

**TITUSVILLE – COCOA AIRPORT AUTHORITY**

The Regular Meeting of the Titusville - Cocoa Airport Authority was held on December 19, 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. John Craig, Vice Chairman; Mr. Harry Carswell, Treasurer; Mr. Al Elebash, Secretary; Mr. Milo Zonka; Mr. Roger Molitor; Mr. Donn Mount; Mr. Michael D. Powell, C.M., ACE, CEO; Mr. Adam Bird, Attorney.

**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. Mr. Powell stated that Mr. Kevin Panik had asked to do a presentation. Mr. Sansom stated that it would be best to have him do it under public statements. Mr. Craig made a motion to approve the Agenda as presented. Mr. Zonka 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. November 21, 2019 – Regular Meeting**

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

**New Business****Item A – Discussion and Consideration of the Evaluations and Performance of the Chief Executive Officer**

Mr. Powell gave an overview of the item, stating that the evaluation form was sent out and it was up to the Board to decide how to proceed. Mr. Sansom suggested that each Board member make comments based on their evaluations of Mr. Powell's performance.

Mr. Sansom turned the floor over to Mr. Molitor. Mr. Molitor gave his evaluation of Mr. Powell's performance, summarizing that he felt there were some areas that

needed improvement, including improving financial statements, getting new business, maintaining facilities and equipment, finding additional sources of revenue, and managing issues with personnel.

Mr. Sansom turned the floor over to Mr. Elebash. Mr. Elebash stated that he felt Mr. Powell was great at outside connections, but in the past year there were some issues that slid under the radar. Mr. Elebash stated that in his opinion, Mr. Powell was taking the right approaches so that those things could be prevented in the future.

Mr. Sansom turned the floor over to Mr. Zonka. Mr. Zonka discussed his evaluation of Mr. Powell's performance stating that he felt he was a likable guy, but there were several failures. Mr. Zonka listed what he felt were failures and stated that he felt Mr. Powell should be terminated.

Mr. Sansom turned the floor over to Mr. Carswell. Mr. Carswell discussed his evaluation of Mr. Powell's performance, stating that he appreciated what he had done for the Airport Authority. Mr. Carswell stated that over the long range since Mr. Powell has been in his position, he felt there was a big difference from where the Authority was compared to where it is now. Mr. Carswell stated that he felt Mr. Powell had done very well on that. Mr. Carswell discussed Mr. Powell's ability and need to delegate. Mr. Carswell stated that if there were problems, Mr. Powell was available to correct them.

Mr. Sansom turned the floor over to Mr. Craig. Mr. Craig stated that he felt a better evaluation form should have been used, because the current one was inadequate and needed revision. Mr. Craig discussed his evaluation of Mr. Powell's performance, stating that he felt there was too much generality in Mr. Powell's answers to issues, and that he felt there should be a written business development plan in place. Mr. Craig also stated that he felt a preventative maintenance plan should be part of the budget, and that the By-laws needed to be updated.

Mr. Sansom turned the floor over to Mr. Mount. Mr. Mount stated that he couldn't disagree with the majority of what was said, and that a lot needed to be fixed. Mr. Mount stated that he felt that there was massive amount of financial information given to the Board members and it would be better to have a high level summary. Mr. Mount stated that he felt the Authority should take the criticisms and put them into correction action, and over the next year if the corrections are not put into action then they could think about replacing Mr. Powell.

Mr. Sansom stated that he was a supporter of Mr. Powell, but obviously the Board couldn't ignore the issues that have been going on. Mr. Sansom stated that he felt Mr. Powell needed to work closer with Board members to find out what their issues and concerns were. Mr. Sansom stated that he didn't think giving Mr. Powell a year to fix the problems, or face termination, was a good idea, but he felt it was a good opportunity for the Board members to say what they feel and give Mr. Powell an opportunity to see what he could do.

Mr. Sansom turned the floor over to Mr. Powell. Mr. Powell stated that he appreciated the input and would take it to heart. Mr. Powell stated that he would work hard to address everyone's comments and/or concerns. Discussion continued.

Mr. Powell went through several items that he and Staff had done to improve several of the discussed issues in the past and addressed the Board members' current concerns. Discussion continued amongst the Board and Mr. Powell.

Mr. Zonka made a motion to terminate Mr. Powell. Mr. Craig seconded for the sake of discussion. Discussion continued.

Mr. Bird explained to the Board that Mr. Powell's contract was a two year contract with another year renewal based on a positive review. Mr. Sansom stated that the Board had evaluated Mr. Powell and their decision was either to rate Mr. Powell as satisfactory and authorize Mr. Bird to negotiate and additional contract, or terminate him.

Mr. Bird explained that an overall Board vote on a negative review, would mean the contract would not renew and there was no clear answer. Mr. Bird stated that at that point a new contract could be negotiated. Mr. Bird stated that the pending motion was to terminate Mr. Powell.

Mr. Elebash stated that there were some serious items brought to Mr. Powell's attention, but he didn't think he should be terminated. Discussion continued.

Mr. Carswell stated that he was not in favor of terminating Mr. Powell, and he gave him a favorable review. Discussion continued.

Mr. Craig stated that he felt there were some great points made today and stated that Mr. Powell had some great personality points, but he felt there was work to be done whether Mr. Powell was in the position of CEO or someone else was. Mr. Craig stated that the Board had lot of work to do on setting expectations and goals, and setting the tone for what was expected inside the organization.

Mr. Mount stated that he wasn't in favor of terminating Mr. Powell at the time, and that he felt it was something that Mr. Powell and the Board should try to work through in the next year. Discussion continued.

Mr. Molitor stated that he was on the fence about voting to terminate Mr. Powell, but he was leaning towards voting against the motion.

