



May 4, 2023 Special Meeting Minutes

Call to Order: Chair Overcash called the meeting to order at 9:03 a.m.

Roll Call: Chair Overcash, Vice-Chair Fleming, Commissioners Adams, Arndt, Burgener, DiMartino, and Stooksbury were present.

Public Comments: None

Regular Agenda

1. Review of Letter from Discovery Air, LLC Dated April 20, 2023 The Airport was served a letter by Discovery Air, LLC Dated April 20, 2023 at the Airport Commission Regularly scheduled April 20, 2023 meeting. This item has a possible executive session to receive legal advice on specific legal questions as authorized by Colorado Revised Statute § 24-6-402 (4)(b).

Matters relating to this item were discussed in executive session at the May 4 Special Airport Commission meeting. Legal staff m.

Vice-Chair Fleming moved to recess the Northern Colorado Regional Airport Commission recess into executive session for the purpose of discussing the letter to the Commission dated April 20, 2023 from Lewis Roca on behalf of Martin Lind, pursuant to Section 4(e) of the Northern Colorado Regional Airport Commission Bylaws,

- **The purpose is, to discuss matters of attorney-client privilege and to receive legal advice from an attorney representing the Cities on specific legal questions, as authorized by Colorado Revised Statute § 24-6-402 (4)(b) and any applicable provisions of the Loveland and Fort Collins City Charters.**

The motion, seconded by Commissioner Arndt carried with all the Commissioners present voting in favor thereof.

Exited Public Session and Entered Executive Session: 9:06 a.m.

Executive Session Concluded 10:37 a.m.

Re-entered Public Session 10:38 a.m.

The Commission's legal counsel and City of Loveland's Senior Assistant City Attorney Laurie Wilson made a statement when the Commission reentered the public session:



Based on the claims brought forth for the Commission, based on the information in the letter and the IGA, the role of the Commission and delegation of authority under the IGA, the Commission will not be responding regarding the request for mediation. However, it will be turned over to the two cities for further evaluation and to determine next steps.

Adjournment: Meeting adjourned at 10:39 a.m.

Respectfully Submitted,

Commission Chair, Don Overcash

