



Board of Trustees
Work Session
Thursday, April 6, 2023, 5:00 p.m.

Attend in person:
Cedaredge Civic Center, Grand Mesa Room, 140 NW 2nd St.

Attend virtually:
On Your Computer: <https://bit.ly/3d0MZWI> | Password: 443001
On Your Phone: 253-215-8782 | Webinar ID: 874 9904 6934 | Password: 443001

AGENDA

Please note decisions are not made at Work Sessions

At 4:30 PM the Board of Trustees will tour the Surface Creek Community Services Food Pantry where they will hear the annual report. The pantry is located at 245 W. Main Street.

- 1) Call to Order & Pledge of Allegiance
- 2) Mosquito Abatement
 - a. 2023 Abatement Program
 - Jim Leser & Greg Rajnowski
 - b. Formation of a Mosquito Abatement District Board
- 3) Town of Cedaredge Governance Policy
 - a. Elected/Appointed/Advisory – Attorney Bo Nerlin
 - b. Board of Trustees and Town Administrator
- 4) Management Update
- 5) Adjourn



GOVERNANCE PLAN



Board of Trustees

Conceptual Draft Only

Governance Plan - Preface and Definitions:

Preface:

The Board of Trustees (Board) of the Town of Cedaredge (Town) is regulated by State of Colorado Revised Statutes particularly by Chapter 31 governing municipalities. In 2008 the citizens of the Town adopted a Cedaredge Home Rule Charter (Charter) allowing permitted flexibility to self-rule within specific limits of the statute. Elements of the Charter have, by-in-large, been codified into the Town's Municipal Code (Code)

Although the Charter and Code define various aspects of Town governance and operations, the perspective is the big picture of governance. For example, a Master Plan is required, but appropriately the exact elements of such Master Plan are not detailed. Likewise, the Charter and Code list the elected trustees and Board officers and appointees and their major duties. But there are limited instructions regarding the interrelationship of the Board and the Town's Administrator or how the Board will monitor Administrator performance. Other examples exist of gaps between Statute and Charter requirements, the Code and actual day to day governance and administration.

Also, since the adoption of the Charter in 2008, Town Boards have through ordinance, resolution, or motion created a variety of means by which to govern. These case-by-case approaches can then become obscure and confusing. This purpose of this document is to pull those separate and sometimes disparate governance puzzle pieces together to form an overall, comprehensive Town Governance Plan. It approaches this task in four interrelated sections, each of which tackle the subject from the broadest (or global) perspective first, then address specific aspects of the subject down to a reasonable point where additional context is likely superfluous. Presenting the material in a consolidated form and in a list, outline format should also assist in grouping and filtering the material in an understandable way.

Plan elements are goal-oriented, but it is acknowledged that sometimes goals are, at least temporarily, unreachable. However, when goals cannot be achieved, the plan demands corrective action. The goals herein are termed Ends. The Ends are stated in terms of what goodness or benefits are to be provided, for what contingent of recipients, and at what cost or relative value.

One of the gaps in defining these Ends is identifying the intended recipients of the goodness or benefits to be provided. The electors (voting citizens) of Cedaredge are the most obvious deserving recipients. But then so are younger, non-voting inhabitants; seasonal or transient visitors or workers; guests in commercial accommodations such as hotels, motels, RV parks, etc.; shoppers; restaurant patrons; residents in the surrounding countryside or neighboring communities; patrons of museums, art galleries, theaters, and events such as Applefest; land use and housing developers; business owners. The list can go on and would include regulatory

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bodies as well as funding agencies. The practical problem of recognizing such a multitude of deserving recipients is finding a concise term to sum them up within the following policy verbiage. Because a base is the solid bedrock, foundation of structures including structural plans, this Plan uses the terminology “citizens and other bases” to sum up the deserving recipients of the Town’s ends policies. Mentioned above, another gap in prior governance efforts was the lack of an objective method for continuous evaluation of the Town Administrator. Previous evaluations of the Town Administrator by the Board were conducted once a year, were subjective, linked to just a few job outputs, and were likely influenced by recent interactions with the Administrator. This Plan changes that, providing for continuous, objective (fact and data based) monitoring of Administrator performance standards linked to achievement of organizational ends.

Comprehensive approaches to governance such as this are recognized and used internationally for organizations large, medium-sized, and small; for-profit, not-for-profit, and governmental. The forgoing and what follows is merely a suggested draft. A large proportion has been drawn from the C.R.S., Town Charter, Town Municipal Code, and the record of Board of Trustees resolutions and ordinances. It is likely not exhaustive of those sources, however. An authentic version of this should be formulated in an organic way with input and decisions made by the entire Town Board with assistance of the Town Administrator and Town Attorney, wherein a more detailed review of laws, regulations, and stated policies can be considered.

Definitions:

Appoint or appointed means to name officially.

ADA means Americans with Disabilities Act

Board or possessive **Board’s** mean the Town of Cedaredge Board of Trustees.

Boards plural means any other board besides the Town of Cedaredge Board of Trustees.

Charter or possessive **Charter’s** means the 2008 Town of Cedaredge Home Rule Charter.

Citizens and other Town bases mean the deserving recipients of the Town’s ends.

Code means Town of Cedaredge Municipal Code

C.R.S means Colorado Revised Statutes

Ends means what goodness or benefits are to be provided to the Town’s citizens and other bases.

Plan as a noun means this Governance Plan

Town or possessive **Town’s** means the Town of Cedaredge, Colorado

CONSOLIDATED GOVERNANCE PLAN



This is a graphic of the four elements of a comprehensive governance plan. The focus is always on the center: the Ends to be provided to the Town's citizens and other bases. The other three elements work hand-in-hand using a variety of means to produce those Ends.

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Governance Plan – Section A: Governance Process

Global Governance Process

The Board, on behalf of the Town’s citizens and other bases, is the governing and legislative body of the Town, and shall (a) seek to assure appropriate results for said citizens and bases, at an appropriate cost or relative value as specified in the Board’s Ends policies; and (b) seek to avoid unacceptable actions and situations defined in prescribed and proscribed Governance Process and Administrator Performance Standards policies.

