Resolution No. 25-
Exhibit A

LEGISLATIVE AND PARLIAMENTARY RULES AND PROCEDURES
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LEGISLATIVE AND PARLIAMENTARY RULES AND PROCEDURES

I. ELECTIONS AND OATHS OF COUNTY ELECTED OFFICIALS

A. The County's Elected Officials are elected per General Election or as otherwise prescribed by the Constitution and/or statutes of the State of Colorado.

B. The County's Elected Officials are sworn into their respective offices in accordance with Article 10 of Title 30, C.R.S., as amended. (Per Colorado Constitution and Section 30-10-702, C.R.S., as amended, the Treasurer-elect shall be sworn into office prior to December 31).

C. The oaths for the County's Elected Officials shall be prepared and recorded by the El Paso County Clerk & Recorder (hereinafter "County Clerk").

II. CRIME INSURANCE POLICY COVERAGE FOR COUNTY ELECTED OFFICIALS

A. The necessary crime insurance policy coverage for the County's Elected Officials shall be secured and paid for by the Chief Human Resource Officer from the self-insurance fund in an amount prescribed by Article 10, Title 30, C.R.S., as amended.

B. Pursuant to Section 24-13-105, C.R.S., as amended, on the first day of each term, the Board shall examine and inquire into the sufficiency of the crime insurance policy coverage of the County Treasurer, Sheriff, Coroner, Assessor, County Clerk, and Surveyor, and all other County officers (County Commissioners).

C. The Resolution, Finding Sufficiency of Crime Insurance Policy Coverage for County Elected Officials, prepared by the County Attorney in coordination with the Chief Human Resource Officer, shall be considered for adoption at the Board's Organizational Meeting. Upon adoption, the resolution shall be recorded in the office of the County Clerk pursuant to Section 24-13-117, C.R.S., as amended. The County Attorney, in coordination with the Chief Human Resource Officer, shall schedule the Board's consideration and approval of the Treasurer's crime insurance policy coverage in December prior to the swearing in of the Treasurer.

D. If a County Commissioner or County Clerk as Registrar of Titles executes a bond in lieu of crime insurance the bond shall be filed with the District Court in accordance with Sections 30-10-313, 30-10-314 and 38-36-110, C.R.S., as amended.

E. All statutory insurance shall be recorded in the office of the County Clerk and shall remain on file, (Sections 30-10-314, -501, -601, -701, -801, -901, C.R.S., as amended) with the exception of the County Clerk's crime insurance policy coverage, which shall be filed in the office of the El Paso County Treasurer (Section 30-10-401, C.R.S., as amended).

F. The County Clerk shall file his crime insurance policy coverage as Registrar of Titles (Torrens Title Registration Act, C.R.S. 38-36-110, as amended) with the Secretary of State.

III. APPOINTMENTS AND POWERS OF CHAIR AND VICE CHAIR

A. APPOINTMENT OF CHAIR:

1. The Board shall choose one of its members as Chair pursuant to Section 30-10-307, C.R.S., as amended.

2. The Board has appointed Carrie Geitner as Chair to serve as Chair so long as it pleases the majority of the Board.

3. Pursuant to Sections 30-10-307 and 30-10-308, C.R.S., as amended, the Chair shall preside at all meetings of the Board, administer oaths to any person concerning any matter submitted to the Board or connected with its powers and duties, and shall sign all County orders and documents related to matters acted upon by the Board. These powers are automatic and do not require separate or additional Board action. The Chair may authorize the County Attorney or designee to administer oaths. By this reference, the Board automatically renews, approves, and authorizes the Chair to execute County warrants per calendar year.

4. The Chair or Vice Chair is authorized to sign Grant Applications without scheduling on the Board's Agenda unless public funds are being committed to by El Paso County for fulfillment of a grant if awarded and if the County match is not already budgeted in the current budget or designated in fund balance for stated purpose. This does not include the authority to sign Grant Agreements which are required to be heard in an open and public meeting by the Board before they become a valid and binding Agreement.

5. Pursuant to authority granted to the County's principal executive officer under Section 24-33.5-709, C.R.S., the Chair, or in the Chair's absence, the Vice Chair, is authorized to declare a disaster, as that term is defined in Section 24-33.5-703, C.R.S. The Chair's or Vice Chair's disaster declaration shall remain in place for seven days unless rescinded. The declaration may be continued beyond seven days by resolution of the Board.

B. APPOINTMENT OF VICE CHAIR:

1. Pursuant to Section 30-10-307, C.R.S., as amended, the Board shall choose one of its members as Vice Chair. The Board has appointed Commissioner Holly Williams as Vice Chair to act in the absence of the Chair for whatever actions or events that may require the presence of or execution by the Chair, so long as it pleases the majority of the Board. This authorization is automatic and does not require separate or additional Board action.

C. OTHER:

1. No other powers may be assumed without concurrence of the Board.

IV. LIAISON RESPONSIBILITIES

A. By separate resolution, the Board adopts liaison responsibilities for the purpose of providing and receiving policy guidance and generally assisting in communication and cooperation between the County's Elected Officials, directors, and agencies. Such liaison responsibilities shall remain in effect so

long as it pleases a majority of the Board, upon Commissioners entering into office, or the appointment of a new Chair or Vice Chair.

V. ORGANIZATIONAL STRUCTURE OF OFFICES

A. The County's Organizational Structure is attached as Attachment A and remains in effect so long as it pleases a majority of the Board. Amendment(s) shall be determined by separate resolution.

VI. OFFICIAL MEETING INFORMATION

A. Effective September 1, 2023, all Official Board Meetings shall be held on Tuesday at 9:00 a.m. for regular Board Meetings, and the second and fourth Thursday of the month at 9:00 a.m. for land use matters; or as soon as a quorum is present thereafter, in the auditorium of Centennial Hall located at 200 South Cascade Avenue, Colorado Springs, Colorado. Official Board Meetings may be held with some or all members appearing virtually as circumstances may dictate and as directed by the Chair. Informal Meetings will be scheduled on the first and third Tuesday of the month, immediately following the regular Board Meeting, or as soon thereafter at the Chair's discretion.

B. All meetings are open to the public except as otherwise provided by law. Accommodations for public appearance and/or comment will be made for all meetings and public instructions therefor will appear on the agenda.

C. By previously adopted resolution, a meeting may be scheduled and held on a day, and at a time and location, other than those described herein, to consider matter(s) of unusually high public interest. Said meeting is subject to the posting and public notice requirements described herein and availability of a recording device to enable proper record retention.

D. Pursuant to Section 30-10-405, C.R.S., as amended, the County Clerk shall attend the sessions of the Board either in person or by deputy, keep the County seal, records, and papers of the Board, and keep the Record of Proceedings of the Board in a visual text format that may be transmitted electronically, as required by law, under the direction of the Board.

VII. LEGAL ENTITIES OF THE COMMISSIONERS AND RELATED MEETINGS

A. BOARD OF COUNTY COMMISSIONERS (Constitutional officers under the Colorado Constitution Article XIV, Section 6, with executive, legislative and quasi-judicial responsibilities.) Regular Board meetings shall be conducted as described in Official Meetings. Land use matters shall be scheduled on the second and fourth Thursday of each month with the first Thursday optional of each month as needed.

