner Lee** - Thanked everyone for coming to express their opinions. He commented that he is not commenting on the FAA and the Authority has had discussion with the FAA. He commented that one person on this Airport was almost put out of business because they decided to take on the FAA and he commented that the Authority is not going to do that. He stated that the Authority is going to get this resolved and it will take time and opined that everybody will not be happy.

**Commissioner Coppola** - Commended Jessica Bryant on the petition process and she agrees with it and it took a lot of guts and hard work and she did a good job.

**Chair Herston** - Thanked everybody, especially Commissioner Deutsch, Councilman Cavanaugh, Mr. Bayne and Mr. Stultz for coming. He thanked Mr. Quill, Mr. Parish and the Authority's staff for a great job. He thanked the Curmudgeons for coming.

## 16. Adjournment

Meeting adjourned at 11:07 a.m.

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James W. Herston, Chair

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Kathleen Coppola, Secretary/Treasurer