Governing Style and Methods

The Board will govern lawfully observing applicable Federal, C.R.S. Charter and Code requirements, observing sound governance principles with an emphasis on (a) vision outward toward the citizens of Cedaredge and its other bases rather than an inward preoccupation on administrative minutia and the Board itself, (b) the encouragement of diversity in viewpoints, (c) strategic leadership rather than administrative detail, (d) clear distinction of Board and Administrator roles, (e) collective rather than individual decisions, (f) the future rather than the past or present, and (g) proactivity rather than reactivity. Accordingly, the Board shall:

1. Cultivate a sense of group responsibility, the principle that the Board speaks with one voice. Embrace open Trustee debate on issues considering each point of view, but once a vote is taken, accept and support the Board’s decision.
2. Board, not the staff, will be responsible for excellence in governing. The Board will be the initiator of policy, not merely a reactor to staff initiatives. Although the expertise of individual Trustees is valued and may be used to enhance the understanding of the Board as a whole, the Board will not use such expertise of individual Trustees as a substitute for the judgement of the entire Board.
3. Direct, control, and inspire the organization through the careful establishment of broad written policies reflecting the Board’s values and perspectives. The Board’s major focus will be on intended long-term impacts outside the staff organization, not on administrative or programmatic means of attaining those effects.
 - a. The Board’s Governance Process specifying how the Board conceives, carries out, and monitors its own task.
 - b. Ends policies that rely on citizen input, are detailed more fully in the Town’s Master Plans and any separate strategic plans, and that define organizational impacts, benefits, outcomes, recipients, beneficiaries, impacted groups, and reflect their relative worth in cost or priority.
 - c. Board-Management Interrelatedness and Delegation that inform how power and responsibility is delegated and its proper use monitored, the Administrator role, authority, and accountability.

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- d. Administrator Performance Standards that provide directives and constraints on Administrator authority and that establish prudence and ethics standards that are expected to take place.
4. Because of the substantial number of Ends goals, the Board will at the beginning of each year prioritize the Ends on which to focus its efforts for the year.
5. Be bound by C.R.S. 24-18-101, et seq, and ordinance 2012-5 regarding the code of conduct for the Board of Trustees, as well as by the untitled document headed "2022 Cedaredge Board of Trustees Stives to be Known As.". Further, the Board will enforce upon itself whatever discipline is needed to govern with excellence.
6. Consider duly filed citizen initiatives, referendums, and petitions.
7. As needed, through ordinance or resolution establish commissions, boards, and temporary advisory commissions and provide for their powers and duties, and wherein such commissions, boards, and temporary advisory committee meetings shall be open to the public and copies of all records of all meetings shall be kept and placed in the office of the Town Clerk for public inspection.
 - a. For boards and commissions, the ordinance or resolution shall provide:
 - i. Any required qualifications of board and commission members.
 - ii. The terms of office for members.
 - iii. The method of appointment.
 - b. For temporary advisory commissions the ordinance or resolution shall describe:
 - i. The advice to be provided, or
 - ii. The task to be accomplished.
8. As needed, create special improvement districts, general improvement districts, business improvement districts, special taxing districts, urban renewal authorities, housing districts, and other special districts and authorities.
9. By ordinance grant utility franchises or permits to entities such as, but not limited to, those providing water, sewer, cable TV, electrical power, telephone, telegraph, telecommunications, or natural gas.
10. Continually develop itself through orientation of new Trustees about the Board's Governing Plan, and through periodic Board discussion and training on governing process improvement.
11. Not allow any Trustee, officer, individual, sub-board, commission, or committee of the Board to hinder or be an excuse for not fulfilling the Board's collective obligations.
12. On a regular basis, self-monitor and discuss the Board's governing process and performance.
13. Except for Executive Session Board meetings and decisions, assure transparency of Board records.

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Agenda Planning

To accomplish its job products with a governing style consistent with Board policies, the Board will follow an annual agenda that (a) completes a re-exploration of Ends policies annually, and (b) continually improves Board performance through Board education and enriched input and deliberation. Accordingly,

1. A cycle will be established wherein the first day of the cycle corresponds to the beginning of planning of programs and budgets focused on accomplishing a one-year segment of the Board's most recent statement of long-term Ends.
2. The cycle will start with the Board's initial development of its agenda for the next fiscal year. Such development will include:
 - a. Consultations throughout the year with the Board's commissions, sub-boards, temporary advisory groups and with selected groups of the Town's citizens and other bases; or other methods of gaining planning information:
 - b. Governance education and education related to Ends determination such as presentations by futurists, demographers, advocacy groups, staff, etc.
 - c. A Trustee may recommend or request an item for Board discussion by submitting the item to the mayor no later than five days before a Board meeting.
3. When personnel matters are included on the agenda, the Board will adjourn its regular meeting to go into an executive session or will schedule a special executive session meeting at a later date.
 - a. Administrator remuneration will be decided in executive session during the month of [name month] after a review of monitoring reports received in the last year.
4. To help streamline Board meetings, the Board may employ a consent agenda wherein the consent agenda shall consist of:
 - a. Proforma items such as meeting minutes and financial reports.
 - b. Items for which the Board has delegated execution authority to the Town Administrator, but for which required by law, regulation, contract, or third-party policy requires Board approval or Board affirmation of the Administrator's action.
 - c. Review and evaluate monitoring reports placed on the agenda
 - i. According to the Board-established monitoring schedule.
 - ii. If new or overdue monitoring reports have been submitted since the previous meeting.
 - iii. If plans must be made for direct monitoring.
 - iv. If arrangements for third-party monitoring must be prepared.

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Governing Officers and Operational Appointees:

Note that qualifications and duties of Town officers and appointees are codified in C.R.S., Title 31. Government - Municipal and in the Town Home Rule Charter. Regardless, to consolidate those regulations within this Board Governance Plan, this section of Board policies while deferring to the full context of the regulations, reiterates the regulations and adds to and elaborates where needed and where not in conflict with the regulations.

