

**MINUTES OF THE SPECIAL MEETING OF THE
SANFORD AIRPORT AUTHORITY
WEDNESDAY, APRIL 10, 2013**

PRESENT: Stephen P. Smith, Chairman
Tom Ball, Vice-Chairman
U. Henry Bowlin, Secretary/Treasurer
Jennifer T. Dane
Whitey Eckstein
Frank S. Ioppolo, Jr.
Clayton D. Simmons
Tim M. Slattery
Brett R. Renton, Airport Counsel – *arrived at 8:38 a.m.*
David A. Shontz, Airport Counsel

ABSENT: William R. Miller
Mayor Jeffrey C. Triplett, City Liaison
Commissioner Lee Constantine

STAFF PRESENT: Larry A. Dale, President & CEO
Diane Crews, Vice President of Administration
Bryant W. Garrett, Vice President of Finance
Diana M. Muñiz-Olson, Executive Secretary

OTHERS PRESENT: Lyssa Urban, Court reporter

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND INTRODUCTION OF GUESTS

The meeting was called to order at 8:36 a.m., followed by the Pledge of Allegiance.

2. ADVERTISEMENT OF SPECIAL MEETING

Copies attached.

President Dale confirmed there is a quorum and that the meeting has been properly advertised.

3. OTHER BUSINESS

President Dale reported on the following:

- A. Add-on Item – Consider approval of Lease No. 2013-12 with AMERICAN BUILDERS SUPPLY, INC. for the truss plant located at 2721 E. 26th Place [formerly leased by Realty Development], and the truss plant located at 2901 Aileron Circle [formerly Lowe's Truss Plant], contingent upon final execution of the lease by both parties.

Consider approval of Lease No. 2013-12 with AMERICAN BUILDERS SUPPLY, INC. for the truss plant located at 2721 East 26th Place [formerly leased by Realty Development], and the truss plant located at 2901 Aileron Circle [formerly Lowe's Truss Plant], contingent upon final execution of the lease by both parties. The lease shall have a three (3) year term, with two (2) successive three-year renewal options. The lease consists of a 9-acre site (26th Place) with one building and two storage sheds, and a 10.6-acre site (Aileron) with one building. Both sites have significant covered paved area. The annual rental rate is \$120,000.00 annually, and the monthly payment is \$10,600.00, including sales tax.

NOTE: The tenant will be operating a truss plant at the 9-acre site on East 26th Place and a lumberyard at the 10.6-acre site on Aileron Avenue. The 10.6-acre site has a railspur that will be reactivated by CSX upon execution of a sidetrack agreement between CSX and the tenant. The 9-acre site has an inactive railspur that can be reactivated if the spur is repaired.

Staff recommends approval of Lease No. 2013-12 with AMERICAN BUILDERS SUPPLY, INC. for the truss plants, located at 2721 E. 26th Place and 2901 Aileron Circle, contingent upon final execution of the lease by both parties.

Motion by Board Member Eckstein, seconded by Board Member Bowlin, to approve Lease No. 2013-12, contingent upon final execution of the lease by both parties. Vote taken, none opposed. Motion passed.

Board Member Simmons requested Counsel brief the Board on how the shade (executive) session is conducted, and cautioned the members to be precise about what they say. He noted the transcript of the meeting is available to the public once the "shade goes away" (once the lawsuit is resolved) and asked them to focus and discuss simply the business at hand.

Brett Renton noted the shade (executive) session is restricted to only discuss the particular case being announced. All comments are being taken down verbatim by the court reporter. At any point in time, after this litigation is dealt with, the comments would be available for anybody who makes a public records request. David Shontz noted the materials provided to the Board, other than the summary cover memorandum, were provided during mediation by the opposing counsel, and distributed to the Board with his authorization/clearance.

4. ADJOURN FOR EXECUTIVE SESSION – DELPHINI INDUSTRIAL PARK AT SOUTHERN CROSS, LLC ET AL. V. SANFORD AIRPORT AUTHORITY

The regular meeting was adjourned at 8:43 a.m. for the executive session.

5. EXECUTIVE SESSION – DELPHINI INDUSTRIAL PARK AT SOUTHERN CROSS, LLC ET AL. V. SANFORD AIRPORT AUTHORITY

6. RECONVENE

The regular meeting reconvened at 9:30 a.m.

Board Member Simmons disclosed he is representing Frank Kilgore, who has a minority interest in Delphini, in a legal matter; however, any decision he makes as part of the Board will not be affected by it or with input from Mr. Kilgore (there is no conflict of interest).

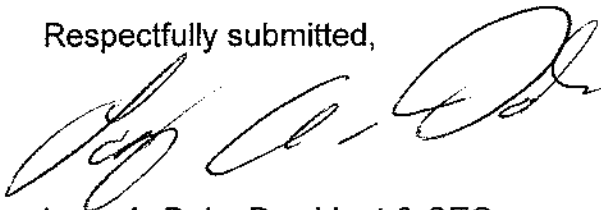
Motion by Board Member Ioppolo, seconded by Board Member Ball, authorizing the Authority to settle the Delphini case in the amount of \$6.5 million, in conjunction with recommendations from staff, plus the statutory fees and costs; and to authorize staff and Counsel to complete the settlement through mediation and ex parte hearing with the judge. Vote taken, none opposed. Motion passed.

7. REMINDER OF NEXT BOARD MEETING (MAY 7, 2013)

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:33 a.m.

