

AIRCRAFT NOISE ABATEMENT TASK FORCE MEETING
FOR THE ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT

July 22, 2009

The Aircraft Noise Abatement Task Force (NATF) for the St. Petersburg-Clearwater International Airport (PIE) met at the St. Petersburg-Clearwater International Airport Administration Building, Conference Room 234, at 3:04 P.M. on this date with the following members present:

Noah Lagos, Airport Director*
Thomas Jewsbury, Deputy Airport Director, Operations and Facilities, PIE
Russ Argus, Federal Aviation Administration (FAA) PIE Air Traffic Control (ATC)*
J. B. Johnson, Del Oro Groves Homeowners Association, City of Clearwater resident
Barbara Markley, City of Pinellas Park resident
Scott McGuff, City of Oldsmar resident
Steve Ochsner, Feather Sound resident
John Padavich, City of Safety Harbor resident
Michael Zas, County Attorney's Office*

Not Present:

Lieutenant Jeff Bolling, U.S. Coast Guard, representing Captain Todd Sokalzuk
Joe Cocker, United Parcel Service (UPS)
Chris Gillette, Allegiant Air
H. D. Holland, Feather Sound resident
Jerry Karp, City of Clearwater resident
Kevin McKamey, Avantair, Inc. (General Aviation Liaison)
Michele Routh, Community and Media Relations Director, PIE
Lieutenant Nicholas Steele, U.S. Army Reserve, representing Lieutenant Aaron Stepler
Captain Todd Sokalzuk, U.S. Coast Guard
Lieutenant Aaron Stepler, U.S. Army Reserve
Michael Thompson, URS, Inc., Consultant*
Laurie Zugay, FAA – Tampa International Airport (TPA) ATC*

*Advisory capacity only (non-voting members)

Also Present:

Lloyd Tillman, PIE Operations Manager
Monique Savas, PIE Administrative Secretary
Carlos Marrero, Palm Harbor resident
Other interested individuals
Tammy L. Burgess, Deputy Clerk

AGENDA

1. Introduction and Opening Comments
 - Meeting Minutes from April 22, 2009
 - 2010 Meeting Calendar
2. Air Service Update
3. Quarterly Noise Complaint Summary
4. VOR-B Approach Update
5. Sunshine Law Requirements
6. Fly2PIE Video
7. Citizens' Comments
8. Adjournment

INTRODUCTIONS AND OPENING COMMENTS

Mr. Jewsbury welcomed those present and, at his request, the attendees introduced themselves; whereupon, he noted that the previous meeting's minutes are included in the agenda packet and available on the website.

UPCOMING MEETING DATES

Mr. Jewsbury indicated that the meeting dates for 2010 will follow the pattern of every third Wednesday each quarter; and that the dates are currently scheduled for January 20, April 21, July 21, and October 20, 2010, and will be posted on the website; and no objections were noted.

AIR SERVICE UPDATE

Mr. Jewsbury provided information regarding airport operations issues, and reported that during the month of March, Allegiant Air had operated flights between the hours of 11:00 P.M. and 6:00 A.M., designated as the Voluntary Quiet Window. He related that Mr. Lagos had written to Allegiant Air expressing concern; and that the airline had confirmed that it was aware of the problem and would modify its flight schedule. Mr. Jewsbury related that while Allegiant has demonstrated great improvement, the airline continues to have a flight which arrives at 11:20 P.M. on Mondays; whereupon, he reported that the airlines have greatly reduced their flight schedules during the slow season, as done during previous years; and that USA 3000 will temporarily discontinue service on September 6, 2009 and resume service to Chicago on December 17.

QUARTERLY NOISE COMPLAINT SUMMARY

Referring to a document titled *Quarterly Noise Complaint Summary, 2nd Quarter 2009*, a copy of which has been filed and made a part of the record, Mr. Jewsbury indicated that 88 complaints have been received year-to-date through the second quarter of 2009; that during the months of April, May, and June, 45 complaints were registered, with Safety Harbor comprising the bulk of those received; and that a new approach should help to minimize impacts to the Safety Harbor area; whereupon, Mr. Jewsbury indicated that a great deal of the complaints related to excessive noise, the time of day, and low-flying aircraft; and that the majority of the *Number of Complaints by Aircraft* were due to military traffic and the *Undetermined* category, which means the aircraft could not be identified.

Mr. Jewsbury indicated that a total of 16 noise complaints were received during April 2009, that 34 complaints were received during April 2008; and that he could point to no particular reason for the dramatic decrease; whereupon, in response to queries by Mr. McGuff, Mr. Tillman, with input by Mr. Jewsbury, discussed the section of the summary titled *Number of Complaints by Aircraft* and provided information relating to the *Undetermined* category, and related that while citizens have the option to register complaints by leaving a recorded message on the Noise Complaint Hotline, the information provided is sometimes vague, which makes it difficult for staff to follow-up and establish the location and type of aircraft.

