

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING, JUNE 12, 2007**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN A SPECIAL SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dick Downey	Chairman
Kit Shy	Vice-chair
Carole Custer	Commissioner
Debbie Livengood	Clerk to the Board
Dawna Hobby	Human Resource Manager

The meeting was called to order at 9:25am.

The pledge was recited.

Commissioner Shy made a motion seconded by Commissioner Custer to extend the agenda for today's meeting to include the discussion of a letter received by the Sheriff's Office on June 8<sup>th</sup> concerning the restrooms next to the courtroom being locked. Motion carried unanimously.

The reason for the restrooms being locked was the concern that the maintenance personnel had with the heaters in the restrooms being turned up on high and no one knowing that they had been turned on. Another concern was that contraband has been found in the restrooms.

Commissioner Custer made a motion seconded by Commissioner Shy to leave the restrooms unlocked and to disconnect the heaters in both the men and women's restrooms. A memo will be sent to the sheriff's office notifying them of this decision and they will be given a key in case the doors get locked by accident. Also, before and after each court date, the deputies will do a search of the restrooms to make sure no contraband is found. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Custer to go into executive session to discuss a personnel issue to do with the Planning and Zoning Office citing C.R.S. 24-6-402 (4) (f). Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Custer to pause executive session at 10:50am at Brian Cline's request so that he could review the material that the Board had just handed him. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Downey to reconvene into executive session. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Custer to recess for lunch until 1:30pm. Motion carried unanimously.

The Board reconvened into executive session at 1:35pm.

The Board recessed at 2:25 for a five-minute break.

The Board reconvened from the break at 2:35pm.

Commissioner Shy made a motion seconded by Commissioner Custer to end the executive session and to reconvene into open session at 3:55pm. Motion carried unanimously.

Christy Kesselring met with the Board and Commissioner Downey explained that the Board had reviewed all documentation that they had received from all parties involved.

Commissioner Shy made a motion seconded by Commissioner Custer to give Christy Kesselring medical leave through July 2, 2007 and have her meet back with the Board on July 2<sup>nd</sup> for a final resolution of this problem. She will also receive a letter of reprimand (disciplinary action) as specified in our personnel policy based on the complaint received on June 8<sup>th</sup> to be placed in her personnel file. Motion carried unanimously.

Brian Cline met with the Board and Commissioner Downey explained that the Board had reviewed all documentation that they had received from all parties involved. Commissioner Downey explained that Christy Kesselring would receive a letter of reprimand for her actions. They also explained that they were very concerned with his job performance. The Board has made the decision that they will have him (Brian) work at the Road and Bridge Department starting tomorrow (June 13<sup>th</sup>) through July 2<sup>nd</sup> at his normal pay. This will be considered a “cooling off period” since he has no vacation or sick time accumulated. Brian will meet back with the board on July 2<sup>nd</sup> for a final resolution to this situation.

Brian asked what concerns they had with his job performance. Commissioner Custer stated that she was concerned with the fact that his (Brian’s) supervisor had told him to take the minutes of the Planning Commission meeting and he (Brian) went to the chairman of the Planning Commission to see if there would be a problem with Elizabeth French, who also works in the zoning office, taking the minutes before talking to Christy (his supervisor) about it. Commissioner Shy stated that he was also concerned that he (Brian) has been working with Norm Froman on the GIS system, and has had personnel of the courthouse make copies of all the county maps and had them sent to Mr. Froman and the Board has still not seen a copy of a proposal for this work as they had originally requested. Commissioner Downey stated that he has concerns about him (Brian) not being able to work under a person of authority.

Mr. Cline stated that he felt the Board was unjustified in their decision to have him work at the Road & Bridge Department, but did appreciate the fact that he was going to be able to continue with employment during this period of time.

Commissioner Shy made a motion seconded by Commissioner Custer to have Brian work at the Road and Bridge Department until July 2<sup>nd</sup> to be considered a “cooling off period” at the same wages and using his same skills that he uses in the zoning office and to offer him the same opportunity to supply further documentation to the Human Resource Manager if he feels he has something more to offer to this issue. Motion carried unanimously.

Commissioner Custer made a motion seconded by Commissioner Shy to adjourn for the day at 4:50pm. Motion carried unanimously.