



**Title: Board of County Commissioners Meeting Policy**

**1. Purpose:** To provide guidance to the Clerk of the Board of County Commissioners, County employees, and the public regarding the procedures to be followed for business meetings of the Board of County Commissioners, and notices, agendas and posting of documents regarding of such meetings.

**2. Applicability:** This policy applies to all county departments and offices.

**3. Proponent:** Director of Management

**4. General Information:** By statute, decisions of the Board of County Commissioners regarding the adoption of any proposed policy, position, resolution, rule, regulation, or other formal action can only be made during public meetings. Whenever such a formal action occurs at which a majority or quorum of the body is in attendance, or is expected to be in attendance, public notice must be made. This ensures transparency and openness in government operations.

**5. Policy:**

a. Regular and Special Business Meetings.

(1) Regular Business Meetings. The Elbert County Board of County Commissioners (BOCC) will hold regular business meetings at 9:00 a.m. on the second and fourth Wednesdays of each month at the BOCC Meeting Room on the upper floor of the Elbert County Administration Building, 215 Comanche Street, Kiowa, CO 80117 (unless otherwise cancelled, rescheduled, or relocated). The agenda of the regular business meetings will normally include staff reports, discussion items, action items, and the opportunity for public comment. Upon majority vote, any item on the approved agenda may be moved from discussion to action. Posting of an agenda in the location specified in paragraph c.(1) below constitutes official public notice. The purpose of the regular business meetings will be to discuss and develop policies, discuss issues and receive information from department heads and elected officials, conduct public hearings, discuss its upcoming actions and its job products, and to take action on behalf of Elbert County. These meetings (except for Executive Sessions) will be open to the public.

(2) Special Business Meetings. The BOCC will hold special business meetings only on an as-needed, emergency basis, and will be noticed at least 24 hours prior to the holding of the meeting, if possible, by posting a notice in the location specified in paragraph c.(1) below.

(3) Public Comment at Regular and Special Meetings.

(a) The BOCC will allow public comment on discussion and action items at regular and special business meetings as well as traditional open public comment on non-agenda related topics. Public Comment shall be limited to issues over which the BOCC has authority, be respectful of county personnel and citizenry and may not exceed three minutes. Members of the public are expected to sign-in on a "Public Comment Roster" and may called in the order determined by the BOCC Chairman. Only one comment per person is allowed per agenda item or during open public comment. Speakers may not "yield" their time to others. Questions asked by the public may be answered immediately by the Chairman or referred to staff members present for reply. Questions requiring research or investigation may be referred to the County manager for consideration and later response.

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(b) Public Comment associated with "Discussion Items" will be called for after staff presentation and discussion by the BOCC. Only one [public](#) comment per person is allowed per discussion item. Speakers may not "yield their time to others."

(c) Public Comment associated with "Action Items" will be called for after staff update on the issue and prior to final discussion and decision by the BOCC. Only one [public](#) comment per person is allowed per action item. Speakers may not "yield their time to others."

(d) Abuse of public comment periods may result in individuals being barred from future comment at the discretion of the Chairman. It should be remembered that the purpose of public comment is to ensure all aspects of issues are considered prior to policy decisions being made. [Public comment is an opportunity to comment on an issue before the Board of County Commissioners. While a colloquy may be entertained, public comment does not necessitate a response, nor necessarily prompt a debate on the merits of the particular item or issue being considered.](#) Public comment is not "a poll" and therefore, in the interest of respecting the time of all involved, the Chairman may restrict comments if they become repetitive.

(e) Members of the public wishing to make formal presentations before the BOCC should make arrangements with the County Manager so that such presentations, when appropriate, may be coordinated with [members the applicable staff](#) and scheduled on the agenda.

(4) [Official Record of Meetings.](#) The official record of all publicly noticed meetings shall be the minutes prepared by the Clerk to the Board subsequent to approval by the BOCC. The Clerk to the Board will exercise good faith and reasonable efforts to present minutes of meetings for approval within one month of the applicable BOCC meeting. The Clerk to the Board will exercise good faith and reasonable efforts to ensure audio and video recordings of meetings are made. Copies of approved and recorded minutes and video and audio recordings will generally be made available via links on the county website subject to the [County Document Archives Policy \(B-03\)](#).

### b. Day-to-Day Oversight of Property and Employee Supervision Meetings.

(1) As needed, meetings to conduct day-to-day oversight of property or supervision of employees may be held. The purpose of these meetings is to discuss and reach decisions on day-to-day issues which require timely oversight of property and supervision of employees by the BOCC, such as verbal updates and written reports from the County Manager, County Attorney, Department Heads, and employees.

(2) [These meetings are not subject to public notice requirements \(CRS 24-6-402 \(2\)\(f\)\).](#)

### c. Posting of Meeting Notices, Agendas, and Drafts of Resolutions and Staff Summaries.

(1) In order to provide full and timely notice to the public, the official posting place of all notices and agendas for regular and special BOCC meetings, as required pursuant to C.R.S. 24-6-402 (2) (c), will be the bulletin board on the Second Floor of the Elbert County Administration Building, 215 Comanche Street, Kiowa, CO 80117. As a courtesy to the public, notices and agendas for regular and special BOCC meetings may also be posted on the County web site and the bulletin board outside of the Elbert County Administration Building, 215 Comanche Street, Kiowa, CO. These boards will be locked and secured.