B. LOCAL LICENSING AUTHORITY (Sections 44-3-103(27) and 44-4-103(4), C.R.S., as amended, Colorado Beer and Liquor Code matters, and Section 44-10-103(28) Medical Marijuana matters). Local Licensing Authority matters for unincorporated El Paso County shall be scheduled on regular Official Board Meeting Agendas.

C. SOCIAL SERVICES A/K/A HUMAN SERVICES BOARD (Section 26-1-116, and Section 26-1-116(3) C.R.S., as amended by SB 04-035). Human Services agenda items shall be scheduled on regular Official Board Meeting Agendas.

D. COUNTY BOARD OF EQUALIZATION ("CBOE") (Colorado Constitution Article X, Section 15). The Board of County Commissioners is not constitutionally or statutorily required to review the decisions of the CBOE. Colorado statutes provide an appeal process for citizens that do not agree with decisions of the CBOE.

1. In accordance with Section 39-8-107(2)(b), C.R.S., as amended, the Board of County Commissioners authorizes a petitioner or petitioner's agent to elect to receive the decisions rendered by the CBOE by electronic mail.

2. By submitting an appeal through the County Assessor's online appeal system, the petitioner, or petitioner's agent, is agreeing to receive future electronic transmissions concerning CBOE matters, instead of through U.S. Mail. To opt-out of the electronic list and receive notices via U.S. Mail, petitioners may contact the Assessor's Office. Section 39-5-121(1.7), C.R.S., as amended.

E. PUBLIC IMPROVEMENT DISTRICT (Section 30-20-501, C.R.S. *et seq*.) Public Improvement District items shall be scheduled on Public Improvement District Meeting Agendas.

F. BOARD OF ADJUSTMENT ("BOA") (Section 30-28-117, C.R.S.) Pursuant to Resolution No. the Board of County Commissioners appointed itself to serve as the Board of Adjustment. BOA items shall be scheduled on the same day that Land Use meetings occur. Upon conclusion of the Land Use meeting, the Board of County Commissioners will reconvene as the Board of Adjustment to hear any matters scheduled before it. A quorum of no less than four (4) commissioners is required to hold any BOA meeting. The Chair and Vice-Chair of the BOA shall be the same as the Board of County Commissioners.

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VIII. OFFICIAL MEETINGS, SCHEDULES, AND CLOSURES

A. ORGANIZATIONAL MEETING:

1. Upon commencement of the terms of office and administration of Oaths of Office for the County's newly Elected Officials, on the second Tuesday in January following the election, the Board has determined to hold its Organizational Meeting to consider matters which include, but are not limited to, resolutions for the crime insurance policy coverage for the County's newly elected officials, the Commissioners' liaison responsibilities, to designate the posting location and the custodian of the Minutes, and changes to the Board's Official Meeting and/or Summer Schedules.

B. OFFICIAL MEETINGS:

1. In accordance with Section 30-10-304(1), C.R.S., as amended, the Board shall hold at least two meetings in each week of the year commencing at 9:00 a.m. on Tuesday, an additional meeting commencing at 9:00 a.m. on the second and fourth Thursday of the month for land use matters, and an Informal Meeting on the first and third Tuesday of the month immediately following the regular Board Meeting or as soon thereafter at the Chair's discretion (except during the months of July and August). (See Section VIII.D. for additional information.)

2. In accordance with Section 30-10-304(2), C.R.S., the Board may hold fewer than two meetings in each week of each year on the basis of, without limitation, the following circumstances:

    a) A lack of a quorum caused by illness;

    b) Scheduling conflicts with meetings of professional organizations whose membership includes County Commissioners;

    c) Inclement weather;

    d) Natural disasters or emergency conditions;

    e) Special events; or

    f) Any other circumstance that a majority of the Board deems reasonable justification for not holding the meeting in the majority's sole discretion.

3. The Board Chair may cancel a regularly scheduled meeting of the Board pursuant to subsection two (2) above or applicable provisions of the law or these rules. If the decision to cancel a meeting is made more than twenty-four hours in advance of the meeting, the Board shall promptly provide notice to the public of the cancellation in the same manner in which it customarily provides the public notice of its meetings.

4. Amendments to this regular meeting schedule shall be determined by resolution pursuant to Section 30-10-303(1), C.R.S., as amended.

5. Any commissioner(s) participating virtually, by means of telephone or other electronic method, shall be deemed present and counted toward a quorum for voting purposes.

6. When Official Board Meetings are held where a quorum of the Board is participating by telephone or other electronic method, the County shall follow the following procedures:

    a) Publish a conference call dial-in number, and any associated access code, with the agenda for the purpose of inviting public participation; or
    b) Publish the electronic medium and access method to the platform the Board may utilize, with instructions to members of the public on how to listen and participate.
    c) The County Communications Department shall inform the public through customary means of any such telephonic or electronic meeting.
    d) The County shall audio-record any telephonic or electronic meetings of the Board and said recording shall constitute the official record of the meeting. In the event audio-recording is not feasible, then the Clerk to Board, or designee, or a County staff person assigned by the Board, shall take written minutes of the meeting, and the written minutes shall constitute the official record of the meeting.
    e) When the Board holds a meeting by other electronic means, the County shall video and audio record the meeting if feasible; and if not feasible, written minutes shall be taken as set forth in the preceding paragraph.

C. SPECIAL AND EMERGENCY MEETINGS:

1. The Board may hold Special and Emergency Meetings pursuant to Section 30-10-303(2), C.R.S., as amended.

2. Special Meetings shall be held at such time and place as stated on the published Agenda. Upon receiving a request the Chair and Vice Chair or three Board members eligible to vote on said matter, the Chair or Vice Chair shall schedule a Special Meeting of the Board upon proper public notice unless emergency circumstances warrant the Special Meeting. The County Administrator and the County Attorney shall have discretion to call an Emergency Meeting.

3. Should proper public notification not be attainable, the Board's action(s) at the Special or Emergency Meeting shall be scheduled for ratification as a Consent Calendar item on the Board's next regular Agenda to provide proper public notice. In the event the County Clerk has already posted the Agenda of the next Official Meeting, the special or emergency matter shall be scheduled for ratification on the next available Agenda.

D. SUMMER SCHEDULE:

1. Pursuant to Section 30-10-304(1), C.R.S., as amended, the Board may meet in regular session twice monthly during the months of July and August.

E. COUNTY CLOSURES:

1. When County Offices are closed due to inclement weather or for an act of emergency; and where a virtual meeting is not possible, the Board hearing and scheduled agenda shall be automatically postponed and continued to the next scheduled Board hearing date. No further action shall be required of the Board, the County Administrator, County Attorney or Clerk to the Board.

F. SOCIAL GATHERINGS:

1. Chance meetings of public officials, or social gatherings, for which discussion of public business is not the central purpose for such gatherings, are not subject to the provisions of the Open Meetings Law**.**

IX. SCHEDULING AGENDA AND ADDENDUM MATTERS FOR OFFICIAL MEETINGS

A. GENERAL REFERENCE INFORMATION:

1. GRANTS – Resolution No. 17-152 or any amendment thereto.

a) The Chair and Vice Chair are authorized to sign grant applications on behalf of the Board pursuant to Section III.A. 4.

b) The Chair and Vice Chair are not provided the authority to sign Grant Agreements, which are required to be heard in an open and public meeting by the Board before they become a valid and binding Agreement.

