

**MINUTES OF
COLORADO PASSENGER TRAMWAY SAFETY BOARD**

1560 Broadway, Suite 1550-Large Conference Room
Denver, CO 80202

February 19, 2009

This meeting of the Board was publicly noticed according to the Division of Registrations' Policy 80-17.

I. CALL TO ORDER

Alan Henceroth, Board Chair, called the meeting to order at 9:01 a.m.

II. RECOGNITION OF MEMBERS PRESENT

Board Members Present: Alan Henceroth, Chair
Scott F. Mitchell, Vice Chair
Arthur Griffith, Secretary
Fannye Belle Evans, Member
Robert E. Hartzell, Member
Brian McCartney, Member
Paul Stewart, Member

Board Members Absent: None

Staff Members Present: John Roberts, Assistant Attorney General
Charlie Adams, CPTSB Staff
Larry Smith, CPTSB Staff
Nicki Cochrell, CPTSB Staff

Others Present (elected to sign in): George Hudspeth, Beaver Creek
Phil Patterson, Beaver Creek
George Krueger, Eldora Mountain Resort
Jim Loebe, Mountain Village Gondola
Ken King, Telluride Ski & Golf
Jimmy Beshears, Royal Gorge
Clyde Wiessner, Vail Associates
Joe Hamre, Aspen Ski Co
Jon Mauch, Breckenridge Ski Resort
Mike Gierach, Crested Butte
Mark Kramer, Copper Mountain Resort
Jesse Caparella, Aspen Ski Co
Ben Morton, Arapahoe Basin

III. REVIEW OF MINUTES

Scott Mitchell moved to approve the October 16, 2008 meeting minutes as amended. Art Griffith seconded the motion and it passed unanimously.

IV. BUSINESS #1

A. Proposed revisions to Colorado Rules

1 Proposed revision of Rule 20.2 Issuance of license and Rule 22.4.4 Inspection report

During the review of the October 16, 2009 minutes, the Board reviewed the recently revised Rule 20.2 Issuance of license and Rule 22.4.4 Inspection report and took the following action.

The wording in both rules that states, "...and be submitted as an original copy for facsimile, scanned, or emailed" was discussed and determined that it needed to be revised so that an area can submit their deficiency response letters via facsimile OR by an emailed, scanned copy.

Scott Mitchell moved to publish the revision of Rule 20.2 Issuance of license and Rule 22.4.4 Inspection report. Art Griffith seconded the motion and it passed unanimously.

V. STAFF UPDATE

Alan Henceroth, Board Chair, announced that Brian McCartney will be leaving the Board after today's meeting. The Board thanked Brian for his service over the past few years. Charlie Adams, Program Director, said that Staff is working with the Governor's Office on Brian's replacement.

Charles Adams, Program Director, said that the next Board Training Session will be held after the April 16, 2009 Board meeting. He asked that Board members mark their calendars and also let staff know if they had any items for the agenda that they would like to discuss. He said that during the Training Session, the Board will consider the agenda for Board Session at RMLA. Mr. Adams said that with the budget constraints this year, the Board office is unable to fund any Board member to RMLA. It was then determined that there would not be a Board session at this year's conference due to the budget constraints. A Board session will be planned for the 2010 RMLA conference.

Mr. Adams thanked the industry for attending today's meeting. It is appreciated that the Tramway industry takes an active role in the Board's activities.

Nicki Cochrell, Program Assistant, stated that the Board mileage reimbursement changed to .50 as of January 1, 2009. She also said that she included a copy of a MapQuest form, which would need to accompany their travel form if they want the mileage reimbursement. She said that Accounting is asking for the information so that

the mileage on the travel form can be matched with the MapQuest mileage. The mileage has been estimated from the Board member's address listed on their travel form to the Board office address. She said that the Board members can discuss the mileage reimbursement with her at the end of the meeting if they have any questions or if their mileage information was incorrect on their form. She also said that a Board member could also cross off the mileage if they decided to not received the mileage reimbursement.

Ms. Cochrell said that the Board members have a list of Board actions in their folders for the Steamboat and Chapman Hill agenda items. She said that there was also a copy of the Telluride additional item that will be discussed as new business.

Ms. Cochrell said that she is going to start working on the next rulebook in March for an effective date of May 15, 2009.

