AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: DRAFT BOCC Meeting Minutes; 8/13/19

Action Requested: Motion

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

The 8/13/19 Special Meeting minutes are attached for consideration.

Fiscal Impact:

Submitted by: Liz Mense **Submitter's Email Address:** EMense@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:

Reveiwed by: GUNCOUNTY1\mhoyt Discharge Date: 8/30/2019 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 8/30/2019

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 5

Agenda Date: 9/3/2019

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING MINUTES
August 13, 2019

The August 13, 2019 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

Jonathan Houck, Chairperson
John Messner, Vice-Chairperson (VIA PHONE)
Roland Mason, Commissioner
Matthew Birnie, County Manager
Elizabeth Mense, Deputy County Clerk
Others Present as Listed in Text

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS SPECIAL MEETING:

CALL TO ORDER: Chairperson Houck called the meeting to order at 9:10 am.

Direction to Colorado Parks & Wildlife Regarding Prairie Dog Relocation Request:
Moved by Commissioner Mason, seconded by Commissioner Houck authorizing Chairperson Houck to draft, sign and send correspondence to Colorado Parks & Wildlife in support of the request. Motion carried.

Direction to County Attorney Regarding Proposed Draft Comments on NEPA Regulations:
The Board authorized the County Attorney's Office to share the draft letter with other agencies and stakeholders, submit comments by the 8/28/19 deadline and ratify comments at a future meeting.

Possible Executive Session Pursuant to C.R.S. 24-6-402 (4)(b) Conference with the County Attorney and Deputy County Attorney to receive legal advice; and C.R.S. 24-6-402 (4) (e) (I) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators:
Moved by Commissioner Houck, seconded by Commissioner Mason to enter an executive session Pursuant to C.R.S. 24-6-402 (4)(b) to Conference with the County Attorney and Deputy County Attorney and to receive legal advice; and C.R.S. 24-6-402 (4)(e)(I) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators. In attendance would be Commissioner Roland Mason, Commissioner Jonathan Houck, Commissioner John Messner (via phone), Deputy County Attorney Matthew Hoyt, County Attorney David Baumgarten and County Manager Matthew Birnie. Motion carried.

The Board went into executive session at 9:21 am. *Executive sessions of the Board of County Commissioners are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(b) and C.R.S. 24-6-402 (4)(e)(I).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(2)(d.5)(II)(B) and C.R.S. 24-6-402(4), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4)(b) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____ _____
David Baumgarten
Gunnison County Attorney

Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Chairperson of the Gunnison County Board of Commissioners, that I attended all of the above referenced executive session, and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4)(b).

Date: _____ _____
Jonathan Houck, Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Houck, seconded by Commissioner Mason to come out of executive session. Motion carried unanimously**.** The Board came out of executive session at 9:50 am. Commissioner Houck confirmed that the discussion remained on-topic, that all parties stated to be in attendance were, in fact, in attendance and that no decisions were made.

Possible Executive Session Pursuant to C.R.S. 24-6-402 (4)(f)(I) Personnel Matters; Conference with the Deputy County Attorney and County Manager:
Moved by Commissioner Houck, seconded by Commissioner Mason to enter an executive session Pursuant to C.R.S. 24-6-402 (4)(f)(I) Personnel Matters; Conference with the Deputy County Attorney and County Manager. In attendance would be Commissioner Roland Mason, Commissioner Jonathan Houck, Commissioner John Messner (via phone), Deputy County Attorney Matthew Hoyt and County Manager Matthew Birnie. Motion carried.

The Board went into executive session at 9:51 am. *Executive sessions of the Board of County Commissioners are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(f)(I).*

Chairperson Statement Regarding Executive Session
Pursuant to C.R.S. 24-6-402(4), I attest that I am the Chairperson of the Gunnison County Board of Commissioners, that I attended all of the above referenced executive session, and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4)(b).

Date: _____ _____
Jonathan Houck, Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Houck, seconded by Commissioner Mason to come out of executive session. Motion carried unanimously**.** The Board came out of executive session at 10:31 am. Commissioner Houck confirmed that the discussion remained on-topic, that all parties stated to be in attendance were, in fact, in attendance and that no decisions were made.

Possible Executive Session Pursuant to C.R.S. 24-6-402 (4)(f)(I) Personnel Matters; Conference with the County Attorney and County Manager:
Moved by Commissioner Houck, seconded by Commissioner Mason to enter an executive session Pursuant to C.R.S. 24-6-402 (4)(f)(I) Personnel Matters; Conference with the County Attorney and County Manager. In attendance would be Commissioner Roland Mason, Commissioner Jonathan Houck, Commissioner John Messner (via phone), County Attorney David Baumgarten and County Manager Matthew Birnie. Motion carried.

The Board went into executive session at 10:31 am. *Executive sessions of the Board of County Commissioners are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(f)(I).*

Chairperson Statement Regarding Executive Session
Pursuant to C.R.S. 24-6-402(4), I attest that I am the Chairperson of the Gunnison County Board of Commissioners, that I attended all of the above referenced executive session, and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4)(b).

Date: _____ _____
Jonathan Houck, Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Houck, seconded by Commissioner Mason to come out of executive session. Motion carried unanimously**.** The Board came out of executive session at 11:13 am. Commissioner Houck confirmed that the discussion remained on-topic, that all parties stated to be in attendance were, in fact, in attendance and that no decisions were made.

BREAK: The Board briefly recessed at 11:13 am. The meeting resumed at 11:17 am.

Possible Executive Session Pursuant to C.R.S. 24-6-402 (4)(f)(I) Personnel Matters; Conference with the County Attorney, Deputy County Attorney and County Manager:
Moved by Commissioner Houck, seconded by Commissioner Mason to enter an executive session Pursuant to C.R.S. 24-6-402 (4)(f)(I) Personnel Matters; Conference with the County Attorney and County Manager. In attendance would be Commissioner Roland Mason, Commissioner Jonathan Houck, Commissioner John Messner (via phone) and County Manager Matthew Birnie. County Attorney David Baumgarten and Deputy County Attorney Matthew Hoyt were not in attendance. Motion carried.

The Board went into executive session at 11:17 am. *Executive sessions of the Board of County Commissioners are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(f)(I).*

Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Chairperson of the Gunnison County Board of Commissioners, that I attended all of the above referenced executive session, and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4)(b).

Date: _____ _____

Jonathan Houck, Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Houck, seconded by Commissioner Mason to come out of executive session. Motion carried unanimously**.** The Board came out of executive session at 11:52 am. Commissioner Houck confirmed that the discussion remained on-topic, that all parties stated to be in attendance were, in fact, in attendance and that no decisions were made.

Possible Executive Session Pursuant to C.R.S. 24-6-402 (4)(b) Conference with the County Attorney and Deputy County Attorney to receive legal advice on specific legal questions: There was no discussion and the Board did not go into Executive Session.

ADJOURN: Moved by Commissioner Mason, seconded by Commissioner Houck to adjourn the meeting. The meeting adjourned at 11:52.

_____
Jonathan Houck, Chairperson

_____
John Messner, Vice-Chairperson

_____
Roland Mason, Commissioner

Minutes Prepared By:

_____
Elizabeth Mense, Deputy County Clerk

Attest:

_____
Kathy Simillion, County Clerk

DRAFT