2. The Board desires to ensure prior fiscal, legal, and administrative review and to provide uniform submittal and processing of all matters scheduled. All agenda submittals shall be processed through the automated process. Items submitted outside of the Workflow process will not be accepted.

3. The following Agenda Requests do not require review by Financial Services:

   Deputy District Attorney Appointments;
   BOCC Minutes;
   Committee Appointments/Reappointments;
   Tax Abatement Petitions;
   Fireworks Display Permits;
   Liquor License matters;
   Medical Marijuana License matters;
   Secure Transportation License matters
   Ceremonial Resolutions;
   Land Development Code, Engineering Criteria Manual, and Ordinance Violation matters;
   Animal Control;
   Committee Bylaws;
   Regional Building Code matters;
   Special District Service Plans;
   Treasurer's Tax Sale Certificates, Delete Uncollectible Taxes and Designate Depositories;
   Department of Human Services Program Plans;
   Fire Code matters;
   Land Use matters;
   Road Project Management Plans;
   Road Closures and Acceptances;
   Environmental Assessments; and
   Storm Water Permits.

4. The following Agenda Requests do not require review by the County Attorney's Office:

   Deputy District Attorney Appointments;
   Budget Requests to Recognize Revenue and Appropriate Expenditures;
   BOCC Minutes;
   Committee Appointments/Reappointments;
   Procurement and Contract matters;
   Tax Abatement Petitions;
   Fireworks Display Permits;
   Liquor License matters (unless otherwise prescribed by adopted Policy);
   Medical Marijuana License matters (unless otherwise prescribed by adopted Policy or Law);
   Secure Transportation License matters (unless otherwise prescribed by adopted Policy or Law);
   Ceremonial Resolutions;
   Land Use matters (except Contracts, Development Agreements, Escrow Agreements, and Real Estate Transfers);
   Treasurer's Tax Sale Certificates, Delete Uncollectible Taxes and Designate Depositories;
   Department of Human Services Program Plans; and
   Road Closures and Acceptances.

5. Ceremonial Resolutions (proclamations, acknowledgements, recognitions, retirements, etc.) must be coordinated with the Government Affairs Department, in accordance with Resolution 21-18.

6. Second and Fourth Thursdays at 9:00 a.m. are reserved for land use matters. The Board may, in its discretion, hear land use and other matters on any day it deems fit.

7. The County Clerk is responsible for scheduling all applicable tax abatement petition hearings, and liquor, medical marijuana, and secure transportation license matters, Board of Equalization meetings, fireworks display permits, and Minutes for approval.

8. The County Administrator shall schedule Agenda items requested by the Commissioners upon the consent of the Chair and Vice Chair or at least three (3) Commissioners eligible to vote on said requests **preferably** one (1) week before the hearing on the request.

9. It is the Chair's or Vice Chair's discretion to approve the final agenda for publication, including the ability to remove any Agenda item requests prior to final agenda publication except any items requested by at least three (3) other Commissioners.

10. The agenda will only be posted and distributed by the Clerk's Office after review by the County Administrator.

B. SUBMITTALS AND ROUTING (EARLY SUBMITTAL IS ENCOURAGED; DO NOT WAIT UNTIL THE DEADLINE TO INITIATE A REQUEST):

1. Agenda items shall be appropriately placed on the Consent Calendar, as a Regular Item, or a Non-Action item by the originator:

   a) The Consent Calendar may contain all ministerial matters necessary for the management of routine tasks/internal affairs of business by County departments, which require Board action, that are neither statutorily required to be formally advertised/published in a newspaper or to hold a public hearing thereon, nor are policy matters, conveyances, or acceptances of real estate.

   b) Regular Consent Calendar Inclusions:

      Matters determined by the County Attorney;
      BOCC Minutes;
      Committee appointments/re-appointments;
      Petty cash and donation Resolutions, and any other matters at the discretion of the Chief Financial Officer;
      Leases;
      Approved tax abatement petitions;
      Denied and partially approved tax abatement petitions (unless the petitioner is present at the meeting and requires a public hearing);
      Procurement and Contract Regular and Renewal matters unless otherwise determined by the Contracts Manager;

Local Licensing Authority matters unless otherwise determined by the County Clerk;
Clerk and Recorder polling place changes/additions;
Fireworks Display Permits;
Engineering Criteria Manual;
Ceremonial Resolutions

c) Land Use Consent Calendar Inclusions:

Items unanimously approved by the Planning Commission;
Items either approved by the Planning Commission or which no Planning Commission action is required, where all conditions precedent to approval have been resolved and which there is no significant public opposition;
Land Development Code and Code or Ordinance violation matters

d) Non-Action items are reports and presentations which require no BOCC action. Community Service Organization reports should be approved by County Administration prior to placing the reports on the agenda.

2. CONTRACT MATTERS:

a) Contracts/agreements including all real estate matters must be pre-coordinated with the County Attorney or designee, County Administrator or designee and Chief Financial Officer or designee utilizing a standard County contract when applicable.

b) Any Resolutions relating to contracts, policies and real estate transactions must be pre-coordinated with the County Administrator or designee, County Attorney or designee and Chief Financial Officer or designee.

c) Contracts/agreements requiring disbursement of funds must be pre-coordinated with the Chief Financial Officer as applicable.

3. FINANCIAL MATTERS:

a) All fiscal matters must be pre-coordinated with the Chief Financial Officer or designee.

b) Any Resolutions to recognize revenue and/or appropriate expenditures must be pre-coordinated with the Chief Financial Officer or designee.

C. DEADLINES:

1. AGENDA REQUESTS:

a) The cutoff for initiating (processed through the appropriate review process) an Agenda request is 12:00 noon Monday of the week prior to the BOCC meeting. If the Monday deadline falls on a County holiday, the deadline will be 12:00 noon on the Friday before the Monday holiday.

b) The County Clerk is responsible to prepare Agendas:

Thursday morning of the week prior to the meeting.

c) The County Clerk is responsible to post and distribute Agendas no later than 5:00 p.m. on the Thursday prior to the next week's meetings. In the event the County is closed due to weather or emergency, the agenda will be posted immediately upon return to office.

2. ADDENDUM (POST DEADLINE) REQUESTS:

a) Due to reduced public notice, Addendum submittals should be avoided unless exigent circumstances warrant the request and require approval from the Chair and the County Administrator.

b) The cutoff for initiating Addendum requests:

12:00 noon on the Friday prior to the Tuesday meeting
12:00 noon on the Tuesday prior to the Thursday meeting

c) The County Clerk is responsible to post and distribute Addendum matters no later than:

5:00 p.m. on the Friday prior to the Tuesday meeting
5:00 p.m. on the Tuesday prior to the Thursday meeting

d) Addendum matters shall be distributed and posted on the web in the same manner as Agendas.

e) Any exigent matter which arises after the Addendum deadline may be brought before the BOCC as an Emergency Item. Any action will be scheduled for ratification by the County Clerk on the next available Agenda to enable proper public notice. (See Section X.B.3. for additional information.)

D. POSTINGS:

1. Pursuant to Section 24-6-401, *et seq*., C.R.S., as amended, Colorado Sunshine Act, Open Meetings Law, the Board shall designate/reaffirm by resolution the posting location(s) of the Board's public meetings requiring public notice, and the official custodian of the Minutes of the Board's public meetings requiring the same at its first regular Official Meeting of each calendar year, or as soon thereafter as reasonably possible.