Ms. Cochrell stated that the next Board meeting would be held on April 16, 2009 in Denver at 1560 Broadway in Suite 1550 at 9:00 a.m. The deadline for agenda items is March 26, 2009. Ms. Cochrell also stated that the next Technical Committee meeting is scheduled for March 27, 2009. The deadline for that meeting is March 13, 2009. At this time there are no pending agenda items. Therefore, this meeting may be cancelled. A meeting notice update will be posted on the Board website.

Larry Smith, Supervisory Tramway Engineer, announced Brian Mahon's and Don Larson's passing over this past season. He said that both gentlemen took an active role in the Tramway industry and will be missed.

Mr. Smith said that there was a tiger on the slopes in West Virginia this season that ended up being caught. This was around the same area that had a bear disappear last year from the near by zoo.

Mr. Smith said that Snowmass had a snowmaker hit a tree with a snowmobile and the employee was found the next morning.

Mr. Smith said that the Fraser area has a new area called Ellis and Daisy Adventure Park that received a tramway license on a new conveyor in January.

Mr. Smith said that there have been numerous problems with wind during November. He said that Winter Park's Panoramic six pack got tangled up. Aspen Gondola also got tangled up. Telluride's Section 1 Gondola got tangled up with a tree on the line.

Mr. Smith stated that Aspen and Breckenridge have had problems with skidders at their areas. Areas need to be vigilant if they allow skidders to go up on their slopes.

Mr. Smith said that have been a lot of problems with icing this season. He said that there was a failure at Whisler in Canada in which ice had frozen in a tower. The tower pulled apart, but none of the tower cabins went to the ground. There was one minor injury and the lift had to be evacuated. After this incident, Colorado areas were asked to test their towers for ice.

Mr. Smith said that Eldora found some ice in one of their terminal structure while doing a normal daily inspection. The area closed the lift down until the ice was melted. With this, Colorado areas were sent a memo to check all of their terminal structures for ice.

Mr. Smith said that Breckenridge had an incident of a broken carrier bail on one of their POMA lifts. The carrier was taken out of service until it could be fixed.

Mr. Smith said that Vail had a skier this season that fell from a chair after loading. The skier ended up hanging upside down naked. The skier was uninjured and it was reported to Board office. A few articles were written about the incident since the pictures got out to the public.

Mr. Smith said that there have been a couple of incidents over the season with a snowcat hitting a tower. At Breckenridge, the snowcat was doing snow grooming and caused a hole in the tower. The hole was re-welded. A snowcat hit a tower at Arapahoe Basin, but there was minimum damage to the tower. It had some paint peel from the incident.

Mr. Smith said that an area in Killington, Vermont had an aluminum sheave incident in which the sheave had failed without warning. The flange had cracked.

Mr. Smith said that Mount Bachelor in Oregon recently had a major ice storm where cabins and terminals were frozen.

Bob Hartzell, Board member, asked what the status was regarding unloading conveyors. Mr. Smith said that ANSI is working through the process on rules for these types of installations.

Art Griffith, Board member, stated that he noticed the slope was fairly steep for tubing from the picture on the Ellis and Daisy Adventure Park's conveyor. Mr. Smith said that installation does have to meet slope clearances so that a tube does not interfere with the tramway operation and this was part of the acceptance test inspection before the installation had received its license.

Paul Stewart, Board member, asked a question about the zip line installations that have been going in and if they would be considered under the Board's jurisdiction. Mr. Smith stated that they do not fall under the Board's jurisdiction since these installations are utilized and defined as an amusement park ride under the Department of Labor's rules and regulations. Tramways are not considered amusement park rides, but a form of transportation.

VI. RULE MAKING HEARING

A. Revision to Colorado Rules

1-6 Revision of Rule 1.2.4.1 Existing installations, Section 2 Aerial tramways, Section 3 Detachable grip aerial lifts, Section 4 Fixed grip aerial lifts, Section 5 Surface lifts, Section 6 Tows

The Board reviewed the Rule Making Notices concerning the revision of Rule 1.2.4.1 Existing installations, Section 2 Aerial tramways, Section 3 Detachable grip aerial lifts, Section 4 Fixed grip aerial lifts, Section 5 Surface lifts, and Section 6 Tows and took the following action.

Scott Mitchell moved to revise Rule 1.2.4.1 Existing installations, Section 2 Aerial tramways, Section 3 Detachable grip aerial lifts, Section 4 Fixed grip aerial lifts, Section 5 Surface lifts, and Section 6 Tows as published in the Notice of Rulemaking dated November 10, 2008 and as amended by the Board. The legal authority for the revision of these rules is C.R.S 25-5-704 (1)(a).

