

TITUSVILLE – COCOA AIRPORT AUTHORITY

The Regular Meeting of the Titusville - Cocoa Airport Authority was held on June 20, 2019 at 8:30 a.m. at the Titusville - Cocoa Airport Authority Office at 355 Golden Knights Boulevard, Titusville, FL. The following members were present: Mr. Jerry Sansom, Chairman; Mr. Milo Zonka, Vice Chairman; Dr. David Hosley; Mr. Al Elebash; Mr. Michael D. Powell, C.M., ACE, CEO; Mr. Adam Bird, Attorney. Mr. John Craig, Treasurer was present via teleconference. Mr. Harry Carswell, Secretary, was absent.

Call to Order

Mr. Sansom called the meeting to order and determined that a quorum was present.

Approval of the Agenda

Mr. Sansom asked if there were any proposed changes to the Agenda. Seeing none, Mr. Sansom called for a motion to approve the Agenda as presented. Dr. Hosley made the motion. Mr. Elebash seconded. Mr. Sansom called the question. There were no objections. Motion passed.

Appearances – None**Presentations – None****Consent Agenda****Item A – Approval of the Titusville-Cocoa Airport Authority Minutes:****1. May 16, 2019 – Regular Meeting**

Mr. Sansom called for a motion to approve the Consent Agenda. Dr. Hosley made a motion to approve the Consent Agenda as presented. Mr. Elebash seconded. Mr. Sansom called the question. There were no objections. Motion passed.

Old Business – None**New Business****Item A – Discussion & Consideration of Davies, Houser & Seacrest as Certified Public Accountant Firm to Provide Auditing Services for the Titusville-Cocoa Airport Authority**

Mr. Powell gave a brief overview of the item, stating that the contract for auditing services was renewable every three years and that the contract for the renewal of Davies, Houser & Seacrest was close to what it was last time, which was \$20,000 for the first year and 2% increase for the following two years.

Mr. Zonka stated that he thought the Airport Authority should consider putting the auditing services out for a Request for Proposals (RFP). Mr. Craig concurred. Mr. Zonka made a motion to move forward with an RFP for auditing services. Mr. Craig seconded. Mr. Sansom called the question. There were no objections. Motion passed.

Item B – Discussion & Consideration of Evaluations for Legal Counsel

Mr. Powell gave a brief overview of the item, stating that the Board had the evaluation forms and were asked to fill them out and turn them into Staff for discussion at the next Board meeting. Mr. Powell stated that what Staff received was provided to the Board.

Dr. Hosley stated that he felt the Airport Authority was fortunate to have Mr. Bird on board. Mr. Craig stated that he felt Mr. Bird was doing a great job, but added that he thought it would be helpful for the Board to remain engaged with a weekly or bi-weekly summary by Mr. Bird, followed by discussion at the next Board meeting. Discussion continued.

Mr. Sansom asked Mr. Bird if he would be amenable to providing the Board with summaries. Mr. Bird stated that he would be happy to do that. Mr. Sansom requested that the summaries be bi-weekly, and they didn't provide enough information, it could be changed to weekly. Discussion continued.

Item C – Discussion by Mr. Nick Leone of Recent Invoiced Costs by Michael Baker International and Contractors Regarding Current Projects

Mr. Sansom turned the floor over to Mr. Leone.

Mr. Leone presented Pay Request Number 1 in the amount of \$14,392.72 from Michael Baker International, Pay Request Number 2 in the amount of \$8,257.71 from Michael Baker International and Pay Request Number 3 in the amount of \$41,436.59 from Michael Baker International, which were for the South Apron Rehabilitation Project at Merritt Island Airport.

Mr. Leone presented Pay Request Number 3 in the amount of \$28,025.30 from Michael Baker International and Pay Request Number 3 in the amount of \$72,675.00 from H.L. Pruitt, which were for the Airfield Lighting Rehabilitation Project at Space Coast Regional Airport.