2. Unless otherwise determined by the Board, the posting location of the Board's public meetings requiring prior public notice shall be the Agenda Management Site located on the El Paso County Clerk to the Board website at https://clerkandrecorder.elpasoco.com/clerk-to-the-board/.

3. The County Clerk shall be responsible for preparing, posting, and certifying the regular Agendas for Official Board Meetings.

4. Posted Agendas may be accessed at https://clerkandrecorder.elpasoco.com/clerk-to-the-board/

5. Posted Meeting Location Changes:

a) County Office Building:

(1) If the posted meeting location is changed at least 24 business hours prior to any Official Meeting, the County Clerk shall be notified to enable posting of a revised Agenda. If the posted meeting location is changed less than 24 business hours prior to any meeting, County Administration shall post the new meeting location.

E. CONTINUED ITEMS:

1. The County Clerk shall reschedule any matters continued to a date formally continued by the Board.

X. ORDER OF BUSINESS

A. The Chair shall request comments from members of the public on all matters. It is the Chair's discretion to determine, announce and enforce the time allotted to speakers in a fair manner. (The Order of Business may be altered by the Chair or by a majority consensus of the Board as circumstances arise).

B. ORDER OF ITEMS FOR REGULAR BOARD MEETINGS (unless otherwise determined):

CALL TO ORDER. (The Chair includes the date of the meeting for audio record indexing purposes.)

1. INVOCATION.

2. PLEDGE OF ALLEGIANCE.

3. STAFF EMERGENCY ITEMS.

a) Departmental comments shall be restricted to the Report section of the Agenda unless there are emergency circumstances requiring immediate Board action such as supplemental appropriations or legally prescribed declarations. In such a situation, any official Board action shall include, as part of any proffered substantive motion, a statement that the attendant circumstance constitutes a matter that is under a time restriction or is otherwise an emergency, as well as the basis for such statement. Said action shall be scheduled for ratification on the next available Agenda Consent Calendar.

4. DEPUTY DISTRICT ATTORNEY APPOINTMENTS.

5. CHANGES/POSTPONEMENTS/NOTICE OF NEXT SCHEDULED MEETING.

6. REGULAR CONSENT CALENDAR AND ENGINEERING CRITERIA MANUAL CONSENT CALENDAR ITEMS:

a) The Consent Calendars may contain all ministerial matters necessary for the management of routine tasks/internal affairs of business by County departments, which require Board action, that are neither statutorily required to be formally advertised/published in a newspaper or to hold a public hearing thereon, nor are policy matters, conveyances, or acceptances of real estate.

b) Regular Consent Calendar Inclusions:

Matters determined by the County Attorney;
BOCC Minutes;
Committee appointments/reappointments;
Petty cash and donation resolutions and any other matters at the discretion of the Chief Financial Officer;
Leases;
Approved tax abatement petitions;
Denied and partially approved tax abatement petitions (unless the petitioner is present at the meeting and requires a public hearing);
Procurement and Contract Regular and Renewal matters unless otherwise determined by the Contracts Manager;
Local Licensing Authority matters unless otherwise scheduled as Regular items by the County Clerk;
Clerk and Recorder polling place changes/additions;
Fireworks Display Permits;
Ceremonial Resolutions

c) Any Commissioner or staff member desiring to inquire as to any item may do so. The Chair or Vice Chair has discretion concerning the amount of time that the Board shall allow for the inquiry.

d) If there is no discussion requested on any matter, the Board may vote to approve the Consent Calendar in one cumulative motion.

7. CEREMONIAL RESOLUTIONS (proclamations, acknowledgements/recognitions, retirements, etc.).

8. COMMENTS BY ELECTED OFFICIALS AND COMMISSIONER LIAISON REPORT(S).

a) A majority vote of the Board may cause the scheduling of a regular item on a future Agenda if the subject comments, information obtained there from, or request submitted during the item so necessitate Board action and/or public notice.

b) Elected Officials have the discretion to make comments during the meeting or schedule an item on the agenda for public notice.

9. COMMUNITY SERVICE ORGANIZATION REPORTS.

a) Community Service Organization Reports shall be scheduled on the agenda whenever possible.

10. PUBLIC COMMENT ON ITEMS NOT SCHEDULED ON THE AGENDA

    a) Public comments may be limited to a total maximum of 3 minutes. The Chair shall have the discretion to determine and enforce the time allotted to speakers in a fair manner.

11. CALLED-UP CONSENT CALENDAR.

12. LEGISLATIVE AND EXECUTIVE MATTERS.

13. LOCAL LICENSING AUTHORITY HEARINGS.

14. DEPARTMENT AND COMMITTEE REPORTS/NON-ACTION ITEMS:

    a) Reports/Non-Action items shall be scheduled on the agenda whenever possible.

15. ADDENDUM (POST AGENDA DEADLINE).

16. EXECUTIVE SESSION.

ADJOURNMENT.

C. ORDER OF ITEMS FOR LAND USE MEETINGS (unless otherwise determined):

CALL TO ORDER. (The Chair includes the date of the meeting for audio record indexing purposes.)

1. STAFF EMERGENCY ITEMS.

    a) Departmental comments shall be restricted to the Report section of the Agenda unless there are emergency circumstances requiring immediate Board action such as supplemental appropriations or legally prescribed declarations. In such a situation, any official Board action shall include, as part of any proffered substantive motion, a statement that the attendant circumstance constitutes a matter that is under a time restriction or is otherwise an emergency, as well as the basis for such statement. Said action shall be scheduled for ratification on the next available Agenda Consent Calendar.

2. CHANGES/POSTPONEMENTS/NOTICE OF NEXT SCHEDULED MEETING.

3. PUBLIC COMMENT ON ITEMS NOT SCHEDULED ON THE AGENDA

    a) Public comments may be limited to a total maximum of 3 minutes. The Chair shall have the discretion to determine and enforce the time allotted to speakers in a fair manner.

4. LAND USE CONSENT CALENDAR, LAND DEVELOPMENT CODE, CODE OR ORDINANCE VIOLATION MATTERS CONSENT CALENDAR:

    a) The Consent Calendars may contain all ministerial matters necessary for the management of routine tasks/internal affairs of business by County departments, which require Board action,

that are neither statutorily required to be formally advertised/published in a newspaper or to hold a public hearing thereon, nor are policy matters, conveyances, or acceptances of real estate.

b) Land Use Consent Calendar Inclusions:

Items unanimously approved by the Planning Commission;

Items either approved by the Planning Commission for which no Planning Commission action is required, where all conditions precedent to approval have been resolved and which there is no significant public opposition.

c) Any Commissioner or staff member desiring to inquire as to any item may do so. The Chair or Vice Chair has discretion concerning the amount of time that the Board shall allow for the inquiry.

d) If there is no discussion requested on any matter, the Board may vote to approve the Consent Calendar in one cumulative motion.

5. CALLED-UP CONSENT CALENDAR.

6. LAND USE LEGISLATIVE AND EXECUTIVE MATTERS AND OTHER QUASI-JUDICIAL HEARINGS.

a) Land Development Code, Engineering Criteria Manual, Code or Ordinance violation matters.

b) All other land use items.

7. DEPARTMENT AND COMMITTEE REPORTS/NON-ACTION ITEMS:

a) Land Use Reports/Non-Action Items shall be scheduled on the agenda whenever possible.

8. ADDENDUM.

9. EXECUTIVE SESSION.

ADJOURNMENT.