The purpose for the revision of Rule 1.2.4.1 Existing installations, Section 2 Aerial tramways, Section 3 Detachable grip aerial lifts, Section 4 Fixed grip aerial lifts, Section 5 Surface lifts, and Section 6 Tows is to grandfather in the ANSI rules for pre-existing tramways and to add the previous ANSI rules that are still in effect for pre-existing tramways to the CPTSB rules so that one ANSI code book and one CPTSB rulebook can be utilized for all tramways.

The revision of these rules shall become effective May 15, 2009.

The Board finds that:

- The record of the rule making proceeding demonstrates the need for the regulations;
- The proper statutory authority exists for the regulations;
- To the extent practicable, the regulations are clearly and simply stated so that their meaning will be understood by any party required to comply with the regulations;
- The regulations do not conflict with other provisions of the law;
- There is no duplication or overlapping of the regulations; and,
- The proposed rules are being considered in light of its appropriateness and cost effectiveness.

Bob Hartzell seconded the motion and it passed unanimously.

7-10 Adoption of Section 7 Conveyors, Annex E Operator control devices, Annex F Combustion engine(s) and fuel handling, and Annex G Welded link chain

The Board reviewed the Rule Making Notices concerning the adoption of Section 7 Conveyors, Annex E Operator control devices, Annex F Combustion engine(s) and fuel handling, and Annex G Welded link chain and took the following action.

Scott Mitchell moved to adopt Section 7 Conveyors, Annex E Operator control devices, Annex F Combustion engine(s) and fuel handling, and Annex G Welded link chain as published in the Notice of Rulemaking dated November 10, 2008 by the Board. The legal authority for the adoption of these rules is C.R.S 25-5-704 (1)(a).

The purpose for the adoption of Section 7 Conveyors, Annex E Operator control devices, Annex F Combustion engine(s) and fuel handling, and Annex G Welded link chain is to grandfather in the ANSI rules for pre-existing tramways and to add the previous ANSI rules that are still in effect for pre-existing tramways to the CPTSB rules so that one ANSI code book and one CPTSB rulebook can be utilized for all tramways.

The adoption of these rules shall become effective May 15, 2009.

The Board finds that:

- The record of the rule making proceeding demonstrates the need for the regulations;
- The proper statutory authority exists for the regulations;
- To the extent practicable, the regulations are clearly and simply stated so that their meaning will be understood by any party required to comply with the regulations;
- The regulations do not conflict with other provisions of the law;
- There is no duplication or overlapping of the regulations; and,
- The proposed rules are being considered in light of its appropriateness and cost effectiveness.

Art Griffith seconded the motion and it passed unanimously.

VII. BUSINESS #2

A. Request for variance

1. Keystone Ski Resort's request for a permanent variance for relief from Rule 3.1.2.5 Stops and shutdowns for the River Run Gondola (KS-037)

The Board reviewed the November 3, 2008 letter from Jon Mauch, Keystone Ski Resort, requesting a permanent variance for relief from Rule 3.1.2.5 Stops and shutdowns for the River Run Gondola (KS-037). Jon Mach and Pete Lorenzen were present to represent Keystone.

During the load test on the Keystone's River Run Gondola, a deficiency was cited regarding the tramway's brakes not meeting the deceleration rates as indicated in the current code. As stated in the area's letter, the tramway was able to perform these stops at .22 meters per second squared. However, .5 meters per second squared is the minimum per the current code.

Keystone requested a permanent variance Rule 3.1.2.5 Stops and shutdowns for the River Run Gondola (KS-037) in order to allow the tramway to operate with its current deceleration rates.

Art Griffith moved to grant a permanent variance to Keystone for relief from Rule 3.1.2.5 Stops and shutdowns for the River Run Gondola (KS-037) in accordance with:

- 1.2.3 (a) The granting of such an exception would be consistent with, and would aid in, implementing the legislative policy set forth in C.R.S. 25-5-701; and,
- 1.2.3 (b) Compliance with applicable rules and regulations from which an exception is sought would create an unreasonable operational or design condition.

