

CUSTER COUNTY RESOLUTION NO. 20-08

A RESOLUTION OF CUSTER COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF COLORADO, ADOPTING A PROCEDURE FOR EMERGENCY MEETINGS BY THE CUSTER COUNTY BOARD OF COUNTY COMMISSIONERS AND BY THE CUSTER COUNTY BOARD OF HEALTH

Whereas, §30-10-303 (2) of the Colorado Revised Statutes authorizes the Board of County Commissioners of Custer County (BOCC) to call a special emergency meeting provided it has adopted a procedure for same; and

Whereas, on rare occasions, the health, safety and welfare of the residents of Custer County require the BOCC to be able to hold an emergency meeting when time is of the essence and it would not be prudent to follow the normal procedures set forth in the Colorado Open Meetings Law, C.R.S. 24-6-401, *et seq.*, and

Whereas, the BOCC also sits as the Custer County Board of Health; and

Whereas, the BOCC finds it is in the public interest for the Board of County Commissioners and for the Board of Health to adopt a policy and procedure to call for emergency meetings without giving twenty-four (24) hours' notice when the health, safety and welfare of the residents of Custer County would be jeopardized by delay and an emergency meeting of either or both Boards is therefore justified; and

Whereas, the procedure outlined below establishes a policy and a process by which any member of the Board of County Commissioner and any member of the Board of Health shall be authorized to call an emergency meeting when, in the opinion of the member, the public interest requires such a meeting on an exigent basis, so long as the action taken by either Board at such an emergency meeting is scheduled for ratification as an agenda item for the next regular scheduled meeting the Board of County Commissioners or the Board of Health.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that the following procedure for emergency meetings is hereby adopted:

1. If a member of the Custer County Board of County Commissioners or a member of the Custer County Board of Health (including the Public Health Director) determines that an emergency meeting of either Board is necessary and there is insufficient time to post notice of such meeting 24 hours in advance of the meeting, the following process will be used, said member shall be authorized to call and conduct an emergency meeting.

2. Depending on whether the emergency meeting is called by a member of the Board of County Commissioners or by a member of the Board of Health (including the Public Health Director), all other members of the Board shall be provided notice of the emergency meeting so far as it is possible to do so. No emergency meeting shall be held without a quorum of the Board being present.
3. The emergency meeting may be held in person, by telephone, or by other electronic means. The meeting may take place at any location agreed upon by a quorum of the Board.
4. If the meeting is held in person or via telephone or by other electronic means, an audio recording must be made and one of the members shall either take minutes or arrange for a county employee to be present, either in person or by telephone or by other electronic means, for the purpose of taking minutes of the emergency meeting.
5. Any action taken at an emergency meeting conducted by either Board shall be scheduled for ratification as an agenda item on the next regular scheduled meeting of the BOCC or the Board of Health, or, in the alternative, it can be ratified at a special meeting held in compliance with the notice requirements of the Open Meetings Law. The BOCC has meetings four times per month and the Board of Health is convened when necessary during BOCC meetings since the county commissioners also serve as the members of the Board of Health.

This Resolution is adopted this _____ day of _____, 2020.

[NOTE: This Resolution was approved unanimously, with Commissioner Canda appearing in person and Commissioners Flower and Printz appearing via a teleconference setup because they are presently quarantined due to possible exposure to the COVID-19 virus. Commissioner Canda was authorized to sign this Resolution on behalf of the entire Board.]

Tommy G. Flower
Chairman

Attest:

William R. Canda
Vice-Chairman

Kelley Camper by Deputy
County Clerk and Recorder

Jay D. Printz
Commissioner