D. ORDER OF ITEMS FOR BOARD OF ADJUSTMENT (unless otherwise determined):

CALL TO ORDER. (The Chair includes the date of the meeting for audio record indexing purposes.)

1. CHANGES/POSTPONEMENTS

2. BOARD OF ADJUSTMENT HEARING MATTERS AND OTHER QUASI-JUDICIAL HEARINGS.

3. ADDENDUM.

4. EXECUTIVE SESSION.

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ADJOURNMENT.

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~~D.~~E. RECESSES AND ADJOURNMENTS:

1. The Chair may call a recess of the Board at any time and may announce an approximate time for the Board to reconvene.

2. If multiple Official Meetings have been scheduled on an Agenda, the Chair or his/her designee shall announce the adjournment, or recess thereof, and convene the subsequent meeting.

~~E.~~F. EXECUTIVE SESSIONS AND ATTORNEY CLIENT PRIVILEGED MATTERS:

1. The Board shall hold any Executive Session prior to adjournment of an Official Meeting. Executive Sessions shall be recorded, consistent with adopted Board policy and the applicable provisions of the Colorado Open Records Act, C.R.S. §24-6-402, *et seq*., as amended. The custodian for Executive Session records is the County Attorney. Without prior public notice, the Chair may call for a vote of the Board to recess into Executive Session at any time during a regularly scheduled meeting as circumstances arise. The Chair may schedule and announce a time for the Board to reconvene.

2. Prior to convening in Executive Session, the County Attorney, Chair, or Clerk to the Board shall announce the topic(s) to be discussed, including the specific statutory citation(s), and identify the particular matter to be discussed in as much detail as possible without compromising the purpose for which the Executive Session is authorized. The purpose of calling an Executive Session is merely to deliberate on sensitive matters that could be compromised by premature public disclosure, and no formal or final action may be taken in Executive Session. If formal action is required, the matter shall be either immediately voted upon in open session or ratified at a subsequent properly noticed public meeting. The discussion on the record at the open meeting must indicate what policy considerations and motivations led to the final decision.

3. To hold an Executive Session there must be an affirmative vote of two-thirds of the quorum present. If any two or more Commissioners present do not agree to the Executive Session, the item may be discussed during the formal meeting or withdrawn from consideration.

   5 COMMISSIONERS ELIGIBLE TO VOTE REQUIRES 4 AFFIRMATIVE VOTES.

   4 COMMISSIONERS ELIGIBLE TO VOTE REQUIRES 3 AFFIRMATIVE VOTES.

   3 COMMISSIONERS ELIGIBLE TO VOTE REQUIRES 2 AFFIRMATIVE VOTES.

4. Privileged attorney-client communication, regardless whether received in Executive Session or otherwise, shall be released only upon the passage of an affirmative simple majority vote of those Commissioners eligible to vote on the matter disclosed. Thus, the attorney-client privilege belongs to the Board as a whole, in all attorney-client communications directed by

the Board. In all written or electronic attorney-client communications the County Attorney's Office shall strive to label such communications as confidential.

~~F.~~G. ADJOURNMENT:

1. Upon determining all matters have come before the Board, the Chair shall declare the Official Meeting adjourned without the necessity of calling for a motion.

XI. QUORUMS AND ABSENCES

A. QUORUM:

1. A quorum for any Board meeting shall be at least three (3) of the five (5) Commissioners.

B. LACK OF A QUORUM:

1. No Agenda item shall begin in the absence of a quorum during an Official Meeting. However, if a quorum existed at the start of an Agenda item, then the remaining Commissioners may permit testimony to be entered into the record. The County Clerk shall record the comments. Absent Commissioners shall review the audio record of such presentations prior to voting on such matters.

2. When a lack of quorum occurs after preparation and posting of the Agenda requiring a meeting to be cancelled, an announcement of the cancellation shall be made by the Chair at the regular meeting preceding the meeting to be cancelled if possible. Should a cancellation become necessary more than 24 hours prior to the published start time, the County Communications Department shall post a cancellation notice on the homepage of the Board's website. The Clerk to the Board shall post a cancellation notice on the Agenda Management Site located on the El Paso County Clerk to the Board website at https://clerkandrecorder.elpasoco.com/clerk-to-the-board/. If a lack of quorum occurs or becomes known less than 24 hours prior to the published start time of any noticed meeting, a Commissioner, the County Administrator, County Attorney, or County Clerk (or designee) shall be present at the posted meeting location at 9:00 a.m. to announce the lack of quorum on the record and to provide public notice for continuance or postponement of the Board's matters scheduled on the Agenda. Such announcement shall be recorded for the record.

3. The scheduled matters shall automatically be continued to the Board's next regularly scheduled Official Meeting unless the Agenda item specifies otherwise.

4. When County Offices are closed due to inclement weather or for an act of emergency; the Board hearing and scheduled agenda shall be automatically postponed and continued to the next scheduled Board hearing date. No further action shall be required of the Board, the County Administrator, County Attorney or Clerk to the Board.

C. ABSENCE OF COMMISSIONER:

1. ENTIRE DAY:
Pursuant to C.R.S. 30-10-305, as amended, if any Commissioner is absent from any regular meeting thereof without being excused by a majority of the Board, ten dollars ($10.00) shall be forfeited to the County, which sum shall be deducted from the absentee's next salary to be paid. By this reference, the absent Commissioner shall be excused from all Official Meetings held on the date of absence upon passage of an affirmative vote of a majority of the Board.

2. DURING THE MEETING:
The absent Commissioner(s) shall automatically be recorded as absent by the County Clerk on all matters considered by the Board until the return of the Commissioner to the meeting. A Commissioner absent from the Hearing Room, but who still heard the testimony given, shall state such on the record upon his/her return to the meeting. By this reference, any absent Commissioner is automatically excused until his/her return or from the remainder of the meeting. (See Section XIV.C.1. for additional information.)

XII. MOTIONS AND VOTING

When an item is before the Board, no motion shall be entertained except as listed or as provided by *Robert's Rules of Order Newly Revised*:

A. MAIN MOTION:

1. A Main Motion is a legislative, executive, or quasi-judicial matter on the Board of County Commissioners' regular or Consent Calendar Agenda. The general policy of the Board of County Commissioners is that a legislative, executive, or quasi-judicial matter requires at least three (3) affirmative votes in order to pass. The matters below set forth the effect of less than three (3) affirmative votes on a legislative or executive matter.

2. Requires a second, is debatable and amendable, and requires a majority vote of the entire Board:

   2-2 VOTE FAILS AND IS AUTOMATICALLY CONTINUED FOR A NEW MOTION.
   2-1 VOTE FAILS AND IS AUTOMATICALLY CONTINUED FOR A NEW MOTION.

3. For automatically continued matters:

   a) The County Clerk shall automatically prepare an audio duplication of the record and provide any Exhibits submitted during the meeting to enable the absent Commissioner(s) to review the Record of Proceedings.

   b) The County Clerk shall reschedule the matter.

   c) Commissioners present at the rescheduled meeting may ask questions of applicants and staff prior to making a new motion.

4. A new motion is required for any failed motion for resolution matters.

5. Ceremonial resolutions (proclamations, acknowledgements/recognitions, retirements, etc.):

   2-1 VOTE PASSES

6. Exigent Circumstances or Matters Under Statutory Time Restrictions: A 2-1 vote passes, provided that at least two of the three members present voted to declare the item to be an exigent circumstance or a matter for approval that is under statutory time restrictions.

