

The Board of County Commissioners met in special session on April 18, 2006. Those present for the session were Don Batchelder, Vice Chair; Kristi R. Westfall, Member; Connie I. Hunt, County Administrator; Mary Deganhart, County Attorney; and Linda Munson-Haley, Clerk of the Board. Heidi M. Albritton, Chair; was on vacation.

- **Note – This meeting was recorded for reference purposes.**

**9:05 Commissioner Batchelder called this session to order:**

**9:05 Discussion and Possible Action concerning Award of Purchase of Services Contract to RPI Consulting, Inc., for Fiscal Impact Analysis, and adoption of Resolution 2006-030 authorizing purchase of service:**

The Commissioners discussed the different options available and the possibility of asking the Department of Local Affairs (DOLA) to help fund two fairly significant studies for the county.

**M/S/P**—Motion was made by Commissioner Westfall and seconded by Commissioner Batchelder to approve the proposal for Fiscal Impact Analysis to include Road and Bridge, Law Enforcement and Administration for a total value of \$14,875 subject to finding a matching grant. There was no discussion. Motion passed.

**M/S/P**—Motion was made by Commissioner Batchelder and seconded by Commissioner Westfall to adopt Resolution 2006-030 offering justification for awarding the contract as a single source, and to notify Andrew Klotz with RPI Consulting of the Board’s action. There was no discussion. Motion passed.

Connie Hunt, County Administrator, distributed a letter to the Board and the County Attorney that she had received from the Ouray County newspapers.

Mary Deganhart, County Attorney, advised the Board to go into executive session to discuss the letter.

Commissioner Batchelder noted that where the County has a letter from an attorney that alleges misconduct pursuant to the open meetings law and asking for specific remedial action, he asked for a motion to go into executive session.

**M/S/P**—Motion was made by Commissioner Westfall and seconded by Commissioner Batchelder to move into Executive Session pursuant to C.R.S. Section 24-6-402(4)(b) for the purpose of receiving legal advice. Motion carried.

*As County Attorney, it is my opinion that the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication.*

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*Mary Deganhart, County Attorney*

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*Don Batchelder, Vice Chair*

The following were present for the Executive Session: Commissioner Batchelder; Commissioner Westfall; Connie Hunt, County Administrator; and Mary Deganhart, County Attorney.

The Board came out of executive session. Commissioner Batchelder noted for the record that during the executive session the Board received the attorney’s advice and input regarding the letter received from Faegre and Benson. No votes were taken. The Board instructed the County Attorney to draft a response, which will be made a part of the public record once it has been approved and signed by the Board.

A discussion followed regarding scheduling a time during meetings for questions from the public and the Board decided to discuss the issue at the next regularly scheduled meeting.

**M/S/P**—Motion was made by Commissioner Westfall and seconded by Commissioner Batchelder to adjourn. There was no discussion. Motion passed.

**10:25 Commissioner Batchelder adjourned the special session:**

OURAY COUNTY BOARD OF COUNTY COMMISSIONERS  
OURAY, COLORADO

ATTEST:

\_\_\_\_\_  
Heidi M. Albritton, Chair

\_\_\_\_\_  
Michelle Nauer, County Clerk and Recorder

\_\_\_\_\_  
Don Batchelder, Vice Chair

By: \_\_\_\_\_  
Linda Munson-Haley,  
Clerk of the Board

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Kristi R. Westfall, Member