Findings of Fact:

1. This loading condition will only occur during an anti-collision stop with a 100% downhill loaded lift and 0% uphill load while the ropeway is operating at maximum speed. The anti-collision stop is an emergency stop that employs a regenerative drive with a drive sheave brake.
2. The cabin spacing is 200 feet (61 M) and the stopping distance for an anti-collision stop is 70 feet (21.4 M).
3. The service brake closed (service brake only) and SA4 Emergency Brake (drive sheave brake only) with main drive condition produced a 0.22 m/s^2 (.72 ft/s^2) stop at the acceptance test with 110% downhill loading and 0% uphill loading condition.
4. The normal stop with stand by drive condition produced 0.20 m/s^2 (.65 ft/s^2) stop at the acceptance test with 110% downhill loading and 0% uphill loading condition.
5. The drive sheave brake only with stand by drive condition produced a 0.25 m/s^2 (.82 ft/s^2) stop at the acceptance test with 110% downhill loading and 0% uphill loading condition.
6. The coasting (no brakes) stop with an evacuation drive and empty lift condition produced a 0.22 m/s^2 (.72 ft/s^2) stop at the acceptance test.
7. The area is reporting this condition under CPTSB Policy 15 and requesting a variance.
8. The anti-collision braking systems met the ANSI B77.1 standards deceleration requirements at the acceptance test.
9. The anti-collision system utilizes multiple braking systems to stop the lift and does not rely on the service brake or drive sheave brake only condition.
10. The gondola is currently operating at the build out capacity of 2400 people per hour.
11. The granting of this variance does not constitute a public safety hazard.

Fannye Belle Evans seconded the motion and it passed unanimously.

2. Crested Butte's request for a temporary variance for relief from Rule 4.1.2.8.2 Haul rope terminal sheaves for the Gold Link lift (CB-007) and the Painter Boy lift (CB-009)

The Board reviewed the January 8, 2009 letter from Keith Wohlers, Crested Butte, requesting a temporary variance for relief from Rule 4.1.2.8.2 Haul rope terminal sheaves for the Gold Link lift (CB-007) and the Painter Boy lift (CB-009).

Larry Smith, Supervisory Tramway Engineer, stated that Crested Butte had recently corrected the deficiency on the Gold Link and Painter Boy lifts regarding Rule 4.1.2.8.2 Haul rope terminal sheaves and the area requests that the variance be withdrawn.

Art Griffith moved that the Board take no further action on the variance request. Bob Hartzell seconded the motion and it passed unanimously.

3. Aspen Mountain's request for a permanent variance for relief from Rule 5.1.1.3.5.1 Structures for the new Lift 1 Platter lift (AM-024)

The Board reviewed the January 6, 2009 letter from Victor Gerdin and Joe Hamre, Aspen Mountain, requesting a permanent variance for relief from Rule 5.1.1.3.5.1 Structures for the new Lift 1 Platter lift (AM-024). Victor Gerdin and Joe Hamre were present to represent Aspen Mountain.

Aspen Mountain is planning to install a new surface platter lift. The current plan is to build the new lift between two proposed buildings, which the new buildings will be within the 35 feet air space allowance of the lift. Therefore, the area requested a permanent variance from Rule 5.1.1.3.5.1 Structures for the new Lift 1 Platter lift in order to allow the two building structures to be within the tramway's air space.

Scott Mitchell moved to grant a permanent variance to Aspen Mountain for relief from Rule 5.1.1.3.5.1 Structures for the new Lift 1 Platter lift (AM-024) in accordance with:

- 1.2.3 (a) The granting of such an exception would be consistent with, and would aid in, implementing the legislative policy set forth in C.R.S. 25-5-701; and,
- 1.2.3 (c) Compliance with applicable rules and regulations from which an exception is sought would create an unreasonable economic burden.

Provisions:

- 1. All structures that comprise the Lift One Lodge shall have a fire suppression system that shall comply with the NFPA 13 Standard for the Installation of Sprinkler Systems.
- 2. All structures that comprise the Lift One Lodge shall have a fire alarm system that complies with the NFPA 72 National Fire Alarm Code.
- 3. All structures that comprise the Lift One Lodge shall be constructed with a minimum one-hour fire rating as defined by the local building codes.
- 4. All structures that comprise the Lift One Lodge shall incorporate noncombustible materials as defined by the local building code. This includes the entire structural frame, interior and exterior walls, floors, and roof assemblies.
- 5. All structures that comprise the Lift One Lodge shall be constructed within the local building code requirements for commercial occupancy rating.