Mayor as Chief Executive Officer (CEO)

CRS 31-4-102 declares the mayor as the Town's chief executive officer and conservator of the peace. Article II, Section 2-4 also requires typical CEO duties of the mayor. Hence the mayor's CEO duties are:

1. Cause the ordinances and regulations of the town to be faithfully and constantly obeyed.
2. Supervise the conduct of all officers of the Town.
3. Examine all reasonable complaints made against any of the officers.
4. Cause any violations or neglect of duty [sic. by officers], to be promptly corrected or reported to the proper tribunal for punishment and correction.
5. Exercise within the Town limits, the powers conferred upon the sheriffs of counties to suppress disorders and keep the peace.
6. Execute and authenticate with the mayor's original signature legal instruments, contracts, and documents requiring a signature on behalf of the Town, unless the Board by ordinance, resolution, or motion authorizes another manner of authorizing documents, including but not limited to delegation for specific and limited purposes, certain non-legislative duties of the mayor to the Administrator or other Town employees.
7. Perform such other duties compatible with the nature of the mayor's office as the town council may from time to time require.

Mayor as Chief Governance Officer (CGO).

Although not titled CGO, C.R.S. 31-4-102(3) as well as Article II, Section 2-4 of the Town Charter outlines the duties of a typical CGO. Therefore, this Governance Plan has adopted the terminology CGO for those said duties, and therefore declares the mayor as the Town's CGO. Hence the mayor's CGO duties are:

1. Be the presiding officer of the Town's Board meetings and have the same voting powers of a Trustee of said Board.
2. Assure the Board behaves consistently with its own rules and policies and those legitimately imposed upon it from outside the Town's organization.
 - a. Assuring Board meeting discussion content be only regarding those issues which, according to Board policy, clearly belong to the Board to decide or monitor.
 - b. Assuring information that is neither for monitoring performance nor for Board decisions is avoided or minimized and always noted as such.

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- c. Assuring deliberation is fair, open, and thorough, but also timely, orderly, and kept to the point.
3. Appoint a Mayor Pro Tem.
4. Because neither as CGO nor as CEO, has the mayor authority to make decisions outside policies created by the Board within ends and administrator performance standards policy areas, the mayor has no authority to unilaterally supervise or direct the Administrator.
5. Be the ceremonial head of Town government.

Mayor-Appointed Mayor Pro Tem

Act as mayor during the absence of the mayor with all the powers conferred upon the mayor.

Board-appointed, Board-managed Town Administrator

Appointed and managed by the Board, the Town Administrator has the following duties:

1. Execute the laws and ordinances of the Town and hires, suspends, transfers, and/or removes Town employees except as provided by the Charter or by ordinance.
2. Has other powers and duties as provided by ordinance or by Board policy such as the Administrator Performance Standards.

Board-appointed, Administrator-managed Town Clerk

Appointed by the Board, but supervised by the Administrator, the Town Clerk has the following duties:

1. Be the custodian of the Town seal and keeps records of the Board proceedings and a record in full of all ordinances, resolutions, and motions.
2. Administer oaths and take acknowledgements under the Town seal.
3. Perform other duties as required by the Charter, the Board, ordinance, or statute.

Board-appointed, Administrator-managed Police Chief

Appointed by the Board, but supervised by the Administrator, the Town Police Chief has the following duties:

1. Head the Town Police Department
2. See that the Town's ordinances and the State of Colorado statutes are duly enforced.
3. Administer the policing powers provided by ordinance or statute.

Board-appointed, Administrator-managed Financial Director

Appointed by the Board, but supervised by the Administrator, the Town Financial Director has the following duties:

1. Has charge of the Town's financial records.
2. Collect, receive, and disburse Town monies as authorized by the Board or delegated to the Administrator.
3. Perform other duties as required by the Charter, the Board, ordinance, or statute to properly administer the Town's financial affairs.

Board-appointed, Self-managed Town Attorney

Appointed by the Board, self-managed yet interactive with the Administrator, the Town Attorney has the following duties:

1. Be the Town's legal representative.
2. Advise the Board and Town officials in matters relating to their powers and duties and relating to other matters affecting the Town.
3. Personally, or through qualified assistants, or Board-approved associate counsel or special counsel, represent the Town in legal proceedings.
4. Assist with the drafting and/or review of ordinances and resolutions, and in the preparation of other legal documents such as but not limited to contracts, memoranda of understanding, and intergovernmental agreements.
5. Attend board meetings
6. At the request of the mayor or Town staff, attend other Town meetings.
7. Keep the Board and Town staff informed on changes to the law affecting municipalities and provide legal planning to proactively minimize the Town's exposure to potential liability.
8. Perform other duties as required by the Charter, the Board, ordinance, or statute to properly administer the Town's legal affairs

Board-appointed, Self-managed Municipal Judge

Appointed by the Board, self-managed, yet interactive Administrator, the Town Municipal Judge has the full jurisdiction as provided under Colorado State statutes and rules promulgated by the Colorado Supreme Court and hence has the following duties:

1. Maintain a qualified Municipal Court of Record and keep a verbatim record of all proceedings and evidence at trials either by electronic or stereographic means.
2. Hear and try all alleged violations of Town ordinances.
3. Adjudicate and administer penalties (fines or sentences) for violations of Town ordinances or municipal code within, but only up to the maximum established by applicable laws.

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4. Others? Get from Judge Joss

Administrator-appointed, Municipal Judge-managed Municipal Court Clerk

Appointed by the Administrator, but supervised by the Municipal Judge, the Town Municipal Court Clerk has the following duties:

List. Get from Kami, Jess and/or Judge Joss

Governance Plan – Section B: Ends

This document summarizes the Town of Cedaredge Trustees goals [Ends] and is stated with an outward focus, in other words, “What good is the Board, and hence The Town of Cedaredge, to provide, to whom, and at what cost or relative value. Refer to The Town of Cedaredge Master Plan 2017 Amended and the Board’s 2021 – 2022 Strategic Plan for details regarding each goal’s associated objectives and policies.

