

**GUNNISON COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
July 17, 2008**

The July 17, 2008 Board of Commissioners meeting was held in the Commissioners Meeting Room at the Courthouse. Present were:

Hap Channell, Chairperson
Paula Swenson, Vice-Chairperson
Jim Starr, Commissioner (via telephone)

Matthew Birnie, County Manager
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

CALL TO ORDER: Chairperson Channell called the meeting to order at 3:32 pm.

GCCA, ET AL V GUNNISON COUNTY; POSSIBLE ACTION; POSSIBLE EXECUTIVE SESSION: County Attorney David Baumgarten and Housing Authority Executive Director Denise Wise were present for discussion. Attorneys Barbara Green and John Sullivan of Sullivan Green Seavy, LLC were available for discussion via telephone.

County Attorney Baumgarten suggested that he participate in an Executive Session with the Board, County Manager Birnie, Housing Authority Executive Director Wise and County Paralegal Magruder to discuss preanswer motion opportunities and the pending litigation between the Gunnison County Contractors Association, the Gunnison County Board of County Commissioners, the Gunnison County Housing Authority and some privately named entities. Attorneys Barbara Green and John Sullivan also participated in the executive session via telephone. **Moved** by Commissioner Starr, seconded by Chairperson Channell to enter into an Executive Session as suggested. Motion carried. Commissioner Swenson was unavailable for the vote, but joined the meeting prior to the start of the Executive Session.

The board went into executive session at 3:35 pm. Executive sessions of the Board of County Commissioners are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(b).

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402 (2)(d.5)(II)(B), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____

David Baumgarten
Gunnison County Attorney

Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(2)(d.5)(II)(B), I attest that I am the Chairperson of the Gunnison County Board of Commissioners, that I attended all of the above referenced executive session, and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4).

Date: _____

Hap Channell, Chairperson
Gunnison County Board of Commissioners

The Board came out of executive session at 4:32 pm. Chairperson Channell confirmed that the discussion remained on-topic, that all parties stated to be in attendance were, in fact, in attendance and that no decisions were made.

ADJOURN: **Moved** by Commissioner Swenson, seconded by Commissioner Starr to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 4:32 pm.

Hap Channell, Chairperson

Paula Swenson, Vice-Chairperson

Jim Starr, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk