

**HARRISON RIVARD & BENNETT**  
ATTORNEYS AND COUNSELORS AT LAW

CHARTERED  
PANAMA CITY, FLORIDA

WILLIAM G. HARRISON, JR.  
BO RIVARD  
DERRICK G. BENNETT

P.O. BOX 12 32402  
101 HARRISON AVENUE 32401  
TEL (850) 769-7714  
FAX (850) 769-7715

NICOLE RIVARD  
CATHERINE S. HESTER

February 18, 2009

02-23-09 A 10:30 IN

Greg Donovan  
Okaloosa County Commission  
1804 Lewis Turner Blvd. Suite 100  
Ft. Walton Beach, FL 32647

Dear Mr. Donovan:

I have read your comments made about me at the Okaloosa County Commission meeting last night relating to the viability of the Northwest Florida Regional Airport. Your comments about me are slanderous and incorrect, I would appreciate your full and fair correction of your erroneous comments, a written apology to me and a retraction of your statements, pursuant to Chapter 770, Florida Statutes.

I have attached copies of some pertinent documents on which I have relied to ask the question about the application of federal law that prohibits military pilot training and commercial air traffic on the same airfield. I have attached a copy of the current lease between the Okaloosa County Commission and the Department of the Air Force that allows for termination of the lease on 30 days' notice from the Secretary of the Air Force (Condition 6). Also attached is the Joint Use Agreement between the Okaloosa County Commission and the United States Air Force which provides for 90 days' written notice prior to termination of the Agreement (Paragraph 7).

I have attached United States Code of Federal Regulations sections of the Civil Aircraft Use of United States Air Force Airfields, particularly 32 C.F.R. 855.1 (Policy) , 32 C.F.R. 855.5 (Responsibilities and Authorities), and 32 C.F.R 855.20 (Joint-Use Agreements) for your review.

I have attached Air Force Instruction 10-1002, 1 September 1995, Agreements for Civil Aircraft Use of Air Force Airfields. Although too voluminous to attached, I would also refer you to the Base Realignment and Closure Act of 2005, as well as the Record of Decision of the Base Realignment and Closure (BRAC) 2005 for the Implementation of the Joint Strike Fighter (JSF) Initial Joint Training Site (IJTS) dated February 9, 2009. Futhermore, you might find the Gulf Regional Airspace Strategic Initiative ("GRASI") informative.

I look forward to your correction, apology and retraction at your earliest convenience and request that you not delay until your next regularly scheduled Commission meeting since your comments are false and defamatory and causing current harm to me. I anticipate your quick response.

Sincerely,

  
William G. Harrison, Jr.

Attachments: As noted.



## Board of County Commissioners

State of Florida

February 23, 2009

Davage "Buddy" Runnels, Jr.  
Chairman  
Costal Vision 3000 - THE Beach  
4471 Legendary Drive  
Ste. 100  
Destin, FL 32541

Dear Mr. <sup>Buddy</sup>Runnels:

Last year, the Northwest Florida Regional Airport became a member of Coastal Vision 3000, also known as "THE Beach", with the aspiration of joining a group of stewards committed to elevating the value of our region as a whole. Beyond business competitiveness of particular communities or assets within those communities such as airports, the purpose of this marketing initiative was to collectively expand our regional appeal by building our tourism industry beyond traditional boundaries.

To our utmost disappointment, we recently learned that a Coastal Vision 3000 board member, Mr. Jerry M. Ray, has been actively lobbying in Washington, DC to have our airport closed. Specifically, Mr. Ray has participated with other representatives from St. Joe questioning the legitimacy of Okaloosa County's joint use agreement with the U.S. Air Force. This agreement has been in place for 52 years and will continue for many years to come.

We feel that this activity is incompatible with the responsibilities of a board member of Coastal Vision 3000 and is disingenuous to our airport's partnership. This lobbying purposefully disseminated inaccurate opinions of our airport's operation to our Congressional delegates in an effort to have our agreement terminated. These malicious actions go beyond business ethics and acceptable competitiveness to the extent that he has deceived the very region and business entities he had vowed to support.

Accordingly, we seek Mr. Ray's resignation from the board of Coastal Vision 3000 immediately as it is clearly a conflict of interest. Additionally, we believe it is necessary that your organization make an official statement condemning any actions that run contrary to the stated mission of Coastal Vision 3000, which is to develop a unified, single destination, and to advocate for the success of all of our area airports.

It is regrettable that by his unprofessional actions, he has discredited our cooperative approach towards marketing the region.

Sincerely,

William J. Roberts, III  
Chairman, Okaloosa County Board of County Commissioners



## Board of County Commissioners

State of Florida

February 23, 2009

Joe Tannehill  
Chairman  
Panama City – Bay County International Airport  
3173 Airport Road  
Panama City, FL 32405

Dear Mr. Tannehill:

Proponents of the Panama City Airport have purposefully disseminated misleading and inaccurate information concerning the viability of the Northwest Florida Regional Airport (VPS). This odd tactic of spreading negative misinformation rather than focusing on the positive attributes of building a new facility wrongly speculates our county's joint use agreement with Eglin A.F.B. is in jeopardy, future military operations are unsuited with airline activity, and the new Panama City airport project is further justified by imminent closure of Okaloosa County's commercial airport.

These statements are blatantly and patently false. VPS serves an important role to our region well beyond the boundaries of Okaloosa County by providing key transportation services to nearly 800,000 passengers annually, civilian and military, through five airlines. The \$72 million of public investments in civilian airport infrastructure combined with the dedicated work of several hundred airport employees generate hundreds of millions of dollars in economic impact. Moreover, having scheduled airline service is an integral element of Team Eglin, making our area bases more functional and efficient. Our 52 year history with the military was recently renewed through 2032 and we have firm confidence this partnership will continue for many years to come.

We had hoped this malicious and irresponsible behavior from Panama City advocates had stopped from last year's occurrences but unfortunately it has not. Again, within the past three weeks, further speculative comments predicting incompatibility with the F-35 Joint Strike Fighter and other misleading information have been publicly vocalized and lobbied to our federal legislative leaders.

Semantic comments have been made that these proponents are not actual airport employees but rather employees of St. Joe. Whether the individuals are directly employed by the airport, or indirectly through an airport partner company, we call upon your leadership to discontinue these destructive actions.

Business competitiveness between our airports is to be expected; however, we ask such attacks on VPS cease and desist immediately.

Our airport officials have been very respectful not to publicly comment on the failed Panama City Airport public referendum, lawsuits, and many other negative challenges of constructing your new facility. We have been very careful not to voice our opinion about your aspirations for international flights and the impact of the proposed airport location on existing military training airspace.



Mr. Joe Tannehill  
Page 2  
February 23, 2009

Similarly, it is our understanding the Regional Transportation Authority has proposed a route that would greatly enhance access to your facility. Our board members have not resorted to interpreting opposition particulars and campaigning against your initiative. Please provide the same reciprocal courtesy and allow our region to benefit from natural market competitive forces rather than a defamation campaign. In the end, our region can benefit from having multiple airports and the economic growth they will provide.

Sincerely,

A handwritten signature in black ink that reads "William J. Roberts, III". The signature is written in a cursive style with a long horizontal flourish extending to the right.

William J. Roberts, III  
Chairman, Okaloosa County Board of County Commissioners