Accordingly, Cedaredge Citizens and other bases will experience:

1. A livable, small-town environment that through land use planning maintains an interesting mix of compatible uses on a small community scale.
2. Practical, logical, wise growth management focused substantially on infill within the Town.
3. Access to high quality green spaces, leisure enjoyment areas and facilities, and community events.
4. Economic stability and diversity wherein the influence and aesthetics of agriculture and ranching are protected, and economic assets are created without creating adverse fiscal impacts on the Town or damaging its small-town character.
5. Community revitalization focused on attractive and welcoming business districts.
6. The Town’s heritage through historic preservation.
7. Housing options that meet the needs of its various bases.
8. Well-maintained (and where appropriate) ADA-compliant streets and modes of traffic circulation; parking; pedestrian sidewalks, trails, and amenities; lighting; roadway crosswalks; and access to public transportation.
9. Town investment in staff wages, benefits, training, and work culture; water resources; and maintenance and replacement of Town assets.
10. Town-domain¹ safe environments and fair, competent, comprehensive - yet ²non-intrusive, non-discriminatory policing and jurisprudence.

¹ As opposed to privately-owned properties and domains

² It is acknowledged that at times officers of the Cedaredge Police Force will encounter situations in which someone poses a significant risk to themselves, the officers, or others. In those situations, it is expected that officers will employ their training and resources in an endeavor to de-escalate the situation. It is also

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Governance Plan – Section C: Board-Management Interrelations and Delegation

Global Board-Management Nexus

1. The Board’s sole official connection to the general operational Town organization, its goals, achievements, and conduct will be through the Board-appointed Town Administrator.
 - a. Trustees may discuss matters regarding Town operations and administrative services with employees, officers, contractors, and consultants; however, cannot give them direct orders.
2. The Board’s official connection to the Town’s jurisprudence will be through the Board-appointed Town Attorney and its Board-appointed Municipal Judge.

Unity of Control

1. Only officially passed motions of the Board; whether ordinances, resolutions, or general motions; are binding on the Administrator.
 - a. Directions or instructions of individual Trustees or of the Board’s commissions, boards, or temporary advisory committees are not binding on the Administrator except in rare instances when the Board has specifically authorized such exercise of authority.
 - b. In cases where individual Trustees or members of the Board’s commissions, boards or temporary advisory committees request information or assistance without Board authorization, the Administrator can refuse such requests that require, in the Administrator’s opinion, a material amount of staff time or funds, or are disruptive.

acknowledged that those efforts will not be universally successful, and the situation might escalate to the point of necessary use of force including use of incapacitation tools or deadly weapons. In such eventuality, it is recognized that only the officers on the scene can determine whether such use of force is necessary and justifiable and is considered and would be evaluated in terms of this policy.

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Accountability of the Administrator

1. Because the Administrator is the only link to general operational achievement and conduct, all authority and accountability of Town staff - as far as the Board is concerned - is considered the authority and accountability of the Administrator.
 - a. Individual Trustees or the Board itself will never give instructions to persons who report directly or indirectly to the CEO.
 - b. The Board will not evaluate, either formally or informally, any general operational staff other than the Administrator.
 - c. The Board will view Administrator performance as identical to organizational performance, so that organizational accomplishment of Board-stated Ends and Administrator Performance Standards will be viewed as successful Administrator performance.

Delegation to the Administrator

1. The Board will instruct the Administrator through written policies that prescribe organizational Ends to be achieved, Administrator Standards of Performance to be met, and where necessary that proscribe organizational situations and actions to be avoided, allowing the Administrator to use any reasonable interpretation of these policies.
 - a. These policies may include practices, activities, decisions, and circumstances that would be unacceptable to the Board even if they were to be effective.
 - b. As long as the Administrator uses any reasonable interpretation of the policies, the Administrator is authorized to establish all further policies, make all decisions, take all actions, establish all practices, and develop all activities. Such processes of the Administrator shall have the full force and authority as if decided by the Board.
 - c. Through official Board action, the Board may change its Ends and Administrator Performance Standards, thereby shifting the boundary between Board and Administrator domains. By doing so, the Board changes the latitude and choice given to the Administrator. But as long as any particular delegation is in place, the Board will respect and support the Administrator's choices.

Monitoring Administrator Performance

1. Systematic and rigorous monitoring of Administrator performance will be solely against the only expected Administrator job outputs: organizational accomplishment of Board policies on Ends to be achieved and organizational operation according to Board-established Administrator Performance Standards.
 - a. Monitoring is simply to determine the degree to which Board policies are being met, Information that does not do this will not be considered to be monitoring information.

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- b. The Board will require monitoring information by one or more of three methods:
 - i. By Internal report, in which the Administrator discloses interpretations and compliance information to the Board.
 - ii. By external report, in which an external, disinterested third party selected by the Board assesses compliance with Board policies.
 - iii. By direct Board inspection, in which a designated Trustee or set of Trustees assess compliance with the appropriate policy criteria.
- c. In every case, the Board will judge (a) the reasonableness of the Administrator’s interpretation of the Board’s policy, and (b) whether data demonstrate accomplishment of the interpretation.
- d. The standard for compliance will be any reasonable Administrator interpretation of the Board policy being monitored. The Board is final arbiter of reasonableness but will always judge with a “reasonable person” test rather than with interpretations favored by a Trustee or by the Board as a whole.
- e. In circumstances where the Administrator reports non-compliance, the Administrator shall report any and all contributing circumstances leading to non-compliance and shall supply a corrective action plan.
- f. All policies that instruct the Administrator will be monitored at a frequency and by a method chosen by the Board. The Board can monitor any policy at any time by any method but will ordinarily depend on a routine schedule that will within each fiscal year reveal organizational achievement for the entire year.