Mr. Sansom stated that he didn't support the motion. Discussion continued.

Mr. Zonka stated that he knew where the votes were going, but he felt the Board needed to discuss the three options available, whether termination, positive review

and continuation of the contract, or an unsatisfactory review, but Mr. Powell would continue his job without a contract.

Mr. Sansom called the question. Mr. Zonka and Mr. Craig voted aye. Mr. Molitor, Mr. Elebash, Mr. Carswell, Mr. Sansom and Mr. Mount voted nay. Motion failed. Discussion continued.

Mr. Zonka made a motion for the Board to find a non-positive review for Mr. Powell. Mr. Craig seconded. Discussion continued.

Mr. Sansom called the question. Mr. Zonka and Mr. Craig voted aye. Mr. Molitor, Mr. Elebash, Mr. Carswell, Mr. Sansom and Mr. Mount voted nay. Motion failed. Discussion continued.

Mr. Mount made a motion for the Board to impart a positive review for Mr. Powell. Mr. Elebash seconded. Mr. Sansom called the question. Mr. Molitor, Mr. Elebash, Mr. Carswell, Mr. Sansom and Mr. Mount voted aye. Mr. Zonka and Mr. Craig voted nay. Motion passed. Discussion continued.

**Item B – Discussion by Mr. Aaron McDaniel of Recent Invoiced Costs by Michael Baker International and Contractors Regarding Current Projects**

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

Mr. McDaniel presented Pay Request Number 10 in the amount of \$16,539.30 from H.L. Pruitt, and Pay Request Number 9 in the amount of \$17,229.82, from Michael Baker International, which were for the Airfield Lighting Rehabilitation Project at Space Coast Regional Airport.

Mr. Craig made a motion to approve the invoices. Mr. Elebash seconded. Mr. Sansom called the question. All voted aye. Motion passed.

Mr. McDaniel gave an update on the Spaceport License application process, stating that the public meeting would be held at Space Coast Regional Airport between 5 and 8 p.m. on January 8<sup>th</sup>, 2020. 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 3 in the amount of \$8,831.19 from AVCON, Inc., which was for the PAPI Replacement Project at Merritt Island Airport.

Mr. Molitor made a motion to approve the invoice. Mr. Craig seconded. There were no objections. Motion passed.

**Information Section****CEO Report**

Mr. Powell reported that Staff had opportunity to meet with FEMA and the Airport Authority was going to get consideration for the damage done by Hurricane Dorian.

Mr. Powell reported that a Fortune 500 company that needed to be at a facility like Space Coast Regional Airport to use transportation in a method not previously executed. Discussion continued.

Mr. Powell concluded his report.

**Attorney Report**

Mr. Bird discussed the Manor Drive/DeGrasso matter at Merritt Island Airport, stating that ultimately it was an FAA decision. Mr. Bird stated that he just received a survey showing the easement, which he was trying to determine if it still existed, and that it would help determine if the Airport Authority would need to move the fence to make sure it was not on Mr. DeGrasso's property. Mr. Bird stated that it didn't really affect the through-the-fence operation, but that discussion would be continue with the FAA.

Mr. Bird discussed the Welsh case, stating that the pre-trial date was re-set, and he felt it was going to end up in a trial. Mr. Bird stated that Staff had submitted everything there was to submit. Discussion continued.

Mr. Bird stated that he received a surprise case management conference notice regarding a case that was filed in 2010, and that he needed Board direction. Mr. Bird stated that the case was the Airport Authority vs. FM Florida Land Company and KB Homes. Mr. Bird stated that there had been no activity since 2013, and he had thirty days to take action. Mr. Powell gave a brief overview of the case. Discussion continued.

Mr. Sansom suggested putting that KB Homes item on the agenda for January's meeting. Discussion continued.

Mr. Bird concluded his report.

**Check Register & Budget to Actual**

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

**Administration & Project Reports**

Mr. Powell stated that the report was provided with a few small updates and the Authority was close to getting a Certificate of Occupancy on the Box Hangar Project at Merritt Island Airport.

**Authority Members Report**

Mr. Molitor stated that a couple of the dates on the proposed 2020 Board meeting schedule needed to be checked and corrected.

Mr. Zonka discussed the Box Hangar Project and the original intent for the funds, which was to build a fuel farm at Arthur Dunn Airpark. Mr. Zonka stated that FDOT was not happy with using the grant for that, so he pushed to have the funds moved to a project that would bring in more revenue, which were hangars. Mr. Zonka stated that he felt he wanted to express that scenario, so the Board could see why he felt the way he did regarding Mr. Powell. Mr. Zonka then stated that he was putting in his resignation for the Airport Authority Board. Mr. Craig thanked Mr. Zonka for his service.

Mr. Sansom stated that the state legislative session would begin the second week of January.

**Public & Tenants Report**

Mr. Kevin Panik gave a presentation on how he felt the Airport Authority could improve and maintain their existing facilities, as well as making property ready for new businesses to come, by asking the County for Ad Valorem taxes. Discussion continued.

Mr. Don White, from the EAA at Merritt Island Airport, stated that their recent Toys for Tots event was successful. Mr. White stated that Space Coast Regional Airport EAA Chapter was hosting the Ford Tri-Motor at the Valiant Air Command January 8-12. Mr. White stated that the next Young Eagles event was going to be on January 25. Mr. White discussed the cost of the new box hangars, stating that there had been a 400% increase in the construction cost since the last box hangar building had been constructed just a few years ago. Discussion continued.

**Adjournment**

Mr. Sansom adjourned the meeting at 11:12 a.m.

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JERRY SANSOM, CHAIRMAN

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AL ELEBASH, SECRETARY