



PROCEDURES REGARDING PUBLIC MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS

The following procedures apply to meetings of the Board of County Commissioners (“BOCC”). The Board of County Commissioners and its staff will make every effort to comply with these procedures. Nothing in these procedures is intended to place requirements on the BOCC beyond what is required by Colorado law.

Public Hearings

- Public hearings are generally held Mondays at 9:30 a.m. in the Public Hearing Room at the Government Center
- The BOCC may occasionally schedule public hearings in the evenings and/or at alternative locations
- Required attendance at meetings:
 - At least 2 Commissioners
 - County Administrator or Designee
 - County Attorney or Designee
- Agenda
 - Agendas for the public hearing will be prepared and posted at least 24 hours in advance of the meeting
 - Amended agendas may be posted less than 24 hours when necessary
 - Agendas are posted in the following locations:
 - Government Center Clerk and Recorder’s Bulletin Board
 - www.adcogov.org
 - The BOCC staff will send copies of the agenda to those included on the Sunshine list (maintained by BOCC staff)
 - Elected Officials and Department Directors will also be sent copies of agendas as soon as they are prepared
- Public Participation
 - The public may attend the entire public hearing, unless the Board votes to enter into executive session (see description below)

- The public may comment during designated times on agenda as directed by the Chair of the Board
- Members of the public who wish to comment during the public comment portions of the hearing must sign up with the Clerk of the Board prior to the public comment period
 - Signup sheets are available at the back of the public hearing room
- Each public speaker will be limited to one 3 minute period of comment
- Format
 - Robert's Rules of Parliamentary Procedure will govern the proceedings of public hearings when practicable
 - The Chair of the Board shall chair public hearings
 - The Chair may deviate from the order of the agenda as necessary
 - All public hearings are audio recorded
 - Audio recordings of public hearings are available on the County's website
 - Minutes of public hearings shall be prepared and approved at the next public hearing

Study Sessions

- The term study session is used to describe any meeting of two or more commissioners that is not a public hearing or executive session
- Study sessions may be regular or special meetings as described by Colorado law
- Study sessions may be scheduled at any time, but are generally scheduled on Mondays after public hearing and on Wednesdays starting at 9:00 a.m.
- Study sessions may occur in the study session room located behind the public hearing room or at any other location designated on the agenda
- Required attendance at study sessions:
 - At least 2 Commissioners
 - County Administrator or Designee
 - County Attorney or Designee
- Agenda
 - Agendas for study sessions will be prepared and posted at least 24 hours in advance of the session
 - Amended agendas may be posted less than 24 hours when necessary
 - Agendas are posted in the following locations:
 - Government Center Clerk and Recorder's Bulletin Board
 - www.adcogov.org
 - The BOCC staff will send copies of the agenda to those included on the Sunshine list (maintained by BOCC staff)

- Elected Officials and Department Directors will also be sent copies of agendas as soon as they are prepared
- Public Participation
 - The public may attend study sessions, unless the Board votes to enter into executive session (see description below)
 - There is no public comment component to study sessions
- Format
 - Study sessions are informal and do not utilize Robert's Rules of Parliamentary Procedure
 - The Chair of the Board shall chair study sessions
 - Study sessions, other than Administrative Items Review (AIR), will be audio recorded whenever practicable
 - Study sessions which occur at alternative locations may not be recorded
 - Minutes are not kept during study sessions
 - Audio recordings of study sessions shall be maintained indefinitely unless otherwise directed by the County Attorney in writing.

Executive Sessions

- Executive sessions may occur during any public hearing or study session that has been properly noticed (including regular and special meetings)
- Executive sessions may occur in the study session room located behind the public hearing room or at any other location
- The Board must vote (2/3 of quorum present) to enter into an executive session
 - The Board may enter into executive session while in public hearing or during study session
 - The purpose of the executive session and citation to legal authority shall be identified prior to voting to enter into executive session
- Executive sessions may be called for the following purposes:
 - The purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest
 - Conferences with an attorney for the purpose of receiving legal advice on specific legal questions
 - Matters required to be kept confidential by federal or state law or rules and regulations
 - Specialized details of security arrangements or investigations
 - Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators

- Certain personnel matters (the employee who is the subject of the session may request that the meeting be made an open meeting)
- Discussion of certain documents that are identified as protected from disclosure
- Discussion of individual students
- Required attendance at executive sessions:
 - At least 2 Commissioners
 - County Administrator or Designee
 - County Attorney or other legal counsel
- Agenda
 - Executive sessions will be listed on the Study Session Agenda whenever practicable
 - The topic to be discussed and the purpose of the executive session will be listed on the agenda if the executive session is listed
- Participation
 - The public may not attend executive sessions
 - If the executive session is convened for the purpose of receiving legal advice, only the Board, the County Administrator, those individuals directly involved in the legal matter, and legal counsel may be present
 - For executive sessions convened for non-legal purposes (i.e. in order to maintain confidentially), the County Administrator and/or the County Attorney will advise the Board regarding who should attend the session
- Format
 - Executive sessions are informal and do not utilize Robert's Rules of Parliamentary Procedure
 - The Chair of the Board shall chair executive sessions
 - At the beginning of each executive session, the County Attorney or County Administrator will explain the topic to be discussed and specifically identify the purpose for the executive session, including citation to legal authority
 - The names of the individuals present in the room shall be identified for the record
 - Whenever practicable, executive sessions will be audio recorded in a separate recording from that used for the public hearing or study session
 - The County Attorney, or other legal counsel, shall have the right under Colorado law to designate any portion of the recording privileged
 - Privileged portions of the executive session recording will not be disclosed absent court order
 - Other than audio recordings, minutes are generally not kept during executive sessions
 - If no audio recording is made, written minutes shall be prepared by the County Attorney

- Audio recordings and any written minutes of executive sessions shall be destroyed after ninety days unless otherwise directed by the County Attorney in writing.

Requests for Audio Recordings

- Audio recordings of public hearings are maintained on the County's website and are available to the public at no charge.
- The County charges a minimum of \$10.00 for each study session audio recording that is requested. (This amount represents the average actual cost incurred by the County in fulfilling a request for an audio recording). Depending on the nature of the request, additional fees may be charged for additional staff time incurred in fulfilling the request.