

ELBERT COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

MINUTES

We welcome all of our visitors today, we appreciate your participation. If you need to have personal conversations if you would please step outside, we would appreciate it. Also if you have cell phones, we would ask that you put them on silent during today's meeting.

CALL TO ORDER ROLL CALL:

Robert Rowland – By Phone

Kelly Dore - Here

Larry D. Ross - Here

With a quorum present I call to order this meeting of the Elbert County Board of County Commissioners, convening this 12th day of July, 2016 at 10:23 a.m.

INVOCATION:

AGENDA

Commissioner Dore moved to add Item C to New Business that states: Outside Counsel Authorized to Advise and Provide Response to all Open Records Requests by Mr. T. Smith.

Commissioner Ross 2nd.

Commissioners Dore and Ross – AYE

Commissioner Rowland – NAY

Commissioner Ross moved to dispense with Correspondence, Awards and Recognition, Consent Agenda, Elected Officials/Department Heads/Staff Reports, Public Comment and Old Business and go directly to New Business.

Commissioner Dore 2nd

ALL IN FAVOR

Commissioner Dore moved to accept the Agenda as amended.

Commissioner Ross 2nd.

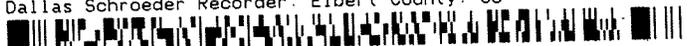
Commissioners Dore and Ross – AYE

Commissioner Rowland - NAY

PLEDGE OF ALLEGIANCE:

CORRESPONDENCE:

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Dallas Schroeder Recorder, Elbert County, Co



CONSENT AGENDA: The consent agenda consists of matters that occur in the normal course of business between BOCC meetings. These items are summarized and available to citizens, and are approved and enacted at this time by the BOCC in one (1) motion.

AWARDS & RECOGNITION:

ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORT(S): This is the time when any county elected official, department head or employee may use the podium to report on any matter of interest to the citizens and the BOCC. This is an open format and does not require prior approval or disclosure of the subject matter to be discussed and therefore cannot be added to the agenda at this time, but may be added at a later time for follow up or consideration by the BOCC if appropriate.

PUBLIC COMMENT(s): The public comment is a time when any citizen may bring forth items of interest or concern. During this time each individual will have three minutes to present view(s) on County matters(s). In the interest of time, please have your comments prepared for presentation as each person will be allowed one (1) opportunity to approach the podium. Please keep your comments to a three (3) minute maximum. No formal action will be taken on these items during this time due to open meeting provision; however, the items may be placed on a future posted Agenda if action is required. If you have comments on a regular Agenda item(s), please hold your comments until that item is up for consideration. The public comment portion of the BOCC meeting is not to be used for political or campaign purposes; comments/questions should be limited to matters of current County affairs and business. When you approach the podium please identify yourself and spell your last name and give your address.

OLD BUSINESS:

NEW BUSINESS: (Public comment may be provided for items as deemed appropriate)

- a. Authority of Outside Counsel to Respond to Open Records Requests as may be Directed by Board Chairman Larry D. Ross

Commissioner Dore moved to approve the Authority of Outside Counsel to Respond to Open Records Requests as may be directed by Board Chairman Larry D Ross.
Commissioner Ross 2nd.

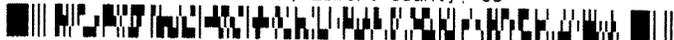
Commissioner Rowland asked if this would allow for one Commissioner to make unilateral decision.
Commissioner Dore affirmed that one Commissioner would not be making unilateral decisions.

Commissioners Dore and Ross – AYE
Commissioner Rowland – NAY

- b. Supplement to Outside Counsel Engagement Agreement with Johnson and Repucci, LLP
Commissioner Dore moved to approved the Supplement to Outside Counsel Engagement Agreement with Johnson and Repucci, LLP
Commissioner Ross 2nd.

Commissioner Rowland asked for explanation of the Agreement since he is out of town and unable to log in to work account

Wade Gateley, County Attorney



Mr. Gateley stated he didn't get the agreement until after hours but he did take time to review it. Mr. Larson is requesting \$15000 Retainer and when the amount falls below \$5000 that it would be automatically replenished. Mr. Gateley suggested language that the \$15000 be replenished after a vote by the BOCC.

Commissioner Rowland moved that the \$15000 be replenished after a vote by the Elbert County Board of County Commissioners.

Commissioner Rowland withdrew motion upon suggestion by Commissioner Dore that the exact language suggested by Mr. Gateley be used.

Commissioner Dore moved to amend the agreement to state that when the retainer balance reached \$5000 or below that the Board will reach a decision by majority vote if the \$15000 will be replenished as a condition to the firm performing any further work.

Commissioner Rowland 2nd.

Commissioner Ross thought the conditions were clear.

Mr. Larson thought it was clear as well, but not opposed to proposed changes.

ALL IN FAVOR

Commissioner Dore withdrew original motion.

Commissioner Dore moved to approve the Supplement to Outside Counsel Engagement Agreement with Johnson and Repucci, LLP with the amended language.

Commissioner Ross 2nd.

Commissioners Dore and Ross – AYE

Commissioner Rowland - NAY

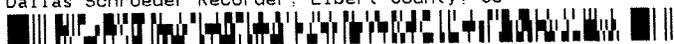
c. Outside Counsel Authorized to Advise and Provide Response to all Open Records Requests by Mr. T. Smith.

Commissioner Dore moved to Authorize Outside Counsel Authorized to Advise and Provide Response to all Open Records Requests by Mr. T. Smith.

Commissioner Ross 2nd

Commissioners Dore and Ross – AYE

Commissioner Rowland - NAY

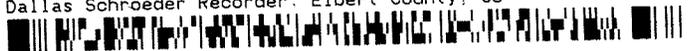


LAND USE:

ATTORNEY TO THE BOCC:

ADJOURNMENT 10:46 AM

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BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO



Larry D. Ross, Chairman

RECEIVED

Danny Willcox, Vice Chair

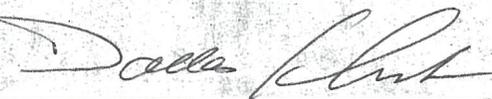


Robert Rowland, Commissioner

ATTEST: Dallas Schroeder

County Clerk

BY:



Clerk to the Board of County Commissioners



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