Respectfully submitted,



Larry A. Dale, President & CEO
/dmm



SANFORD AIRPORT AUTHORITY
1200 Red Cleveland Boulevard
Sanford, Florida 32773
(407) 585-4001 • Fax (407) 585-4045
www.orlandosanfordairport.com

April 4, 2013

Via email: classified_legal@orlandosentinel.com

Orlando Sentinel
633 N. Orange Avenue
Orlando FL 32801.

Attn: Legal Classified

Please publish the following Public Notice one (1) time in the **Sunday edition (April 7, 2013) of the Orlando Sentinel Classifieds.** Please confirm receipt of this advertisement by email to dmuniz@osaa.net.

PUBLIC NOTICE

**EXECUTIVE SESSION/BOARD MEETING NOTICE
SANFORD AIRPORT AUTHORITY**

Notice is hereby given that the Sanford Airport Authority will conduct a special called meeting on Wednesday, April 10, 2013, at 8:30 a.m., at the Sanford Airport Authority Executive Offices Board Room, A.K. Shoemaker Domestic Terminal, 1200 Red Cleveland Boulevard, Sanford, Florida. Information may be obtained by contacting the executive offices during normal business hours at (407) 585-4002.

Notice is hereby given that the regular meeting will adjourn to conduct an Executive Session pursuant to Florida Statute §286.011(8) to discuss "Delphini Industrial Park at Southern Cross, LLC, et al. v. Sanford Airport Authority" Case No. 2012-CA-1136-13L. Participants in the Executive Session will be:

Stephen P. Smith, Chairman
Tom Ball, Vice Chairman
U. Henry Bowlin, Secretary/Treasurer
Jennifer T. Dane, Board Member
Whitey Eckstein, Board Member
Frank S. Ioppolo, Jr., Board Member
William R. Miller, Board Member
Clayton D. Simmons, Board Member
Tim M. Slattery, Board Member
Larry Dale, SAA President/CEO
David A. Shontz, SAA Legal Counsel
Brett R. Renton, SAA Legal Counsel
and a court reporter.

All others will be excluded during the Executive Session. The length of the Executive Session is estimated to be approximately one (1) hour. Following adjournment of this Executive Session, the Sanford Airport Authority Board will reconvene for further business. Pursuant to Florida Statute §286.011(8), Florida Statutes, the attorney-client session will be recorded by a certified court reporter. However, the transcript of the proceeding will be exempt from the

Florida Public Records Act until such time as the litigation is concluded. At the conclusion of the litigation, the transcript may be obtained from the executive offices by calling the Vice President of Administration during normal business hours.

Please take notice that if any person decides to appeal any decision made by the Sanford Airport Authority with respect to any matter considered at the special meeting or hearing scheduled herein, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes. Persons with disabilities needing assistance to participate in any of these proceedings should contact the executive offices 48 hours in advance of the meeting at (407) 585-4002.

Larry A. Dale
President & CEO

Certified proof of publication and invoice should be sent to:

Attn: Diana M. Muñiz-Olson
Sanford Airport Authority
1200 Red Cleveland Boulevard
Sanford, FL 32773

Please do not hesitate to call me at (407) 585-4002 if you have any questions.

Sincerely,

Diana M. Muñiz-Olson
Executive Assistant

PUBLIC NOTICE

EXECUTIVE SESSION/BOARD MEETING NOTICE **SANFORD AIRPORT AUTHORITY**

Notice is hereby given that the Sanford Airport Authority will conduct a special called meeting on Wednesday, April 10, 2013, at 8:30 a.m., at the Sanford Airport Authority Executive Offices Board Room, A.K. Shoemaker Domestic Terminal, 1200 Red Cleveland Boulevard, Sanford, Florida. Information may be obtained by contacting the executive offices during normal business hours at (407) 585-4002.

Notice is hereby given that the regular meeting will adjourn to conduct an Executive Session pursuant to Florida Statute §286.011(8) to discuss "Delphini Industrial Park at Southern Cross, LLC, et al. v. Sanford Airport Authority" Case No. 2012-CA-1136-13L. Participants in the Executive Session will be:

Stephen P. Smith, Chairman
Tom Ball, Vice Chairman
U. Henry Bowlin, Secretary/Treasurer
Jennifer T. Dane, Board Member
Whitey Eckstein, Board Member
Frank S. Ioppolo, Jr., Board Member
William R. Miller, Board Member
Clayton D. Simmons, Board Member
Tim M. Slattery, Board Member
Larry Dale, SAA President/CEO
David A. Shontz, SAA Legal Counsel
Brett R. Renton, SAA Legal Counsel
and a court reporter.

All others will be excluded during the Executive Session. The length of the Executive Session is estimated to be approximately one (1) hour. Following adjournment of this Executive Session, the Sanford Airport Authority Board will reconvene for further business. Pursuant to Florida Statute §286.011(8), Florida Statutes, the attorney-client session will be recorded by a certified court reporter. However, the transcript of the proceeding will be exempt from the Florida Public Records Act until such time as the litigation is concluded. At the conclusion of the litigation, the transcript may be obtained from the executive offices by calling the Vice President of Administration during normal business hours.

Please take notice that if any person decides to appeal any decision made by the Sanford Airport Authority with respect to any matter considered at the special meeting or hearing scheduled herein, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes. Persons with disabilities needing assistance to participate in any of these proceedings should contact the executive offices 48 hours in advance of the meeting at (407) 585-4002.

Larry A. Dale
President & CEO