VOR-B APPROACH UPDATE

Mr. Jewsbury provided an update regarding the VOR-B approach, reporting that it will be used during night operations; that the flight path of the VOR-B approach is nearly identical to the North Bay Visual Approach; and that the VOR-B approach will lessen existing late night noise; whereupon, Mr. Jewsbury discussed efforts to standardize the approach plate and provided information relating to a timeframe for final implementation of the approach, which will be flown by United Parcel Service (UPS) and Allegiant Air.

During discussion and in response to queries by the members, Mr. Jewsbury related that the PIE Air Traffic Control Tower operates between the hours of 6:00 A.M. and 11:00 P.M.; that pilots will be in contact with Tampa Approach during the hours when no ATC personnel are working in the PIE Tower; and that UPS and Allegiant will most likely begin flying the VOR-B approach within the next two months; whereupon, Mr. Lagos pointed out that use of the approach is voluntary and at the sole discretion of the pilot.

Responding to queries and comments by the members, Mr. Jewsbury reported that UPS and Allegiant Air have affirmed their commitment to fly the VOR-B approach; that compliance will be monitored by the airport; and that when an airline does not fly the approach, the Chief Pilot of that airline will be contacted to determine the reason; whereupon, he provided statistical information relating to the percentage of time the approach should be able to be flown by pilots.

SUNSHINE LAW REQUIREMENTS

Senior Assistant County Attorney Michael A. Zas conducted a presentation titled *Sunshine Law Requirements*, a copy of which has been filed and made a part of the record, discussed the following matters, and responded to queries by the members:

- Florida Statute – 286.011 Public Meetings and records: public inspection; criminal and civil penalties – (1) All meetings of any Board or Commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The Board or Commission must provide reasonable notice of all such meetings.
- What is the scope of the law?
 - Applies to any gathering of two or more members of the same Board; discussion of a matter that will foreseeably come before that Board for action.
 - All meetings of the Board must be open to the public.
 - Reasonable notice must be provided as to the time and place of the meetings.
 - Minutes of the meetings must be taken.
- Who must comply with the rules?
 - Any member of a Board or Commission of any state, county, city or other political subdivision of the state must comply.
 - A meeting of staff for a Board is not normally subject to the law.
- Are advisory boards which make recommendations subject to the Sunshine Law?
 - Yes, any group that helps narrow the issue for the Sunshine-required Board or Commission.
- What about fact finding committees?
 - Not Sunshine bodies if they are just conducting fact finding and not narrowing an issue.
 - No formal actions taken – merely informational.

- What is a meeting?
 - The law is applicable to any gathering, whether formal or casual, of two or more members of the same Board to discuss some matter on which foreseeable action could be taken by the Board.
 - Written correspondence initiating comment from other Board Members.
 - Telephone or e-mail conversations regarding subject that will come before the Board.
 - Use of staff or other liaisons to effect a discussion between Board Members.
- Meeting Requirements
 - There must be reasonable notice depending on the nature of the meeting.
 - There is no agenda requirement.
 - Meeting must be held in facilities that do not discriminate or unreasonably restrict access.
 - Reasonable rules of conduct affecting public participation and the actions of members are allowed to be imposed. These rules must be enforced for the purpose of maintaining orderly and non-disruptive behavior.
- Penalties
 - Anyone who knowingly violates the Sunshine Law is guilty of a Second Degree Misdemeanor, Florida Statutes, Section 286.011(3)(b), which allows for a \$500.00 fine and up to 60 days in jail.
 - Removal from office is an alternative inclusive penalty.
 - A Board found guilty will be subject to paying the attorney fees of the member of the public challenging the Board action.
 - Any action taken by the Board in violation of the Sunshine Law is voidable.
- Exceptions
 - Collective bargaining.
 - Risk Management programs.
 - Security systems.
 - Pending litigation – Section 286.011, Florida Statutes.

FLY2PIE VIDEO

Mr. Jewsbury presented a short video titled *Fly2PIE*, a copy of which has been filed and made a part of the record, which provided an overview pertaining to various aspects of the airport. He related that the video is available online and on disk for those members preferring a hard copy.

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CITIZENS' COMMENTS

During discussion and in response to queries by Mr. Ochsner, Mr. Lagos reported that notice will be placed in the August 2009 issue of the *Feather Sound News*, informing the community of future plans for the Airco Golf Course; whereupon, he provided detailed background information relating to the history of the airport, the golf course, and the *Airco Golf Course Redevelopment Feasibility Study*, and related that the FAA requires the airport to make certain that the Airco property is self-sustaining and is utilized to its highest and best use. Mr. Lagos indicated that the golf course is owned by Pinellas County Government, managed by the Airport, is subject to FAA deed restrictions and regulations, and is supported by user fees, not taxpayer funds; whereupon, he discussed rezoning of the property, detailed its potential uses, and provided information relating to the development of a 300-foot buffer zone.

MISCELLANEOUS

Mr. Jewsbury related that the 12th *Semi-Annual Aircraft Noise Abatement Task Force Report* will be going to the Board of County Commissioners; and that once released, the report will be posted to the NATF website and copies provided to the members via email.

ADJOURNMENT

There being no objection, the meeting was adjourned at 3:58 P.M.