Monitoring Schedule

Policy	Method	Frequency
Customer Relations	Internal	Annually (Month)
Treatment of Staff	Internal	Annually (Month)
Financial Planning/Budgeting	Internal	Monthly at Regular Board meetings
		Budget Development Process Monthly (Sept – Dec)
Financial Conditions and Activities	Internal	Quarterly
	External	Annually [Auditor’s Report]
Asset Management	Internal	Annually (Month)
	External	Annually [Cyber Security Challenge]
Records Management	Internal	Annually (Month)
Water Systems Management	Internal	Annually (Month)
Wastewater Systems Management	Internal	Annually (Month)

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Safety and Law Enforcement Management	Internal	Annually (Month)
Green Space and Recreational Facilities Management	Internal	Annually (Month)
Compensation and Benefits	Internal	Annually (Month)
Emergency Administrator Succession	Internal	Annually (Month)
Communication and Support to the Board	Direct Inspection	Annually (Month)

Governance Plan – Section D: Administrator Performance Standards

Global Executive Expectation

The Administrator shall assure organizational practices, activities, decisions, and circumstances that are lawful, prudent, and not in violation of commonly accepted business practices, or professional ethics and practices. Accordingly, the Administrator shall:

1. Comply with Federal regulations, C.R.S., the Town Charter, and the Town Code.
2. Publish required, timely public notices in the Board-designated local news outlet.
3. Except for the Board’s executive sessions, the Town’s personnel records, and other legally protected materials, assure transparency of Town records.

Customer Relations

With respect to customer relations interactions with all Town citizens and other bases the Administrator shall assure conditions, procedures, and decisions that are safe, timely, dignified, and that are not unnecessarily intrusive. Accordingly, the Administrator shall:

1. Elicit information only for which there is clear necessity.
2. Use methods of collecting, reviewing, transmitting, or storing customer information that protects against improper access to the material.
3. Operate facilities with appropriate accessibility and privacy.
4. Establish with customers a clear understanding of what may or may not be expected from the customer service offered.
5. Inform customers of this policy and provide a way for persons to be heard who believe they have not been accorded a reasonable interpretation of their protections under this policy.
What’s the current customer grievance process?
6. Promulgate the Town’s records management processes and facilitate customer access to Town records and information.
7. Assure safe Town-domain environments and fair, competent, comprehensive - yet ³non-intrusive, non-discriminatory policing and jurisprudence.

³ It is acknowledged that at times officers of the Cedaredge Police Force will encounter someone who poses a significant risk to themselves, the officers, or others. In those situations, it is expected that officers will employ their training and resources in an endeavor to de-escalate the situation. It is also acknowledged that those efforts will not universally be successful, and the situation might escalate to the point of necessary use of force including use of deadly weapons. In such eventuality only

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8. Publish a monthly Town newsletter.
9. Be the Town's spokesperson for administrative matters.
10. Form administrative advisory councils as needed for administrative consultation, wherein:
 - a. There is no requirement for regular meeting schedules, agenda, minutes, or membership residency.

Treatment of Staff

With respect to the treatment of paid and volunteer staff, the Administrator shall assure conditions that are fair, dignified, organized, and clear. Accordingly, the Administrator shall:

1. Make thorough background inquiries and checks prior to offering employment to any paid personnel or before engaging any volunteer.
2. Operate with personnel policies that:
 - a. Clarify staff rules and policies
 - b. Provide for fair and thorough handling of grievances
 - c. Are accessible to all staff
 - d. Inform staff that employment is neither permanent nor guaranteed
3. Provide health and safety policies that meet or exceed industry standards for each of the various work environments in which employees are engaged.
4. Provide thorough staff orientation and training tailored to each job.
5. Assure personnel policies are consistently applied.
6. Provide for adequate documentation, security, and retention of personnel records and all personnel-related decisions.

Financial Planning / Budgeting

The Administrator shall assure financial planning for any fiscal year or the remaining part of any fiscal year that does not deviate materially from the Board's Ends priorities, risk financial jeopardy, or is not derived from a multiyear plan. Accordingly, the Administrator shall:

1. In keeping with Charter Section 8-5, Budget, within each of the Town fund categories, include credible projection of revenues and expenditure (including debt service), separation of capital and operational items, cash flow, staffing needs, external services, and all planning assumptions including any contingencies.
 - a. Produce an annual, rolling, five-year capital improvement plan.
 - b. Solicit Board input on staffing and organizational changes anticipated for sound financial management.
2. Plan realistic fund expenditures in any budget period from revenue that is conservatively projected to be received or appropriated from applicable reserves in that period.

the officers on the scene can determine whether such use of force is necessary and justifiable and is considered in terms of this policy.

Although these governance policies are goal-oriented, it is acknowledged that at times, due to circumstances beyond anyone's control, the Ends or this Plan's other policies will not be met. In those cases, documentation will be recorded of the causes of the miss, and a corrective action plan will be established.

3. Adhere to the Charter, section 8-7(b) by preparing a budget wherein the total of proposed expenditures does not exceed the total of estimated revenues, including unappropriated cash reserves.
4. For each operational fund, produce an annual margin of at least 5% but not more than XX%. Alternate language #1 here: For each operational fund produce an annual margin that adds at least 5% but not more than XX% to the fund's reserve balance. Alternate language #2 here: Produce a grand total margin that meets the expected capital improvement outlay for all funds in that given fiscal year plus at least XX%. Alternate language #3 here: Some other margin expectation or formula that prudently builds necessary reserves, but does not overburden citizen with taxes and user fees.
5. During any fiscal period, if the availability of appropriation revenues exceeds those estimated in the budget or there are revenues not previously appropriated, report in a timely manner to the Board of Trustees, indicating the estimated excess and suggested steps to be taken.
6. During any fiscal period, if at any time it appears probable that revenues available will be insufficient to meet the amount appropriated, report to the Board of Trustees without delay, indicating the estimated deficit amount and suggested remedial steps to be taken.
7. Limit recommended transfer of appropriations to unencumbered appropriation balances among programs within a fund, or department.
8. Schedule timely and appropriate Board budget workshops and required public hearings.

