

**MINUTES OF THE EMERGENCY MEETING OF THE
SANFORD AIRPORT AUTHORITY
JANUARY 15, 2021
4:30 P.M.**

PRESENT: Tom Green, Chairman
Jennifer T. Dane, Vice Chairman (arrived 4:45 p.m.)
Clyde Robertson, Jr., Secretary/Treasurer
Chick Gregg, Sr.
Frank S. Ioppolo, Jr. (arrived 4:35 p.m.)
William R. Miller
Stephen P. Smith
Brett Renton, Airport Counsel

ABSENT: Kenneth Bentley
Clayton D. Simmons

**APPEARED
TELEPHONICALLY:** Brett Renton, Airport Counsel
Mayor Art Woodruff, City Liaison
Commissioner Jay Zembower

STAFF PRESENT: Tom Nolan, President & CEO
George Speake, Executive Vice President & COO
Don Poore, Chief Financial Officer
Tom Fuehrer, SAPD Chief
Tommy Gentry, IT Director
Lori Hunt, Executive Assistant
Jennifer Taylor, Project Coordinator

**STAFF APPEARED
TELEPHONICALLY:** Marc Gilotti, SAPD Captain
Kristina Gove, Records Manager
Julie Sawyer, Executive Assistant
Michelle Telfair, Leasing Manager

**OTHERS APPEARED:
TELEPHONICALLY** Elizabeth Brown, OSI
Jonathan Hand, Atkins
Jeremy Owens, CPH
Keith Robinson, OSI

1. CALL TO ORDER, CONFIRMATION OF QUORUM, PLEDGE
OF ALLEGIANCE

The meeting was called to order at 4:30 p.m. followed by the Pledge of Allegiance. Chairman Green noted for the public record that no public comment

regarding today's meeting had been received by Lori Hunt. All members present except for Board Director Bentley and Board Director Simmons.

2. VOTE ON EMERGENCY NATURE OF MEETING AND WAIVER OF NEWSPAPER ADVERTISEMENT

Chairman Green requested Brett Renton present an overview of the emergency status.

Brett Renton stated the Board has an obligation under the Enabling Legislation to publish meetings in a newspaper of general circulation except for in an emergency circumstance. Section 13 of the Enabling Legislation specifically says you need a 2/3 vote of the Board in order to waive a newspaper advertisement that there is indeed an emergency nature. In this case, the Board in January had voted to approve payment to the FAA which had a deadline of January 16, 2021. Unfortunately, it was learned earlier this week that the amount of that payment exceeded the amount and Authority of the Board. It is necessary on an emergency basis to hold this meeting in such that payment could be made in an amount, assuming the Board approves that today.

To that end he requested that a member of the Board make the following motion: motion to approve the need for this meeting as an emergency as documented by counsel and to waive the requirements to publish this meeting by publication.

Motion by Board Director Smith, seconded by Board Director Miller to approve the need for this meeting as an emergency as documented by counsel and to waive the requirements to publish this meeting by publication. Vote was taken, none opposed. Counsel noted motion passes with two thirds vote which is accepted under the enabling legislation.

3. COMMENTS FROM THE PUBLIC

Chairman Green determined there were no requests for comments from the public at this time.

4. DISCUSSION AGENDA

A. Consideration of Increasing the Reimbursement Amount for Federally Obligated Land on Red Cleveland Blvd.

President Nolan summarized, February of last year there became an issue where we are obligated to reimburse the FAA for land which was acquired and then sold to the County about 20 years earlier. The Board addressed this issue through EDAC and the full Board. In that process the number one priority was to attempt to work with the County to get the land back to the Airport which would have satisfied the FAA requirement, or pay the FAA the amount spent on the property. The initial estimate prepared by the past President was \$279,000. The County could not work out the return of the property to the Airport. A subsequent inquiry back to the FAA resulted in the amount owed being \$693,000. At the October Board meeting the Board approved some extra margin in the original projected

\$279,000 obligation to \$350,000. The Board is being asked today for a motion to increase the repayment to the FAA by \$343,000.

Board Director Smith inquired how did the FAA calculate this number opposed to the calculation that we have.

President Nolan replied that when the FAA went to tabulate, their system reflected this figure much higher and our records going back twenty years on this matter did not fully include what the FAA indicated the original transaction included. When there is a difference in records, default goes to the scrutiny of the FAA.

