

**TITUSVILLE – COCOA AIRPORT AUTHORITY**

The Regular Meeting of the Titusville - Cocoa Airport Authority was held on February 18, 2016 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. Jay Stalrit, Vice Chairman; Mr. Harry Carswell, Secretary; Mr. Milo Zonka, Treasurer; Ms. Patricia Patch; Dr. Wasim Niazi; Dr. David Hosley; Mr. Michael D. Powell, C.M., ACE, CEO; Mr. Timothy Pickles, Esq., Airport Attorney. Mr. Sansom, Chairman, was present via teleconference.

**Call to Order**

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

**Approval of the Agenda**

Mr. Stalrit asked if there were any changes or additions to the Agenda. Seeing none, Mr. Stalrit asked for a motion. Dr. Hosley made a motion to approve the Agenda as presented. Ms. Patch seconded. Mr. Stalrit 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. January 21, 2016 – Regular Meeting**

Mr. Stalrit requested a change to the wording in the minutes on Page Six, stating he would like to use the word “customer”. Mr. Carswell made a motion to approve the Agenda as amended. Ms. Patch seconded. Mr. Stalrit called the question. There were no objections. Motion passed.

**Old Business – None****New Business****Item A – Discussion by Mr. Aaron McDaniel of Recent Invoiced Costs by Michael Baker International and Contractors Regarding Current Projects**

Mr. Powell gave an overview of the item and turned the floor over to Mr. McDaniel.

Mr. McDaniel presented Pay Request Number 11 in the amount of \$127,948.50 from C & D Construction, which was for the East Side Hangar Project at Space Coast Regional Airport. Discussion continued.

Mr. McDaniel presented Invoice Number 930761 in the amount of \$41,565.61 and Invoice Number 932784 in the amount of \$60,363.94, both from Michael Baker, in addition to Pay Request Number 7 in the amount of \$106,448.56 and Pay Request Number 8 in the amount of \$205,804.58, both from Welsh Companies, and Pay Request Number 5 in the amount of \$3,922.50 from Sterling Enterprises, which were for the RSA Compliance & Shoreline Stabilization Project at the Merritt Island Airport.

Mr. McDaniel explained that two of the pay requests for the RSA were from last month, because there had been some discrepancies that had to be worked through in regards to requests from the contractor, which Michael Baker was not willing to certify. Mr. McDaniel stated that the issues had been worked out and they were now caught up with the pay requests. Discussion continued.

Mr. Zonka asked if there was an agreement in place with the contractor in regards to the movement of the seagrass. Mr. Pickles stated that the issue was still in dispute, adding that there had been a meeting regarding that with Michael Baker representatives, himself and the contractor and their attorney. Mr. Pickles stated that there had been a dispute on the draw, so the Airport Authority flipped the next draw and moved it forward so they could pay the contractor for the work they did do, but there was a substantial dispute over Draw Number 7, which wasn't accepted by Michael Baker. Mr. Pickles stated that as long as they got the work done, the project could be closed out, and then continue to litigate the potential seagrass issue. Mr. Pickles stated that he spoke with Welsh's attorney, who was supposed to get back to him, but had not thus far. Discussion continued.

Mr. Pickles stated that his hope was that Welsh would complete the job either way, because their argument was for work that wasn't performed but it was already passed so they don't need to do that work. Mr. Pickles added that after substantial completion the project could be closed out and they could litigate over the \$300,000 that Welsh thought they were owed afterwards. Discussion continued.

Mr. McDaniel stated that pilots at Merritt Island Airport had expressed concerns over a dip in the runway. Mr. McDaniel stated that he believed he had found a way to get an investigation and some technical borings. Mr. McDaniel explained that the dip was where the original shoreline was and had sent email to Mr. Farris from the FAA and Alison McCuddy from the FDOT regarding the issue. Mr. McDaniel stated that they needed to identify the requirement and then fix it. Discussion continued.

Ms. Patch made a motion to approve the invoices. Mr. Zonka seconded. Mr. Stalrit called the question. There were no objections. Motion passed.

Mr. Stalrit recognized Mr. Tony Yacono from the Merritt Island Airport. Mr. Yacono stated that the dip on the runway had been there for a while and that it was due to the runway extension. Mr. Yacono also stated that there was going to be a Young Eagles event at the airport on March 19<sup>th</sup>. Mr. Yacono asked the Board if the road that was put in at the airport for construction could remain so that it would be easier for the fire department to respond to emergencies. Mr. Powell stated that Staff had thought of that. Mr. McDaniel explained that they had worked with the contractor to keep the roadway on the south side of the runway, but the other part of the roadway had to be taken out because of storm water retention. Discussion continued.

Mr. Yacono asked Mr. Pickles what happened to the program that was in process for the Airport Authority to pull their own permits. Mr. Pickles stated that City of Titusville went ahead and agreed that the Airport Authority now be governed by the provisions within the airport confines. Mr. Pickles stated that the Airport Authority was able to get what they wanted without having to spend the money. Discussion continued.

Dr. Hosley asked Mr. Yacono if he felt there was a safety issue with the dip in the runway at Merritt Island Airport. Mr. Yacono stated that it could be a problem with some aircraft but not all. Mr. Stalrit asked Mr. McDaniel if there was a timeline for doing the survey. Mr. McDaniel stated that it could be done as soon as it was approved and a task order issued, it could be done in about fourteen days, adding that they would like it to get done before the RSA was finished and while the runway was closed down. Discussion continued.

Dr. Niazi stated that perhaps the issue with the dip in the runway at Merritt Island Airport should be reported in the airport directory or a NOTAM issued. Mr. Stalrit asked Mr. Powell to come back to the Board with a recommendation.