7. A Main Motion may be combined with a procedural motion provided that a motion requiring a two-thirds majority is not combined with a motion requiring a simple majority of those eligible to vote thereon.

B. MOTION TO AMEND (FORMAL AND INFORMAL):

1. A Motion to Amend may substitute language, insert language, or strike language or any combination thereof.

2. Requires a second, is debatable, is amendable, and requires a simple majority of those eligible to vote thereon:

   2-2 VOTE FAILS
   2-1 VOTE PASSES

3. An Informal Motion is a suggested change to a motion made or accepted by the Commissioner who made the motion with the consent of the second prior to the call on the vote of the Board. An Informal Motion does not require a motion, a second, or a vote thereon.

C. MOTION TO POSTPONE DEFINITELY OR TO A CERTAIN TIME:

1. Requires a second, is debatable and amendable as to reasons for postponement and date/time of reconsideration, and requires a simple majority of those eligible to vote thereon:

   2-2 VOTE FAILS
   2-1 VOTE PASSES

D. MOTION TO RECONSIDER AND RESCIND:

1. Can be made only by a Board member who previously voted with the prevailing side. Requires a second, is debatable, is not amendable, and requires a majority vote of the entire Board. This motion can be made at the same meeting or at a meeting other than the meeting at which the action was taken. If at a meeting other than the meeting at which the action was taken, all Commissioners must be given at least six (6) days written notice that Commissioner (Name) is going to move to reconsider Item No. ___ of the formal Agenda of (Date). If the motion to reconsider is voted upon and approved, no action shall be taken on the item reconsidered until the next regular Meeting of the Board of County Commissioners.

   2-2 VOTE RESULTS IN CONTINUANCE
   2-1 VOTE RESULTS IN CONTINUANCE

2. If exigent circumstances warrant, the Board may take action on a non-published matter, and the Board's action shall be scheduled on the

Consent Calendar of the next available Agenda for public notice and ratification. In the event that the County Clerk has already posted the Agenda of the next Official Meeting, the special or emergency matter shall be scheduled for ratification on the Agenda for the next available meeting thereafter.

E. MOTION TO CONTINUE INDEFINITELY:

1. Requires a second, is debatable, is not amendable, and requires a simple majority of those eligible to vote thereon:

   2-2 VOTE FAILS
   2-1 VOTE PASSES

2. The motion is not applicable to quasi-judicial items.

F. MOTION TO LIMIT DEBATE/MOTION TO EXTEND THE LIMITS OF DEBATE:

1. Requires a second, is amendable, and requires an affirmative vote of two-thirds of an eligible majority of the Board:

   5 COMMISSIONERS ELIGIBLE TO VOTE REQUIRES 4 AFFIRMATIVE VOTES.

   4 COMMISSIONERS ELIGIBLE TO VOTE REQUIRES 3 AFFIRMATIVE VOTES.

   3 COMMISSIONERS ELIGIBLE TO VOTE REQUIRES 2 AFFIRMATIVE VOTES.

G. MOTION TO APPEAL THE DECISION OF THE Chair:

1. Requires a second, is debatable, and requires a simple majority of those eligible to vote thereon:

   2-2 VOTE FAILS
   2-1 VOTE PASSES

H. DIVISION OF A QUESTION:

1. Requires a second, is amendable, and requires a simple majority of those eligible to vote thereon:

   2-2 VOTE FAILS
   2-1 VOTE PASSES

I. MOTION TO CALL THE QUESTION:

1. Requires a second, is not amendable, and requires an affirmative vote of two-thirds of an eligible majority of the Board:

   5 COMMISSIONERS ELIGIBLE TO VOTE REQUIRES 4 AFFIRMATIVE VOTES.

   4 COMMISSIONERS ELIGIBLE TO VOTE REQUIRES 3 AFFIRMATIVE VOTES.

3 COMMISSIONERS ELIGIBLE TO VOTE REQUIRES 2 AFFIRMATIVE VOTES.

J. MOTION TO WITHDRAW:

1. The motion maker may withdraw the motion, as a matter of right, so long as the consent of the second is obtained prior to the call on the vote of the Board.

K. LIMITS ON VOTING:

1. A conflict of interest includes any circumstance wherein a Commissioner has a direct personal interest, other than the diligent performance of his/her official duties, in the result or outcome of any governmental action, in which the Commissioner has, in whole or in part, any discretionary authority or responsibility. It is not limited to financial interests, but may, in the individual judgment of the voting Commissioner, include other interests such as personal friendships, family relations, or other associations with groups or persons. A Commissioner should always avoid even the appearance of such conflict by full, public disclosure of such interests when appropriate and, where possible, by abstaining from participation in any form in the performance or exercise of the official, discretionary actions.

2. Commissioners with a conflict of interest who choose to abstain from voting on the item may leave the Hearing Room until the matter has concluded.

3. Unless the situation described in K.1. exists, a Commissioner should refrain from voting on any matter when that Commissioner has not been present to hear or observe all evidence presented and accepted into the record by the parties and all other individuals who offer testimony or evidence.

L. CALLING THE ROLL:

1. The Chair shall call the question on the motion by conducting an individual voice roll call vote. The Chair shall then announce the passage or defeat of the proposed action, noting any votes cast in opposition or abstention and any absences, and state any question that is then before the Board.

M. OTHER:

1. Motions on land use matters:

a) Planning Commission findings, actions, conclusions, conditions, notations, and waivers shall be automatically incorporated into the record ~~as set forth in the respective~~ Comment Agenda~~.~~.

b) The Planning and Community Development Department recommended conditions, notations, waivers, and contracts shall be automatically incorporated into ~~the~~ any ~~record~~ motion.~~as set forth in the respective~~ Comment Agenda~~.~~

c) Motions shall contain or reference any desired additional findings, conditions, notations and waivers, and any alterations thereto.

2. Any presenter may withdraw his/her scheduled Agenda item prior to or during consideration of the item, and it does not require Board approval; however, the Board may override staff members' determination by motion, second and simple majority of those eligible to vote thereon. A tie vote shall be deemed a failure, and the item shall be withdrawn.

3. Motions on Board of Adjustment matters:

a) The Planning and Community Development Department recommended conditions, notations, waivers, and contracts shall be automatically incorporated into any motion.

b) Motions shall contain or reference any desired additional findings, conditions, notations and waivers, and any alterations thereto.

c) The affirmative vote of four (4) commissioners shall be necessary to reverse any order, requirement, decision, or determination of the Planning and Community Development Executive Director or to approve any variance.

d) All other motions unrelated to subparagraph (c) above, shall be made and determined by Article XII of these Legislative and Parliamentary Rules and Procedures.

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N. MOTION TO SUSPEND RULES:

1. The purpose of this Rule is to enable the Board to set aside one or more of its procedural Rules that would otherwise prevent consideration of a certain action. A Motion to Suspend Rules suspends only those Rules, which specifically interfere with the consideration of the particular action involved. The Rules are suspended only temporarily and are automatically reactivated when the proposed action has been considered. A Motion to Suspend Rules requires three affirmative votes.

O. ROBERT'S RULES OF ORDER:

1. In all other cases not governed by the foregoing provisions, *Robert's Rules of Order Newly Revised* shall govern unless otherwise provided herein.