Financial Conditions and Activities

With respect to actual, ongoing financial condition and activities, the Administrator shall assure the absence of financial jeopardy or material deviation of actual expenditures from the Board's appropriations and Ends policies. Accordingly, the Administrator shall:

1. Expend only those funds that have been appropriated by the Board.
2. Spend in ways that are cost-effective, making purchases that assure a balance of long-term quality against a reasonable cost. Orders may not be split to avoid this standard.
3. Adhere to Resolution 24-2018 regarding the Town's Purchasing Policy and include the avoidance of uncontrolled purchasing or purchasing subject to conflict of interest.
4. Schedule annual audit and provide auditor with any and all requested records and documents.
5. Develop grant applications.
6. Administer grants received.
7. Make on time indebtedness payments.

Asset Management

The Administrator shall assure Town assets are protected, adequately maintained, and not unnecessarily risked. Accordingly, the Administrator shall:

1. Assure there is adequate insurance for:

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- a. Material assets against theft, fire, and other casualty to a level of at least 80% of replacement value if damaged or destroyed.
 - b. Business interruption.
 - c. General and professional liability losses to the Board, staff, and the Town.
 - d. Theft or misappropriation of monies, securities, or other assets
2. Allow only bonded staff access to material amounts of funds, and otherwise assure receipt, processing, or distribution of funds under internal controls sufficient to meet the financial auditor's standards.
 3. Assure the provision of adequate security of premises, property, records, and equipment including the protection of information systems, networks, and programs from digital attacks.
 4. Assure Town facilities and equipment receive proper maintenance and are not subject to improper wear and tear.
 5. Adhere to Resolution 2-2010 incorporating C.R.S. 24-75-601.1 regarding investment of funds.
 6. Adhere to Resolution 24-2018 regarding the Town's Purchasing Policy.
 7. Assure due diligence in contracts.
 8. Assure a business continuity and disaster recovery plan is in place, and that staff are adequately apprised and trained for such eventuality.
 9. Protect the Town's public image and credibility.
 10. Assure the Town's technology is adequate and properly utilized.

Records Management

The Administrator shall formulate a records management process setting out the Town's records management recordkeeping systems, practices, guidelines, and procedures while protecting intellectual property, files, and information from loss or significant damage. Accordingly, the Administrator shall:

1. Assure the adequacy of record capture, including non-electronic records, electronic records, e-mails, and digitized records.
2. Assure the adequacy of the registration and organization of records including classifying records in a records classification and indexing scheme and assigning unique identifiers.
3. Provide ease of use of stored records including the searching and retrieving of records as well as the implementation of security and access control.
4. Assure proper retention (including environmental control) and disposal of records including identifying records for permanent retention, transfers to other jurisdictions, and destruction of records and including identification of vital records and the methods for alternate site duplication / backup of such records.

Water System Management

Although these governance policies are goal-oriented, it is acknowledged that at times, due to circumstances beyond anyone's control, the Ends or this Plan's other policies will not be met. In those cases, documentation will be recorded of the causes of the miss, and a corrective action plan will be established.

The Administrator shall oversee all aspects of the Town's water systems. Accordingly, the Administrator shall:

1. Assure the Town has adequate, safe, domestic, residential water.
 - a. Assure its adequate sourcing by protecting current sources and when needed acquiring additional sources.
 - b. Assure the maintenance and purity of its source locations.
 - i. Complete, submit, and promulgate Annual Drinking Water Quality Report
 - c. Assure its proper treatment prior to distribution for use.
 - d. Assure the adequacy and maintenance of its distribution systems such as storage tanks, main pipelines, service secondary pipelines, master meters, valves, fire hydrants, and other elements of the domestic, residential water system.
 - e. Assure its proper metering for billing, tracking of use, and for leak detection.
 - f. Assure periodic evaluation and updating of water user fees.
 - g. Create programs for Town residents that reward xeriscaping and water conservation practices.
2. Assure adequate sources and supply of irrigation water.
 - a. Assure adequate storage reservoirs and capacities including pre-use storage ponds.
 - i. Where the Town has sole control, assure adequate maintenance of the impoundment structure and its delivery system.
 - b. Assure adequate ditch diversion mechanisms.
 - c. Where possible, minimize evaporation and ground adsorption.
 - d. Measure / meter and track usage.
 - e. Interact and vote at scheduled meetings with reservoir companies, ditch companies, and water user companies.
 - i. Decisions about major financial commitments for reservoir or ditch construction or maintenance must be brought to the Board.
 - f. When practicable, market the Town's unused irrigation water.

Wastewater System Management

The Administrator shall oversee all aspects of the Town's wastewater systems. Accordingly, the Administrator shall:

1. Assure the Town has an adequate wastewater treatment system.
 - a. Assure proper treatment, dewatering, and discharge of wastewater.
 - b. Assure proper disposal of resultant solid waste.
 - c. Assure periodic evaluation and updating of sewer user fees.
 - d. Likely more to detail here!

Safety and Law Enforcement Management

The Administrator shall oversee all aspects of the Town's safety and law enforcement systems. Accordingly, the Administrator shall:

Although these governance policies are goal-oriented, it is acknowledged that at times, due to circumstances beyond anyone's control, the Ends or this Plan's other policies will not be met. In those cases, documentation will be recorded of the causes of the miss, and a corrective action plan will be established.

1. Formulate a safety program to focus on:
 - a. Add detail here.
2. Assure an adequately staffed and trained police department (PD)
 - a. Assure the PD has proper facilities, uniforms, equipment, vehicles, and training.
 - b. Assure the PD utilizes current law enforcement best practices:
 - i. A comprehensive community policing plan.
 - ii. De-escalation practices.
 - iii. Crisis intervention practices.
 - iv. Early intervention systems.
 - v. Vehicle and officer cameras.
 - vi. A process for internal affairs issues.
 - vii. An officer recruitment, hiring, performance evaluation, promotion, and retention program.
 - viii. A law enforcement data management system.
 - ix. National Incident Management System.
3. Assure adequate facilities and resources for the Town's municipal judge.

Green Space and Recreation Management

The Administrator shall oversee all aspects of the Town's green spaces and recreational facilities. Accordingly, the Administrator shall:

1. Assure proper maintenance of the Town's green spaces and recreational facilities such as parks, walking trails, golf course, skate park, landscaped areas, and undeveloped acreage.
2. Seek opportunities to develop or acquire new and/or expand existing green space or recreational facilities.
3. For the golf course, in addition to the above:
 - a. Assure adequate staffing.
 - b. Assure adequate but competitive golf user fees.
 - c. Assure operation of the clubhouse restaurant and bar.

