

MINUTES - SPECIAL MEETING GRAND COUNTY BOARD OF COMMISSIONERS

June 17, 2016

Present: Commissioner E. Jane Tollett, Commissioner District 1 – Chair
Commissioner Merrit Linke, Commissioner District 2
Commissioner Kristen Manguso, Commissioner District 3
Clerk and Recorder Sara Rosene
County Attorney Alan Hassler
Interim County Manager Ed Moyer
Water Counsel David Taussig
Water Counsel Barbara Green

Those present recited the Pledge of Allegiance.

Commissioner Tollett stated that this meeting is with water attorneys David Taussig and Barbara Green to talk water issues and efficiently spending County money and looking ahead at the next few months.

Mr. Hassler stated that part of report to be conveyed by counsel includes reports on litigation and negotiation matters that the attorneys are working upon. Mr. Hassler suggested that the Board enter into an executive session for the purposes of discussing specific legal questions with water counsel and County Attorney to receive an update on the water litigation and matters subject to negotiation. The statutory site for this is CRS 24-6-402(402)(4)(b). The session will not be recorded if the Board choses to use Executive Session.

Commissioner Linke moved to convene an Executive Session at 11:02 a.m. citing Section 24-6-402, CRS, which states that local public bodies may utilize executive sessions for considering any of the following matters (specifically): (4)(b) Conferences with an attorney for the local public body for the purposes of receiving legal advice on a specific legal question. The topic of the meeting is for water matters, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.

Discussion: Commissioner Manguso stated that she wants to make sure that while the Board is in this that it does not go off on a tangent as has happened in the past. Mr. Taussig stated that a lot of this is when there are agreements like this, because there are adverse parties on the other side, a lot could lead to litigation. Plans are in development, and instruction to counsel from the Board will help the attorneys formulate strategies to protect the County.

The motion passed unanimously.

Commissioner Linke moved to reconvene the regular meeting at 1:48 p.m.

The motion passed unanimously.

I, E. Jane Tollett, hereby attest that the portion of the executive session during which no minutes were taken was confined to a topic authorized for discussion in an executive session.

I, Alan Hassler, hereby attest that the portion of the executive session during which the Recorder was directed to take no minutes constituted a privileged attorney-client communication. The Executive Session commenced with all three members of the Board of County Commissioners present. Commissioner Manguso had to leave at 12:40 p.m. for another meeting. All matters discussed were related to the attorney client matters and were properly subject of Executive Session.

Commissioner Tollett stated that the purpose of this portion of the meeting is an Executive Session for the purposes of discussing negotiation details for the new County Manager.

Mr. Hassler stated that the statutory citation for the negotiating purposes is CRS 24-6-402(4)(d) and this will potentially involve a personnel matter which would be subject to an Executive Session under CRS 24-6-402(4)(f). It is also subject to Executive Session under the search provision that is CRS 24-6-402(3.5). The Executive Session will be recorded.

Commissioner Linke moved to go into Executive Session as described by County Attorney Alan Hassler.

The motion passed unanimously.

Commissioner Tollett stated that the Board discussed in Executive Session the offer for the potential new County Manager.

County Attorney Hassler stated that persons present at the beginning and end of the Executive Session were Assistant County Attorney Bob Franek, County Attorney Alan Hassler, County Manager Ed Moyer, and Commissioners Tollett, Linke, and Manguso. The Executive Session ended at 4:02 p.m. following direction to initiate negotiations.

E. Jane Tollett, hereby attest that the minutes of this executive session were recorded in accordance with CRS 24-6-402 and confined to the topic authorized for discussion in the executive session.

There being no further business to come before the Board, the Special meeting was adjourned at 4:05 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this _____ day of July 2016.

E. Jane Tollett, Chair

Attest:

Sara L. Rosene, Clerk and Recorder