Board Director Smith noted that land was taken by eminent domain to create Lake Mary Blvd. and the Airport Entrance. He inquired what was paid in the eminent domain action at the time Seminole County took the property.

President Nolan responded that Airport records suggest \$680,000 and in fact the discussion with the County indicates their current appraised value for that property is multiple times greater than their original value.

Board Director Smith stated we're basically reimbursing the FAA for all the funds that were derived by the Airport when the eminent domain action happened, but the County still has the property.

President Nolan summed it up fiscally, indicating the County paid us \$680,000 we received \$680,000 from the FAA, we're paying the FAA back.

Chairman Green explained how we did attempt to work with the County but, it became a lot more complicated because the road is part of the property. It doesn't mean the County and the Airport couldn't have further discussions we just ran out of time to discuss valuation. The struggle was the amount that we felt or that the Airport thought was owed was significantly less than what the FAA came back with last week.

Mayor Woodruff requested a review of the total net payout and what we received from the County, it sounded like almost a break even.

President Nolan explained the full transaction with the County included a new road and additional grant funds to the Airport were for the construction of a segment of that road. Right now, we're dealing with the actual land transaction which was sold back to the County and funded by the government. The other matter of the road itself, which by an interlocal agreement is a little more complicated, isn't part of the issue today. In our discussions with the County, they committed to continuing discussion on the entry way and taking into account the shared interlocal agreement. The Airport may be much more comfortable to have full ownership of the road ultimately, so we never have to be concerned of any future interference with the Airport's ability to preserve that access roadway.

Commissioner Jay Zembower inquired regarding the grant that came from the FAA originally, it appears to state that it is for procurement for land and improvement of access roads and roadways. He wondered was there some kind of calculation to determine the monies that came from the FAA, is anything considered for a road improvement we deduct this from the amount you were paid back for this.

President Nolan replied our understanding is the amount of \$693,000 is only a portion of the grant at that time, the grant was larger than that for construction of the roadway. The focal point right now is to rectify something that came up early last year and get us out of a non-compliance issue, then we can collaborate together on other elements like the constructability getting full control of our main entry road.

Chairman Green entertained a motion.

Motion by Board Director Ioppolo, seconded by Board Director Smith to ratify the reimbursement of the FAA in the amount not to exceed \$700,000.

Discussion regarding the use of the word ratify in the motion. President Nolan noted we need authorization to write the check for a specific amount.

Motion by Board Director Ioppolo, seconded by Board Director Smith to amend the motion that we authorize rather than ratify the reimbursement to the FAA in an amount not to exceed \$700,000.

Discussion

Discussion the FAA indicates 4 properties and 25 acres purchased under Grant 17 in 1993, yet our records are not sufficient to identify \$693,000.

Previous calculation that identified \$279,000 came from 2 parcels Troutman & Hodges and only the land cost. Along with the land acquisition cost when it comes to the FAA that includes re-location, attorney's fees, appraisals, review appraisals and EA are all expenses.

Brett Renton inquired when you write \$693,000 or so is that the entirety of that grant that you are returning therefore any other obligation to that grant are now done for other properties that would have been acquired with it. Jennifer Taylor replied no the \$693,000 is land acquisition only, but what your saying with other properties we can't answer that.

Discussion what else was in Grant 17? Jennifer Taylor replied they say 25 acres she comes up with 25 acres by four different parcels.

Discussion did the grant cover only the land acquisition. The land acquisition was the access road to pay for surveying and Geotech for the access road and part of the design.

Board Director Smith inquired of Don Poore how this payment affects the sinking fund? Don Poore responded it takes some money out of our reserves, one of those was money

we were earning on the FDOT loans we were making interest on 0% loan; we depleted that interest and a little of our reserves.

Motion by Board Director Ioppolo, seconded by Board Director Smith to amend the motion that we authorize rather than ratify the reimbursement to the FAA in an amount not to exceed \$700,000. Vote was taken, none opposed, motion passed unanimously.


5. OTHER BUSINESS

6. REMINDER OF THE NEXT BOARD MEETING (FEBRUARY 2, 2021)

7. ADJOURNMENT

There being no further business, the regular meeting was adjourned at 4:51 p.m.

Submitted by:


Thomas Nolan, A.A.E.
President & CEO
/lh