## **Information Section**

### **CEO Report**

Mr. Powell reported that the Airport Authority was in the process of getting rid of the old hangar building at Space Coast Regional Airport in order to have full utility of the new facility.

Mr. Powell reported that Staff was ready to go on the Safety and Security Project at Merritt Island Airport, and gave a brief explanation. Mr. Powell stated that Staff was still working on the settlement agreement with FDOT, so they didn't want to move to fast on that. Mr. Powell stated that they didn't want to much going out and not enough coming in.

Mr. Powell reported that the Airport Authority was gaining more attention from businesses and that Kennedy Space Center had asked him to sit in on a Spaceport Development Committee roundtable.

Dr. Hosley asked what was going on with Comp Air at Space Coast Regional Airport. Mr. Powell stated that they had some contracts and were very busy.

Mr. Stalrit asked if North American Surveillance Systems was going to lease the new building on the East side of Space Coast Regional Airport. Mr. Powell stated that they wanted the hangar, but they were waiting on a signed contract. Mr. Zonka asked if there was a Certificate of Occupancy on the building yet. Mr. McDaniel stated that they were scheduled to do a foam drop today, but the inspector had come up with some more requirements that needed to be met. Mr. McDaniel stated that it should be wrapped up by the next week, though, and the foam drop test would be done and they could get the C.O. right afterwards. Mr. Powell stated that Mr. McCourt from NASS wanted the old hangar to come down first. Mr. Zonka stated that there should be no reason the Airport Authority couldn't get a commitment. Discussion continued on whether or not the building should be put on the market.

Mr. Stalrit suggested giving Mr. Powell direction to market the building after the C.O. was in place, and perhaps explaining to NASS that the Airport Authority would love to have them, but there were other interested parties. Mr. Zonka stated that the Board needed to look at the way the Airport Authority did business arrangements and that there should be financial commitments. Mr. Pickles stated that it was a better practice to get a commitment. Discussion continued.

Dr. Niazi stated that some of the fire extinguishers in the t-hangars were so old they couldn't be certified. Mr. Richard Jones, Facilities Director, stated that if they were no longer certifiable, the Airport Authority would replace them. Discussion continued.

Dr. Hosley asked if the building at the corner of Tico Road and Golden Knights Boulevard at the Space Coast Regional Airport was leased. Mr. Powell stated that it was leased by US Applied Physics, which was a division of NASS. Discussion continued.

Dr. Hosley stated that this year the Valiant Air Command was going to do a night performance at their annual air show and asked Mr. Powell if that would have any impact. Mr. Powell stated there may be some impact and safety issues that could cause concern. Mr. Powell stated that the night performance will only be on the Friday show, so Staff would see how it went.

Mr. Powell concluded his report.

**Attorney Report**

Mr. Pickles reported that the Airport Authority was sued in small claims court, because a tenant at the Airport Storage facility had exercise equipment in one of the units and she stated it was damaged after being in the storage unit for 9.5 years. Mr. Pickles stated that in his opinion there was no merit to the case, but the Board may see an appearance from her next month to ask for some sort of compensation. Mr. Pickles advised the Board to consider entertaining it as the cost of defense would be more than settling. Mr. Pickles stated that she claimed that she was relying on a statement from whoever rented her the unit that it was climate controlled and it was not, but it was air conditioned. Mr. Pickles stated from a legal standpoint there wasn't much there. Mr. Pickles added that she claimed the equipment was worth \$30,000 but the maximum limit in small claims was \$5,000.

Mr. Pickles concluded his report.

**Check Register & Budget to Actual**

Mr. Powell stated that the reports had not been provided this time, because Ms. Jimenez was out of the office. Mr. Powell also stated that the audit would not be reviewed at this meeting and that all the financials would be available at the next meeting. Mr. Powell mentioned that the audit report should be sent to the Board members prior to the meeting.

**Administration & Project Reports**

Mr. Powell stated that there was not a lot of change.

Mr. Stalrit asked Mr. Powell to discuss the Pavement Markings Project at Space Coast Regional Airport which was on the last page of the report. Mr. Powell stated that technically that project was not finished because they ended having to do more work on the AGIS Survey.

Mr. Powell stated that the Wildlife Hazard Management Plan had been finished.

**Authority Members Report**

Mr. Zonka stated that there had been an inquiry on CEO salaries and discussed putting more historical data on the Airport Authority website.

Mr. Sansom asked about the status of the Spaceport License. Mr. McDaniel stated that the Environmental Assessment had been turned in, and he didn't anticipate any problems. Mr. McDaniel explained that April 1 would be the start of the six month period for public comment, and that it could potentially be completed by the end of October. Discussion continued.

Mr. Sansom asked Mr. Powell to contact Congressman Posey's office to ask questions regarding the Spaceport License and why it was taking so long.

Mr. Stalrit stated that he was expecting a walk-down of the West side of Space Coast Regional Airport with a government customer soon.

Dr. Hosley asked Mr. Eric Nelson from Precision Exotics if after they packed up and went to Los Angeles, would they be coming back to the Board in December in order to operate at Space Coast Regional Airport again. Mr. Nelson stated that everything seemed to be going well and as long as everyone was okay with it and it made sense for them to return, they would formally ask. Discussion continued.

Mr. Powell stated that Board members had mentioned perhaps reviewing the Airport Authority policies that were currently in place. Mr. Powell stated that he would email the policies to the Board. Mr. Stalrit stated that the Board could then discuss the policies at the March meeting. Mr. Pickles advised the Board members to only discuss the policies with Mr. Powell.

#### **Public & Tenants Report – None**

#### **Adjournment**

Mr. Stalrit adjourned the meeting at 9:56 a.m.

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JERRY SANSOM, CHAIRMAN

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HARRY CARSWELL, SECRETARY