Mr. Zonka made a motion to approve the invoices. Dr. Hosley seconded. Mr. Sansom called the question. All voted aye. Motion passed.

Mr. Leone gave an update on the Spaceport License procedure, stating that the FAA was in the process of setting up the public meeting, which would probably take place sometime in July. Discussion continued.

Item D – Discussion by Mr. Rob Hambrecht of Recent Invoiced Costs by AVCON and Contractors Regarding Current Projects

Mr. Sansom turned the floor over to Mr. Hambrecht.

Mr. Hambrecht presented Pay Request Number 1 in the amount of \$1,224.13 from Avcon, Inc., which was for the PAPI Replacement Project at Arthur Dunn Airpark.

Mr. Hambrecht presented Pay Request Number 1 in the amount of \$1,000.00 from Avcon, Inc., which was for the Airfield Marking Improvements Project at Arthur Dunn Airpark.

Mr. Elebash made a motion to approve the invoices. Mr. Zonka seconded. There were no objections. Motion passed.

Information Section**CEO Report**

Mr. Powell discussed the many different entities that were showing increased interest in bringing their businesses to the Airport Authority.

Dr. Hosley asked Mr. Powell what was going on with Eastern Florida State College. Mr. Powell stated that he understood they would be moving out of Melbourne and were looking for a home and were looking for partnership opportunities. Mr. Powell stated that they have expressed interest in coming to Space Coast Regional Airport. Discussion continued.

Mr. Zonka stated the he wanted to get a sense of the management process in regards to an employee that was reported to have used racial language. Mr. Zonka stated that said employee's supervisor had recommended termination, but since Mr. Powell had overridden that recommendation, he wanted to know what the thought process was on that situation.

Mr. Sansom asked Mr. Zonka to clarify what he meant by using the word "override", and asked him if he felt the supervisor had termination authority. Mr. Zonka stated that Mr. Powell overrode the recommendation. Mr. Sansom stated that he didn't override the recommendation, but simply made a decision.

Mr. Powell stated that he followed policy and direction from legal counsel. Discussion continued.

Mr. Bird stated that the Board had received his opinion letter on the policy to follow. Mr. Bird stated that the policy wasn't that clear, but given the circumstances and investigation, there was obviously a degree of leeway within the framework of the policy. Mr. Bird stated that this was common in personnel manuals and disciplinary policies, so you're left with trying to find the most analogous corollary within the framework that the policy sets out, and make the

best decision that the policy guides you to make. Mr. Bird stated that there were considerations on both sides, and ultimately his feeling was that it was a major issue from a disciplinary sense, but not a dismissal issue. Mr. Bird stated that he explained in the letter, why he thought that was the case. Discussion continued.

Mr. Bird stated that he wanted to be clear that the accused employee denied that the situation happened, and there were only two people involved in the situation. Dr. Hosley questioned whether or not the Airport Authority needed to take a look at the policies and procedures, given the current atmosphere. Mr. Bird stated that he always thought it was a good idea for an entity to be on top of their policies and procedures and updating them as they saw fit, and if the Board felt strongly about it, they had that choice. Mr. Bird stated that the policy was a bit disjointed, so based on that, he and Staff did have to cobble together a procedure that they felt followed the manual. Mr. Sansom asked Mr. Bird if he felt the policy needed more language. Mr. Bird stated that he didn't feel that it did. Discussion continued.

Mr. Craig stated that he thought it would be a good idea to have a policy review cycle set up, and that there may need to be a workshop. Mr. Craig stated that it may be necessary in order to keep up with social and legal trends, and make sure the Airport Authority policies reflected both the law and the intentioned spirit of what the Board was expecting of employees. Mr. Sansom asked Mr. Powell and Mr. Bird to work on that. Discussion continued.