Compensation and Benefits

Regarding employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the Administrator shall assure there is no jeopardy to the Town's financial integrity or public image. Accordingly, the Administrator shall:

1. Not change the Administrator's own compensation and benefits except as approved by the Town of Cedaredge Board of Trustees or as part of a broad staff compensation or benefit change applicable to all staff including the Administrator.
2. Assure the employment, development, evaluation, and compensation of Town of Cedaredge employees necessary to enable the Town to achieve its Mission and Ends policies.

Although these governance policies are goal-oriented, it is acknowledged that at times, due to circumstances beyond anyone's control, the Ends or this Plan's other policies will not be met. In those cases, documentation will be recorded of the causes of the miss, and a corrective action plan will be established.

3. Establish compensation and benefits that materially match the geographic or professional market for the skills employed and that provide at least a living wage and reasonable time off.
4. Apply pay equity strategies and uniform job descriptions for substantially similar jobs in order to:
 - a. Prevent discrimination issues
 - b. Comply with equal pay regulations
 - c. Improve productivity and morale
 - d. Reduce workplace turnover
 - e. Attract talented new employees

Emergency Administrator Succession

In order to protect the Board and Town of Cedaredge from sudden loss of Administrator services, the Administrator shall assure there is a Town employee sufficiently familiar with Board and Administrator issues and processes to be able to take over with reasonable proficiency as an interim Administrator. Accordingly, the Administrator shall:

1. Designate by letter filed with the Town Clerk, a qualified administrative Town employee to perform the Town Administrator's duties during a temporary absence or disability.

Communication and Support to the Board

The Administrator shall assure the Board is informed and supported in its work. Accordingly, the Administrator shall:

1. Submit monitoring reports and data required by and on the schedule set by the Board in its Board-Management interrelations and Delegation policy "C5 – Monitoring Administrator Performance. Such monitoring reports shall be timely, accurate, and in an understandable fashion directly addressing provisions of board policies being monitored. Such reports shall include Administrator interpretations consistent with Board-Management Interrelations and Delegation "C4 – Delegation to the Administrator."
2. Regardless of the Board's monitoring report schedule, make the Board aware of any actual or anticipated non-compliance with any Ends or Administrator Performance Standards and provide a corrective action plan.
3. Provide Board meeting preparatory packets at least **three (3)** days prior to the meeting.
4. When a Board agenda contains an issue for which a Board decision is required, provide the Board a "Decision Preparation Whitepaper" wherein the whitepaper provides:
 - a. Suggested wording for a motion on the issue
 - b. Background information on the issue
 - c. A compilation of arguments "for" approving the motion
 - d. A compilation of arguments "against" approving the motion
 - e. The Administrator's recommendation for passage or non-passage of the motion

5. Make the Board aware of relevant trends, potential or enacted legislative measures, recently published or anticipated media coverage, threatened or pending lawsuits, and any material change, either internal or external.
6. Inform the Board when, that in the Administrator's opinion, the Board is out of compliance with its own policies within its Governance Plan particularly in the case of Board behavior that is detrimental to the work relationship within the Board itself or to the work relationship between the Board and the Administrator.
7. Provide the Board with workable mechanisms for official Board–Management communications, calendar scheduling, and contact sharing.
8. Assure dealings with the Board that do not favor or privilege certain Trustees over others except when (a) fulfilling individual requests for information or (b) responding to Board officers, Boards, Commissions, or temporary advisory groups duly charged by the Board.
9. Provide the Board a consent agenda containing pro-forma action items or items delegated to the Administrator yet required by law, regulation, or contract to be Board-approved.

Conceptual - Draft Only



La Plata County Leadership Policies and Practices

February 13, 2018

Board of County Commissioners of La Plata County, Colorado

Governing Statement

In Colorado, counties are a constitutional subdivision of state government and are mandated to perform certain functions and provide certain services in accordance with state law. Title 30 of the Colorado Revised Statutes speaks to the powers, duties and responsibilities of County government, which are exercised by the Board of County Commissioners (the Board). Those include, but are not limited to:

- Adopting an annual County budget;
- Managing the business concerns of the County;
- Representing the county and having the care of County property;
- Administering public assistance programs;
- Providing services for the aged and veterans;
- Providing and maintaining adequate courtrooms and other court facilities for its state judicial district;
- Maintaining and operating a County jail;
- Maintaining County roads and bridges;
- Negotiating and entering into intergovernmental agreements with other governmental entities; and
- Adopting and enforcing resolutions and ordinances regarding health, safety and welfare issues.

The Board may exercise only those powers granted to counties that are specifically authorized in either state statute or the Colorado Constitution.

Within their mandated authority, the Board can make decisions and take actions that have the effect of law (i.e establish regulations) as well as create policy that is ultimately implemented by county staff. The Board is also authorized to take administrative actions to manage the business affairs of the County and to establish such offices as are necessary for the efficient management of the business and concerns of the County.

To effectively fulfill its obligations and responsibilities, the Board recognizes the need to delegate with clarity to its two sole employees, the County Manager and County Attorney. However, the Board, as the governing body of the County, is ultimately responsible and accountable to the citizens of La Plata County. The complexities of issues facing the County and the competing interests among community stakeholders make a strict delegation of policy and day-to-day operations impractical. Rather, this Board's governance policy shall be rooted in a clear delineation of task responsibility and an expectation that the Board is adequately and routinely informed of the performance of the various assigned tasks.

It is the intent of this Board to focus on providing high-level organizational leadership rather than focusing on day-to-day operational tasks. The Board will maintain meaningful control of the organization while allowing others to perform the day-to-day operations. Maintaining meaningful control requires that the County Manager and County Attorney routinely advise the Board on day-to-day operational tasks. The Board will be informed of, but not dictate, the handling of such tasks. Through such active and routine communication, the Board can provide appropriate input to ensure that assigned tasks are consistent with the Board's overall vision and strategic direction. The Board can jointly determine with the County Manager and County Attorney what operational tasks may overlap or otherwise impact policy and require more active Board involvement.

