

1699.

MINUTES OF SPECIAL BOARD MEETING

On Tuesday, October 22, 1996, a Special Meeting of the Airport Authority Board of Commissioners was conducted at the Walker Field Airport, pursuant to public notice posted on Friday, October 18, 1996, to discuss the status of the legal dispute between the Airport Authority, Armstrong Consultants, and Corn Construction, arising from the unacceptable condition of the recently completed runway rehabilitation project. The Special Board Meeting convened at 3:00 p.m. Present at the meeting were all seven members of the Airport Authority Board of Commissioners, Corinne Nystrom, the Airport Manager, Ted Balbier, Director of Airport Maintenance, ^{at Walker Field} Dennis Wiss, Director of Airport Operations, Susan Stokes, Administrative Assistant, Harry Griff, the Airport Authority's general counsel, and Byrum Lee, the Airport Authority's specially retained counsel for the runway dispute. Because the purpose of the meeting was to hear the preliminary results of confidential testing performed for the Airport Authority by Kumar & Associates, and to receive legal guidance as to the Airport Authority's options in proceeding with negotiations and/or litigation as a result of the preliminary test results, the Board voted unanimously to conduct the meeting in executive session, pursuant to subsections 24-6-402(4)(B), (C), and (E), C.R.S., of the Colorado Open Meetings Act. After the Board voted to conduct the meeting in executive session, Ms. Stokes left the meeting.

During the executive session, Mr. Lee explained the preliminary results of Kumar's testing of the runway. He further explained the various parties that seemed to have breached their contractual obligations, on the basis of the test results. Mr. Griff and Mr. Lee then explained various insurance implications, the Board's options in connection with the negotiation and/or litigation of the dispute, and their recommendations as to how the Airport Authority should proceed with negotiations and/or litigation. The Board then requested that Airport counsel prepare motions for the Board to consider, at the regularly scheduled monthly Board meeting, scheduled for later that afternoon at 5:15 p.m., in order for the Board to discuss and vote upon said motions, in public, during its regular Board meeting.

The Board then voted to terminate the executive session, and the Special Meeting of the Board was adjourned at 4:30 p.m.

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