XIII. OFFICIAL PUBLIC HEARING PROCEDURES (LEGISLATIVE AND QUASI-JUDICIAL MATTERS)

A. AGENDA:

1. Copies of the Official Meeting Agenda shall be available for the public near the entrance to the designated Hearing Room, and online at https://clerkandrecorder.elpasoco.com/clerk-to-the-board/

B. REGISTRATION OF SPEAKERS:

1. It is the Chair's discretion to determine the order of speakers in favor of and in opposition to a request by any of the following:

a) Upon completion of presentations by personnel and the applicant(s):

(1) The Chair shall first call each person providing testimony/evidence in support of the request, then each person providing testimony/evidence in opposition.

(2) Speakers will be requested to sign the register prior to speaking.

(3) Each speaker will be requested to verbally identify himself/herself for the record when at the podium, and shall submit to the County Clerk any charts, maps, or other demonstrative evidence he/she presents at the hearing.

-or-

b) Before the hearing:

(1) Speakers may be requested to provide the following information on the register.

(2) Two types of registration forms may be provided, one each for those persons wishing to speak in favor of and in opposition to a request or one registration form for all those persons wishing to speak.

(3) Each speaker will be requested to verbally identify him/herself for the record when at the podium, and shall submit to the County Clerk any charts, maps, or other demonstrative evidence he/she presents at the hearing.

(4) Any person shall be allowed to address the Board upon being called by the Chair after presentations by staff and the applicant(s); however, except for liquor licensing or medical marijuana hearings, only parties in interest or the Board of County Commissioners or its representatives may question witnesses.

C. HEARING RULES:

1. The Clerk to the Board shall read each regular Agenda item into the record. (The Order of Business may be altered by the Chair or by a majority consensus of the Board as circumstances arise).

2. When deemed appropriate, the County Attorney or County Clerk shall administer the following oath to all parties desiring to testify: "Do you solemnly swear or affirm that the testimony that you are about to give before this Board shall be the truth, the whole truth, and nothing but the truth?"

3. The Chair may request comments from members of the public on all matters where public comment is not legally mandated, and determine, announce, and enforce the time allotted to speakers in a fair manner.

4. The Chair may request speakers to confine comments to the issue(s) under consideration, offer factual information, and to refrain from repetitive and cumulative evidence.

5. The Chair or other assigned representative shall direct large crowds or gatherings as necessary to avoid over-crowding of the Hearing Room and violation of fire code provisions. Groups of citizens may be asked to select a representative who will be admitted to the main Hearing Room, with other members of the group being seated in an adjacent room with the audio to be broadcast from the hearing.

6. In order to maintain decorum and a businesslike atmosphere, and out of respect for our fellow citizens, the Chair shall establish what types of language and comments will not be considered acceptable. Speakers are requested to refrain from disruptive behavior. Speakers shall remove headwear out of respect unless the headwear is worn for religious reasons. Clapping, shouting and/or other outbursts will not be tolerated, and picket signs are prohibited. Unfair tactics intended to monopolize the press coverage of the meeting will not be allowed. The Chair or otherwise presiding Commissioner is responsible for enforcing the Hearing Rules. If the Rules are not followed, the speaker will be interrupted, reminded of the Rules, and requested to cooperate. The Chair may also call a recess and/or have the offending party escorted from the hearing if disruptive behavior persists.

7. The Chair shall decide all questions of order, subject to the Board's right to overrule the decision of the Chair. In case of an appeal from a ruling of the Chair, the question shall be: "Shall the decision of the Chair stand as the decision of the Board?" If a Commissioner violates the Rules, the Chair shall call such member to order, in which case the member shall be silent unless permitted to explain.

D. COMMISSIONER DISCLOSURE OF *EX PARTE* CONTACT:

1. All members of the public, Elected Officials and County employees are invited to contact any or all Commissioners to provide input regarding any administrative or legislative matters that may come before the Board.

2. With respect to *quasi-judicial* matters and other matters where the Board is restricted to making findings of fact on evidence presented, no Board member should receive or solicit evidence or comments from any person regarding the matter pending before the Board prior to the hearing at which the matter is presented.

3. If a written *ex parte* communication is received, the Commissioner shall immediately forward the communication to the appropriate staff Director to be included in the information provided to all Commissioners.

4. If an oral *ex parte* contact occurs, a Board member shall: (1) inform the County Administrator or County Attorney; (2) disclose the contact to the BoCC and public at the beginning of the hearing; (3) describe its content as completely as possible; and (4) be able to state that he or she has not made any decision on the matter, can consider the evidence objectively and make a fair and impartial decision solely on the evidence that is presented at the hearing.

5. If the Board member has committed to a position or cannot weigh the evidence at the hearing fairly and impartially, the Board member must also comply with all other applicable constitutional and statutory ethics provisions.

E. ORDER OF SPEAKERS:

1. The Chair shall ensure that a full and fair due process hearing is provided to all participants in the hearing. The following rules for conducting the hearing are intended to enable the Chair to ensure such due process hearing, yet at the same time, ensure an orderly and efficient public hearing. The Chair shall first call for staff to introduce the item and identify the relevant decision-making criteria that will be used by the Commissioners during the hearing to evaluate the subject legislative or quasi-judicial matter.

2. The Chair shall then call for the applicant(s) presentation of evidence with questions by the Commissioners upon completion of the presentation. The Chair shall emphasize to the applicant that the presentation should be focused on addressing how the applicant meets the relevant review criteria applicable to the subject legislative or quasi-judicial matter.

3. The Chair shall then call for the staff presentation with questions by the Commissioners of staff.

4. The Chair shall then call for those members of the public, one at a time, who desire to address the Board in <u>favor</u> of the item.

5. When called by the Chair, each speaker may speak one time, and shall address the Board from the podium, and begin his/her presentation by identifying himself or herself by stating his/her name and address or title, as applicable, and the name of the group represented, if any. Each speaker must sign in on the log provided at the podium.

6. When called by the Chair, Commissioners may address or ask questions of each speaker upon completion of their presentation. (Persons in the audience shall not be allowed to address any speaker at the podium.)

7. The Chair shall then call for those members of the public, one at a time, who desire to address the Board in <u>opposition</u> to the item.

8. The applicant will then be afforded the opportunity to provide rebuttal.

9. If comments by the opposition are allowed after the rebuttal, then a final rebuttal shall be afforded to the applicant.

F. CLOSING THE HEARING, BOARD DECISION(S) AND APPEAL(S):

1. Upon hearing from all speakers, the Chair shall declare the hearing closed and request discussion or questions from the Commissioners.

2. Upon receipt of a motion and second, the Chair shall summarize the motion and call for discussion from the Board members.

3. Any Commissioner shall have the right to express dissent from or protest against any Board action, and have the reason therefore entered into the record.

4. The Chair or presiding Commissioner shall then call the question on the motion and announce the passage of the action noting any votes cast in opposition or abstention and any absences. Any Commissioner, staff member or member of the public may receive clarification of a motion.

5. The Chair shall be automatically authorized to execute all necessary documents and orders disclosed during the meeting by personnel to effectuate the intent of the Board. Such action need not be a part of the motion.

6. Staff direction may be provided by Board majority consensus. The Board's direction shall be stated on the record and shall not be binding upon the Board in future matters.