Mr. Zonka discussed his concerns that the employee that reported the incident had stated (in the report) that he was hesitant to report the incident for "reasons I'm sure you understand". Mr. Zonka stated that he was curious how to address that statement that the employee wasn't comfortable going to the CEO in airing a concern. Mr. Bird stated that when there were these types of situations in any workplace, the level of awkwardness existed. Mr. Bird stated that the question was where the sentiment was coming from, whether it was a general sentiment or whether it was more of a personal concern about a specific manager or about Mr. Powell or about somebody else. Mr. Bird stated that the motive for the statement was important to understand. Mr. Zonka asked Mr. Bird if he inquired or investigated the statement. Mr. Bird stated that he did not. Mr. Zonka asked Mr. Powell if he investigated it. Mr. Powell stated that he asked, and he got a couple of different responses, but that the employee that said it, stated that the person who allegedly made the derogatory statement said it in a joking matter and while laughing. Mr. Powell stated that the employee also said that they were worried about another person who may have had a vested interest in the particular outcome. Mr. Powell stated that he did not get the impression that there was fear of retaliation from himself. Mr. Bird stated that in a hypothetical situation, if somebody had a complaint about Mr. Powell there would need to be a third party that the employee could go to. Discussion continued.

Mr. Zonka stated that he understood that The Florida Commission on Human Relations had some type of whistleblower guidance online. Mr. Samson stated that perhaps that was something the Airport Authority could put on the website and put

in the policy manual, so that everyone knew they had that option if they felt that there would be hesitancy. Discussion continued.

Mr. Sansom turned the floor over to Mr. Bennie Jackson, a representative of the NAACP. Mr. Jackson stated that he received a phone call from someone regarding the issue. Mr. Jackson stated that he was concerned that the policy that was almost twenty years old had not been updated and the employee was still employed. Mr. Jackson stated that he felt that was unacceptable. Discussion continued.

Mr. Bird gave Mr. Jackson a very detailed explanation as to why he felt the situation was handled appropriately. Discussion continued.

Mr. Powell discussed the unexpected resignation of the Facilities Manager, Mr. Mike Wimberly, who had only been with the Airport Authority for a short time. Mr. Powell stated that he received an email and text from Mr. Wimberly with his resignation on Monday, and that he had come in to the office, but then went home and sick before he had a chance to speak with him. Mr. Powell stated that the resignation came as a surprise to him, because Mr. Wimberly did not give an indication. Mr. Powell stated that before he started, Staff had taken him down to the maintenance yard to make sure that he fully understood the daunting task at hand. Discussion continued.

Mr. Sansom stated that the Board received an email from Mr. Wimberly on the same day. Mr. Powell stated it was very disheartening, but he understood his position. Mr. Sansom stated that the email had several photos and that his opinion was that the gentleman felt the job was bigger than he thought and he changed his mind. Mr. Craig stated that he was concerned, because he was under the understanding that the gentleman was going to take care of the inventory problem and it still wasn't finished. Discussion continued.

Dr. Hosley stated that it was obvious there was work to do, based on the photos, and that he was sorry that the Airport Authority was losing Mr. Wimberly so soon. Mr. Powell stated that the pictures he sent depicted property that had been identified and marked for disposal, and that he was working on scrapping it. Mr. Powell stated that some of the equipment worked well for a very long time, but it was no longer cost effective to try and keep it all running. Mr. Powell stated that one of the first things he was tackling was to clean up the facility, and to create a detailed priority sheet with a list of existing equipment and how quickly it needed to be fixed or replaced. Discussion continued.

Mr. Zonka stated that he was concerned how the Airport Authority gotten to this point, adding that it created unsafe conditions. Mr. Zonka noted that there had been zero dollars spent on renewal and replacement, and he felt that there had not been enough proactivity. Mr. Powell responded regarding the facilities and stated that Staff was currently working with contractors for repairs. Discussion continued amongst the Board.

Mr. Zonka made a motion to terminate Mr. Powell. Mr. Sansom called for a second. Motion failed for lack of a second.

Mr. Powell concluded his report.

Attorney Report

Mr. Bird reported that the trial date for Welsh Construction had been pushed out for additional discovery. Mr. Bird stated that he had gained good information at the mediation on Welsh's strategy and the facts that the plaintiff's motive was relying on.

