

**SPECIAL MEETING OF THE
TELLER COUNTY BOARD OF COUNTY COMMISSIONERS
TELLER COUNTY CENTENNIAL BUILDING
TUESDAY, AUGUST 31, 2010**

SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS,
TELLER COUNTY, COLORADO, AUGUST 31, 2010. IN ATTENDANCE
WERE:

BOB CAMPBELL, CHAIRMAN
BUCK BUCKHANAN, VICE CHAIRMAN
JIM IGNATIUS, COMMISSIONER
SHERYL DECKER, COUNTY ADMINISTRATOR
CHRIS BRANDT, COUNTY ATTORNEY
PATRICIA CROWSON, CLERK & RECORDER

2:06 p.m. CONVENE

CONSIDER APPROVAL OF PROPOSED SETTLEMENT AGREEMENT
BETWEEN THE TELLER COUNTY BOARD OF COUNTY
COMMISSIONERS AND KEVIN DOUGHERTY REGARDING THE
DECLARATORY JUDGMENT ACTION.

Mr. Brandt, County attorney, explained that the Special Meeting was scheduled after he was advised that there was an agreement acceptable to Mr. Dougherty. On Sunday night, Mr. Dougherty provided a signed copy of the Settlement Agreement. Monday afternoon Mr. Dougherty revoked his signature on that Settlement Agreement and accordingly approval of the agreed Settlement Agreement is not something the Board can consider on this date. However, this morning further negotiations have occurred with the possibility that a new Settlement Agreement will be signed by Mr. Dougherty and available to the Board to be considered. Mr. Brandt suggested that the Board recess to see if the new Settlement Agreement will be available to the Board.

Recess
Reconvene
(CD#2)

Mr. Campbell reconvened and announced that a Settlement Agreement signed by Mr. Dougherty has been received. Matt Drexler, Mr. Dougherty's attorney, participated via phone conference. Ms. Decker read the Settlement Agreement into the record.

PUBLIC COMMENT:

Adrienne Pohrte, Teller County resident, asked a question regarding Sheriff's office staff and recommended that the Board accept the provisions and move forward.

Joe Tricelli, resident, recommended that the Board accept the provisions and move forward. He commented that he believes Mr. Dougherty has done a good job.

BOARD DISCUSSION:

Mr. Ignatius commented on the process the Board has gone through in an effort to limit the expense to the county and follow the law.

Mr. Buckhanan commented that the Board has done what is required by law and that this should be moved along in a timely fashion.

Mr. Campbell commented on the need for the orderly transition of the office and that he is excited about the future.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded to **approve** the Settlement Agreement as proposed between the Board of County Commissioners and Kevin M. Dougherty as signed today, and authorize the Chairman to sign. All commissioners voted yes. Mr. Campbell signed the Settlement Agreement.

**CONSIDER APPOINTMENT TO FILL VACANCY IN THE OFFICE OF
TELLER COUNTY SHERIFF**

Mr. Campbell commented on the process regarding the vacancy in the Sheriff's position. Based on the situation as it has arisen and conditions that the Board has, including the fact that there are no other party candidates, nor write-in candidates, he believes that the process should be somewhat different and that the candidate who was elected in the Republican primary election be considered. Mr. Campbell suggested that it would be appropriate that the Board appoint the winner of primary since there will be no contest in November for the Sheriff's position. Mr. Ignatius agreed with the Chairman.

There was no public comment.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded to appoint Michael A. Ensminger to the office of Teller County Sheriff, effective Friday September 3, 2010 at noon. All commissioners voted yes.

**THERE BEING NO FURTHER BUSINESS, THE MEETING WAS
ADJOURNED AT 2:46 P.M.**

APPROVED _____
Chairman, Board of County Commissioners

ATTEST _____
Clerk & Recorder