6. The Aspen Skiing Company shall provide instructions posted at all terminals that address the ropeway operation during a fire or the sounding of the fire alarm at the Lift One Lodge.
7. The Lift One Lodge shall comply with the Aspen Fire Protection District to provide a comprehensive fire response plan during construction and prior to construction approval.
8. The area personnel and CPTSB inspectors shall have access to the Lift One Lodge upon request.
9. The distance between the vertical planes as defined by the cable and the Lift One Lodge shall be not less than five (5) feet under normal operating conditions.
10. The ropeway operational plan shall address the potential and mitigation of falling snow, ice or other debris contacting any portion of the ropeway that affects public safety.
11. The design shall incorporate consideration for horizontal and vertical deropement as related to the structures.
12. The lift corridor shall be closed to skiing traffic while the lift is in operation.
13. The variance's provisions and findings of fact shall be confirmed before a license can be issued annually.

Findings of Fact:

1. The Aspen Fire Station has a professional full time staff and is located one-half mile from the ropeway.
2. There is full-time, maintained, year-round vehicular access to the structure.
3. The granting of this variance does not constitute a public safety hazard.

Brian McCartney seconded the motion and it passed unanimously.

4. Cheyenne Mountain Zoo's request for a modification to a permanent variance for relief from Rule 4.1.1.3.2.1 Structures for the SkyRide lift (CZ-001)

The Board reviewed the January 15, 2009 letter from Edwin Bedford, Cheyenne Mountain Zoo, requesting a modification to an existing permanent variance for relief from Rule 4.1.1.3.2.1 Structures for the SkyRide lift (CZ-001).

On June 21, 2007, the Board granted numerous air space variances to Cheyenne Mountain Zoo for their new SkyRide lift. One of the variances was for the Colobus Café now renamed the Grizzly Grill facility.

In 2009, Cheyenne Mountain Zoo is planning on remodeling and expanding this building, which would extend the café's roof beneath the SkyRide in order to provide a covered

eating area. Therefore, the area requested a modification to the permanent variance for relief from Rule 4.1.1.3.2.1 Structures in order to allow the structure to go underneath the SkyRide lift (CZ-001).

Art Griffith moved to grant a modification to the permanent variance to Cheyenne Mountain Zoo for relief from Rule 4.1.1.3.2.1 Structures for the SkyRide lift (CZ-001) in accordance with:

- 1.2.3 (a) The granting of such an exception would be consistent with, and would aid in, implementing the legislative policy set forth in C.R.S. 25-5-701; and,
- 1.2.3 (c) Compliance with applicable rules and regulations from which an exception is sought would create an unreasonable economic burden.

Provisions:

1. CPTSB inspectors shall have access to the structure upon request.
2. The structure shall not store flammable liquids with the exception of those liquids that are required for daily kitchen operation.
3. The Cheyenne Mountain Zoo shall develop and post a written plan for structure fires near the lift.
4. The structure shall have the appropriate number and size fire extinguishers as required by the local fire department. At a minimum, the structure shall have a 10 pound fire extinguisher.
5. The fire alarm system shall conform to NFPA 72 standards and shall directly notify the lift operator and fire department. The alarm shall be audible over ambient noise.
6. The variance's provisions and findings of fact shall be confirmed before a license can be issued annually.

Findings of Fact:

1. The Fire Department is a professional fire department with a full-time staff. The Fire Department facilities will be within 1.3 miles of the lower terminal.
2. The structure has year-round paved access road.
3. The structure is heated.
4. The evacuation time for the tramway will be 4 ½ minutes at full speed with a lift length of approximately 1,100 feet. The evacuation time for the evacuation drive will be 11 minutes maximum.

5. The structure will be directly underneath the haul rope and will be within the visual sight of the lower terminal operator.
6. The structure will be approximately 398 feet to the lower terminal and 693 feet from the upper terminal.
7. The fire hydrant is located within approximately 200 feet of the structure.
8. The structure is constructed of wood and CMU block framing, concrete floor, interior drywall, and a tar and gravel roof.
9. The existing building dimensions were 22.5 feet by 27 feet. The new dining area addition will be 22 feet by 58 feet. Overall dimensions of this building are 22.5 feet by 27 feet.
10. The Grizzly Grill facility (formerly Colobus Café) ~~Colobus Café~~ has a fire suppression system that meets NFPA requirements.
11. The granting of this variance does not constitute a public safety hazard.

Fannye Belle Evans seconded the motion and it passed unanimously.