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(2) The BOCC, through the Clerk to the Board, will exercise good faith and reasonable efforts to post meeting notices, draft resolutions, and staff summaries on the Elbert County Website. However, due to the fact that this source of information is subject to potential electronic disruption, this internet posting on the County Website will not be the official posting.

(3) Until acted upon by majority vote of the BOCC, such documents posted on the Elbert County Website will be in draft form only, and will be marked as follows: *“PLEASE TAKE NOTICE that the attached materials are preliminary only, are subject to discussion, correction, additions and changes, and are provided as draft documents which will be discussed and considered by the Elbert County Board of County Commissioners at a public meeting.”*

(4) Pursuant to C.R.S. 24-6-402 (7), if a person requests notification of all meetings or specific meetings, the Clerk of the BOCC will exercise good faith and reasonable efforts to provide reasonable advance notification via e-mail, and will place such persons on a notification list ([Sunshine List](#)) for two years. Such persons will be required to sign a form requesting placement on the list, and providing authorization to send notifications to the requestor’s e-mail address. This notification list shall not apply to day-to-day oversight of property or employee supervision meetings.

### d. Provision of Draft BOCC Meeting Documents to the Clerk of the BOCC and Staff

(1) In order to provide adequate time for review and revision of documents to be discussed and acted upon by the BOCC, staff will use good faith and reasonable efforts to provide draft documents pertaining to upcoming BOCC agendas to the Clerk of the BOCC, the County Manager, and the County Attorney no later than the Wednesday prior to the applicable BOCC meeting. [Failure to meet this deadline does not constitute grounds for sanction for any failure to do so.](#)

(2) The Clerk of the BOCC will use good faith and reasonable efforts to provide the draft agenda and all associated draft documents to the Commissioners prior to close of business on the Thursday prior to the applicable BOCC meeting. Any changes or additions to the tentative agenda, if requested, will only be approved by majority vote of the BOCC. [An agenda is considered as draft until the final form is adopted and approved by a majority vote of the board.](#)

### e. Posting of Agendas and BOCC Meeting Documents for Online Citizen Review

(1) The Clerk of the BOCC will use good faith and reasonable efforts to post as public notice the draft agenda for upcoming BOCC meetings on the Thursday prior to the applicable BOCC meeting. Upon official posting, the Clerk of the BOCC will use good faith and reasonable efforts to distribute the draft agenda to those registers on the [Sunshine List](#). [Failure to meet this deadline does not constitute grounds for sanction for any failure to do so.](#)

(2) The Clerk of the BOCC will use good faith and reasonable efforts to post online by close of business on the Monday before the applicable BOCC meeting all documents provided to the Commissioners as part of their board packet. It is recognized that Mondays are frequently Federal Holidays during which the County is closed. In the event that the County is closed on a Monday where posting would otherwise occur, posting of documents will occur as soon as practicable. [Failure to meet this deadline does not constitute grounds for sanction for any failure to do so.](#)

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f. Attendance and Rules of Order at Meetings by County Commissioners

(1) A quorum of the BOCC will consist of two commissioners being physical present at the location of the meeting. Telephone attendance of BOCC meetings will be allowed on an emergency basis only, with no more than three telephone appearances per calendar year per commissioner. Any commissioner attending by telephone will have the right to vote by telephone only if he attends the entire meeting. No telephone attendance of executive sessions will be allowed.

(2) Except as otherwise specified by state law or other board policies pertaining to its own operating procedures, the BOCC shall operate by the rules prescribed in Robert's Rules of Order Newly Revised (RRONR) as much as those rules can be reasonably applied to the conduct of board business.

(3) The BOCC recognizes that one such reasonable exception is the granting of authority to the Chairman to second motions for this three-person board when necessary. (without this authority, the BOCC cannot take action on any matter in the absence of a single member even though a quorum of two is present.)

(4) It shall be the responsibility of the Chairman to utilize RRONR when appropriate to do so.

**6. References.**

- a. Colorado Revised Statutes 24-6-402, *Meetings*
- b. Policy B-00, *Policy on Transparency in Local Government.*
- c. *Policy B-03, County Document Archives Policy*

**7. Adopted:** February 28, 2018. This policy supersedes all prior policies on these matters in their entirety.

**8. Reservation of Authority:** The Board of County Commissioners reserves the right to alter, amend, add to, and/or revoke all or part of this policy at any time.

ADOPTED BY MOTION ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
DANNY WILLCOX, CHAIRMAN

\_\_\_\_\_  
CHRIS RICHARDSON, VICE CHAIRMAN

\_\_\_\_\_  
GRANT THAYER, COMMISSIONER

ATTEST: DALLAS SCHROEDER  
COUNTY CLERK

BY: \_\_\_\_\_  
CLERK TO THE BOARD