G. ABBREVIATED HEARING PROCESS:

1. The Board may dispense with a formal hearing process for Show Cause hearings, liquor licensing and Ordinance violation matters if it determines previously established criteria enforced by policy, regulation and/or applicable statutes have been met including the lack of any opposition, unless otherwise determined by the Board.

H. AGENDA MATERIALS AND EXHIBITS:

1. All Agenda Materials submitted shall be automatically incorporated as part of the record unless specific objections are raised at the hearing.

2. All documents referenced and/or tendered at the hearing shall be automatically admitted and accepted as Exhibits unless specific objections are raised, or Board direction is given at the hearing.

3. The County Clerk shall mark and retain all Exhibits. Persons providing Exhibits may submit a request to the County Clerk to release such Exhibits after a period of 30 days from the date of the Board's action. Such Exhibits shall be first scanned or copied for the record. Exhibits shall be permanently retained.

XIV. RECORD OF PROCEEDINGS/CUSTODIAN OF RECORDS

A. The audio/video recording of the Board's proceedings shall be the official record of the Board and the responsibility of the County Clerk. The audio/video may be accessed at https://clerkandrecorder.elpasoco.com/clerk-to-the-board/. Audio/video duplications are available at the County Clerk's Office for a fee.

B. The Unofficial Minutes, which reflects the Board's unofficial votes, outcomes, adopted Resolution/Contract/Ordinance numbers, and Commissioners present, is posted following each meeting by the County Clerk and may be accessed at https://clerkandrecorder.elpasoco.com/clerk-to-the-board/.

C. MINUTES:

1. The County Clerk shall prepare the Minutes in action form, including Commissioners present, absent and present later, Agenda Items, all main votes and outcomes (scheduled and emergency), direction by consensus and from the Chair, and purposes for holding Executive Sessions. Any absence and subsequent return to a meeting shall be noted when: 1) The Board loses its quorum; 2) A Commissioner is absent for a vote; and 3) A Commissioner is absent for a quasi-judicial matter for more than five minutes.

2. The Minutes for the Public Comment and Report portions of the Board meetings shall reflect the presenters, topics, and any direction/consensus.

3. The Minutes shall be scheduled on the Consent Calendar for the Board's consideration and approval.

4. If a Commissioner or the Board requests the Minutes to be set aside for amendment, the County Clerk shall review the Record of Proceedings, consult the County Attorney as necessary, and schedule any amended Minutes on a future Consent Calendar.

5. The Unofficial Minutes shall be replaced by the approved Minutes on the County's Agenda Management website at https://clerkandrecorder.elpasoco.com/clerk-to-the-board/.

D. Ordinances, Resolutions, and Contracts shall be written or revised to reflect the Board's action(s). The County Clerk, as Custodian of Records, shall retain these records, as well as the Minutes, with the exception of procurement contracts. By this reference, staff is authorized to make all typographical corrections and any other corrections necessary to conform the resolution to accurately reflect the Board's action. Corrections resulting in any potential legal and/or financial ramifications shall be reviewed by the County Attorney's Office and/or Administration and Financial Services and rescheduled for consideration as deemed appropriate.

E. Any interested persons are welcome to contact the County Clerk, as the Custodian of Records for the Board of County Commissioners, for meeting information relating to agendas and backup materials, adopted resolutions, contracts, and ordinances, changes made to items by the Board, speakers, and comments on items not scheduled on the agenda.

F. By this reference, the Board of County Commissioners hereby approves the use of electronic records and signatures, as well as E-Recording, for its official records in accordance with C.R.S.§30-11-107(1)(gg) and Article 71.3 of Title 24,

C.R.S., the Uniform Electronic Transactions Act. Official records include agendas and backup materials, minutes, audio/video of official meetings, resolutions, contracts, ordinances, and exhibits. Records may be accepted by the County Clerk for E-Recording pursuant to C.R.S §30-10-405.5.

XV. INFORMAL MEETINGS

A. The Board may meet informally in Informal Meetings, to include, but not limited to, Work Sessions/Work Shops, Elected Officials and Department Heads Meetings, Joint County/City Meetings, Interviews, and any other type of meeting in which official action cannot be undertaken. Informal Meetings will be scheduled on the first and third Tuesday of the month, immediately following the regularly scheduled board meeting or as soon thereafter at the Chair's discretion.

B. The County Administrator is responsible for scheduling, ensuring the agenda is prepared, and ensuring proper public notice for Informal Meetings.

1. Work Sessions shall be scheduled as needed.

2. Elected Officials and Department Heads Meetings shall be scheduled as needed.

3. Joint County/City Meetings, Interviews and other Informal Meetings as determined by the Board.

C. The deadline for submittal of items to Administration is 12:00 noon Monday of the week prior to the scheduled meeting. If the Monday deadline falls on a County holiday, the deadline will be 12:00 noon on the Friday before the Monday holiday,

D. The County Clerk shall cause Informal Meetings for Work Sessions, Elected Officials and Department Heads Meetings, and Joint County/City Meetings to be recorded regardless of whether a quorum of the Board is present and only if adequate recording equipment is available. Where feasible, the County Administrator shall schedule these meetings in one of the locations that has recording capability as listed below.

E. No Minutes or Recording of other types of Informal Meetings need be made or kept; however:

1. Informal Meetings held at the following locations may be recorded:

Centennial Hall Auditorium
200 South Cascade Avenue, Colorado Springs, Colorado.

Pikes Peak Regional Development Center Hearing Room
2880 International Circle, Colorado Springs, Colorado.

Citizens Service Center
Room 1017
1675 Garden of the Gods Road, Colorado Springs, Colorado

2. Informal Meetings held at other locations will not be recorded unless the Board so desires, and adequate recording equipment is available.

3. Recording of other Informal Meetings shall be at the discretion of the Board, or at the request of the Chair, and shall be the responsibility of Administration.

XVI. REFERRED MEASURES

A. A ballot issue, question, or other legislative measure which may be referred to the voters of El Paso County, shall include at least two public hearings held at least one week apart. If the proposed issue, question, or measure is withdrawn or not affirmatively approved, a second hearing will not be required. Prior to the first such meeting, a news release shall be issued to local media indicating the date, time, and location of the first meeting and describing the proposed issue, question, or measure.

XVII. ETHICS IN GOVERNMENT

A. *Constitutional and statutory requirements*. The Board is committed to serving the citizens of El Paso County while upholding the highest standards of ethics in government. The Board hereby incorporates by reference all and commits adherence to all Constitutional and statutory ethics requirements, including but not limited to Article XXIX of the Colorado Constitution ("Amendment 41"), C.R.S. 24-18-101, *et seq*., and the Colorado Open Meetings laws.

B. *Confidential Information.* Commissioners shall respect the confidentiality appropriate to issues of a sensitive or legal nature. Any Commissioner who discusses or distributes confidential information publicly, including, but not limited to, attorney-client privileged materials as set forth in Section X(E) of the Board's Legislative and Parliamentary Rules and Procedures, may be subject to censure by the majority of the Board of County Commissioners.

C. *Applicability of El Paso County Personnel Policy Manual.* The standards of conduct for County employees are generally set forth in the El Paso County Personnel Manual. The County's elected officials and certain other employees are generally exempt from disciplinary provisions of the Manual due to their status as elected officials and not employees. However, all of the County's elected officials and employees are subject to the provisions pertaining to Sexual Harassment, Discrimination and Workplace Conduct.

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