B. Steamboat Ski & Resort – Late Reportable Incident

The Board reviewed the information on Steamboat's late reportable incident and response regarding indications that were found in the grip movable jaws during the NDT inspection on the Four Points lift (ST-016). The indications were caused by repeated bending as the grip passed around the bullwheel.

The indications were noted during the August 21, 2008 NDT inspection, but were not reported until the October 22, 2008 NDT inspection follow-up when it was discovered that the indications had not been officially reported to the Board office in August. Since the incident was not verbally reported within twenty-four (24) hours, this was a possible violation of CPTSB Rule 23.2 Reporting to the board.

After further review, Scott Mitchell moved that the Board take no further action in this matter due to the fact that the Board determined that these types of NDT indications were not considered a reportable incident and no apparent license law violation had occurred. Bob Hartzell seconded the motion and it passed unanimously.

In concluding with this agenda item, Larry Smith, Supervisory Tramway Engineer, informed the Board that with the NDT programming improving over the years, the industry is seeing more indications. With that, how does the Board determine what type of NDT indications are, in fact, a reportable incident? After further discussion, the Board directed Staff to form a committee to review a possible rule, policy, and/or guideline in order to help the industry determine if an NDT indication is a reportable incident. Mr. Smith said that he would get a committee together and report back to the Board at a future Board meeting.

C. Chapman Hill – Deficiency Not Corrected

The Board reviewed the information regarding Chapman Hill's deficiency not corrected on the Big Rope Tow (CH-002). The deficiency was regarding the haul rope not being replaced or re-spliced at the time the licensing deficiency letter was submitted to the Board office.

On December 23, 2008, Cathy Metz, Chapman Hill's Park and Recreation Director, contacted the Board office and explained that the area would like to open, but the haul rope for the Big Rope Tow had not been received from the manufacturer and she did not want to run the lift without letting the Board know of the circumstances.

Based on this admission, the area was requested to return the license for the Big Rope Tow (CH-002) to the Board office since this deficiency was not completed. The area returned the license on December 29, 2008. The area was also directed that once the haul rope was either replaced or the existing haul rope was re-spliced and safe for passenger transportation, they would need to re-respond that the deficiency has, in fact, been completed so a new license could be re-issued. The area did re-respond that the haul rope was replaced and a new license was issued on January 14, 2009.

Brian McCartney moved that the Board to take no further action in this matter due to the fact that Chapman Hill did report the deficiency as not being corrected prior to the tramway opening to the public and because the tramway came into compliance for re-licensing for the season. Fannye Belle Evans seconded the motion and it passed unanimously.

The Board also directed Staff to advise Chapman Hill that future deficiencies must be verified for accuracy and completeness before a response letter is submitted to the Board office.

D. Annual designation of the 2009 CPTSB Board meeting notices

Scott Mitchell moved to designate the reception area of the Division of Registrations, Suite 1350 of the Denver Post Building, Denver, Colorado for the 2009 CPTSB meeting notices pursuant to C.R.S. 24-6-402 (2) (c). Bob Hartzell seconded the motion and it passed unanimously.

VIII. NEW BUSINESS

Larry Smith, Supervisory Tramway Engineer, said that Telluride Ski and Golf has come to the Board asking for direction regarding one of the Findings of Fact on the Chondola lift's variance granted for relief from Rule 3.1.1.2.2.1 Structures on December 8, 2005. Ken King was present to represent Telluride.

The Findings of Fact in question states, "The building fire alarm will activate an alarm at the Chondola lift's top operator station." The issue is that the area just found out that the hotel structure, which the variance was granted for, is partially occupied and the fire alarm system has not yet been completed. With this, the area brought some options to the Board and asked for their direction on which option would satisfy the requirement. The Board reviewed the information and determined that the option regarding a horn being mounted near the north operator enclosure at the upper terminal building would satisfy the Findings of Fact in question.

IX. OPEN QUESTIONS/DISCUSSION FROM THE PUBLIC

None

X. EXECUTIVE SESSION

The Board did not go into Executive Session since there was no pending disciplinary matters in which would be subject to attorney/client privilege, other matters which are subject to attorney-client privilege, or matters which are required to be kept confidential.

XI. ADJOURNMENT

The meeting was adjourned at 12:48 p.m.

Approved by: Alan Henceroth, Chair

Date: April 16, 2009

Approved by: Arthur Griffith, Secretary

Date: June 18, 2009

Alan Henceroth, Chair

Arthur Griffith, Secretary