Mr. Bird reported that there was going to be an eviction on a tenant that never took possession, which would be fairly simple, and he would pursue a judgement.

Mr. Bird stated that there were a few t-hanger items to be sold, but Staff was going to hire a third party for auction this time around to generate a little more interest.

Mr. Bird thanked the Board for their evaluations, stating that it was an honor and a privilege for him to work for them. Mr. Bird stated that he hoped if there were any specific issues, they would come to him.

Mr. Bird concluded his report.

Check Register & Budget to Actual

Mr. Powell stated that the financials had been provided. Discussion continued.

Mr. Zonka stated that it would be helpful to the Board if they could get an aging report before the next Board meeting. Mr. Powell stated that Staff would comply. Mr. Zonka asked about the aging of grant receivables. Ms. Ashley Campbell, Finance & Grant Administration Manager, stated that the oldest invoice that she had, which was from May, would be processed for the final grant draw as soon as she had the signed letters from today's meeting. Ms. Campbell stated that the negative amount that Mr. Zonka was looking at in the development fund, was within Sage and as soon as the amount was received it would go directly to the account and offset the negative balance. Discussion continued.

Administration & Project Reports

Mr. Powell stated that the report was provided and would be happy to answer any questions.

Mr. Zonka asked for an update on the Box Hangars Project at Merritt Island. Mr. Powell gave an update, stating that there had been some delays due to some shrinkage cracks in the foundation and missed saw cuts. Mr. Powell turned the floor over to Mr. Nick Leone from Michael Baker International to give a more detailed explanation. Discussion continued.

Authority Members Report

Dr. Hosley stated that in regards to the current Board vacancy, the City of Titusville needed a candidate. Mr. Bird stated that there had been one candidate, but because he served on another dependent district board, he was not eligible. Discussion continued.

Dr. Hosley stated that there would be different spins on what was discussed at today's meeting, which would come back to Mr. Powell. Dr. Hosley suggested to Mr. Powell that he call all of his team members together for a discussion. Dr. Hosley stated that if Mr. Powell communicated directly with each team member, it would prevent the scuttlebutt from putting a spin on it. Mr. Powell stated that he would comply and that Staff was already working on classes for the employees. Discussion continued.

Mr. Sansom stated that he was hoping that everyone could get back to being a team to include board members who made the organization work. Discussion continued.

Public & Tenants Report

Mr. Sansom recognized Mr. Bennie Jackson from the North Brevard branch of the NAACP, who had spoken earlier. Mr. Jackson thanked the Board for allowing him to be present and speak, adding that he agreed with Dr. Hosley's statements that the tone and culture of an organization was set from the top down. Mr. Jackson stated that he felt that the Airport Authority's reputation and integrity was seriously at risk.

Mr. Bill Weiler, from the Civil Air Patrol, reported that Kennedy Space Center was hosting its first major Spaceport Teachers Conference in late July. Mr. Weiler stated that CAP has identified 40 of the 400 teachers are Civil Air Patrol members, and they would be bringing in at least 6 aircraft into Space Coast Regional Airport and would be using the Valiant Air Command ramp and museum and the 40 teachers would be taking orientation flights.

Mr. Weiler stated that Merritt Island Airport squadron was recognized by the Air Force for completing all taskings of the quarterly military exercises for 2 quarters in a row.

Mr. Don White from the EAA at Merritt Island Airport stated that he knew of some good auction companies, in addition to an auction company that the County used called René Bates. Mr. White offered for the EAA to help with inventory control. Discussion continued.

Mr. Kevin Luby from USATs at Space Coast Regional Airport, introduced himself to the Board. Mr. Samson told Mr. Luby that the Airport Authority was committed to their success.

Adjournment

Mr. Sansom adjourned the meeting at 10:14 a.m.

JERRY SANSOM, CHAIRMAN

HARRY CARSWELL, SECRETARY