It is our intent to delegate to the County Manager and County Attorney with great clarity by completing three steps:

1. Expressing the expectations of the tasks being delegated and the level of input and communication expected from the Board.
2. Assigning the expectations with no ambiguity to the person who is to be held accountable for meeting them.
3. Regularly checking that expectations are being met.

Our policies shall be the primary vehicle for delegating tasks, recording our expectations, and monitoring on a regular basis. These policies are not intended to form any type of contractual employment arrangement with any employee or person. Rather these are guidelines intended to clarify task responsibility. They are purposefully written to allow flexibility in interpretation and it is expected that the Board, County Manager, and County Attorney will continually and jointly communicate on the need for refinement or more specificity as particular circumstances may warrant.

We have five general categories of policies which express our expectations for involvement and delegation:

1. Governance Commitments of the Board

The Governance Commitments of the Board will clarify how the Board will work together, how the Board will conduct business, and how the Board will interact with citizens and outside agencies of the County.

2. Board/Staff Linkages

This Board/Staff Linkages policy will clarify the delegation and task assignment as to departmental operations and staff oversight to the Board's two sole employees, the County Manager and the County Attorney.

3. Executive Limitations

Executive Limitations delineate task expectations, constraints on authority, and required Board input within which the County Manager and County Attorney can act.

4. **Strategic Direction**

The Board will provide overall guidance and direction for County operations.

5. **Code of Conduct and Ethics**

The Board of County Commissioners shall operate in an ethical and legal manner.

Policy 1.0 Governance Commitments of the Board

Policy 1.1 County Commissioners Governance Commitments

The Board is committed to working with each other, other elected officials, staff and citizens in a manner that emphasizes collaboration, courage, respect, preparedness, fiscal responsibility and communication.

1.1.1 Display Collaboration. The Board shall display collaboration in a concerted effort to reach compromise or consensus. The Board is committed to the following:

- a. Sharing initial perceptions;
- b. Finding common ground and document decisions (action item record);
- c. Exploring options;
- d. Giving and taking on action steps to move forward;
- e. Focusing on the positive aspects of our roles and our achievements.

1.1.2 Display Courage. The Board will display courage and is committed to the following:

- a. Acting in the best interest of residents of La Plata County;
- b. Committing to goals both individually and collectively;
- c. Pursuing our goals with courage and determination;
- d. Being willing to admit when we are wrong and exhibit the willingness to change.
- e. Being willing to ask if programs or ideas are necessary and fiscally defensible.

1.1.3 Display Respect. The Board is committed to display respect for each other as Board members, the process, the schedules, the agenda, and timelines. The Board is committed to the following:

- a. Being non-judgmental in our interactions;
- b. Allowing disagreement among colleagues, staff and community members;
- c. Respecting the opinions of one another.

1.1.4 Prepare Proactively. The Board will prepare proactively and is committed to the following:

- a. Preparing for Board Business, Planning, Board Discussion Time and work sessions by reading staff reports and supporting materials in advance;

- b. Avoiding surprises with each other, the County Manager and the County Attorney by raising agenda-related issues in advance with the County Manager and/or County Attorney.

1.1.5 Communicate. The Board will effectively communicate by committing to the following:

- a. Targeting communication toward the County’s strategy, Board goals, budget and agenda items for the next meeting;
- b. Making communication with each other a priority;
- c. Structuring time for communication with each other, the County Manager, and the County Attorney;
- d. Avoiding surprises with each other, the County Manager, and the County Attorney (examples of situations that should be communicated include contacts with the press, taking public positions individually, and taking actions individually that could have an effect on the public, the County or its staff);
- e. Ensuring all Board members’ voices are heard.

1.1.6 Public Input. The Board will actively engage and seek input from citizens on matters of public interest and concern in order to make informed decisions.

1.1.7 Division of Labor. The Board will practice the effective division of labor by committing to the following:

- a. Commit to sharing the workload, particularly as it relates to County representation on various boards and committees.
- b. Fulfilling separate roles while ensuring cross checks between these roles;
- c. Practicing accountability to the Board as a whole and each other individually.

1.1.8 Opinions and Votes. Any member of the Board will respect the legitimacy of the opinions and reasoning of other commissioners when and after making Board decisions. A member of the Board who votes in the minority is free to express his/her dissent but will respect the process and legitimacy of the majority decision.

1.1.9 Process and Performance. The Board will regularly monitor and discuss the Board’s own process and performance and ensure the continuity of its governance capability through self-evaluation, continuing education and training. The Board will seek facilitation assistance, if deemed necessary, to conduct its self-evaluation and to improve its governance capability.

Policy 2.0 Board/Staff Relationships and Expectations

The Board has two employees that it oversees, the County Manager and the County Attorney.

Policy 2.1 County Manager Delegation

The Board’s link to the day-to-day operations of county departments, including elected offices, is the County Manager. Implementation and subsidiary decision making regarding these tasks is

hereby delegated to the County Manager pursuant to the guidelines, requirements, and constraints set forth herein.

2.1.1 With the exception of legal issues, the County Manager shall have supervisory and operational control over the day-to-day functions required to carry out the policies and objectives of the Board. A Board member may communicate directly with staff to obtain information to assist in its policy making functions. When this occurs, other than in casual conversations, the Board member will notify the County Manager as a courtesy. Significant requests by individual board members of staff will be directed through the County Manager. The County Manager will make every reasonable effort to accommodate requests for information, but, if in the opinion of the County Manager, such requests will require an amount of staff time or resources that would be detrimental to other necessities the County Manager may ask the full Board for guidance. (As a general rule, any request by an individual board member that may consume more than 8 hours of staff time will be brought to the Board for guidance.) The Board will avoid giving direction to persons who report directly or indirectly to the County Manager.

2.1.2 Only decisions of the Board acting as a Board are binding on the County Manager. Decisions or instructions of individual Board members are not binding on the County Manager except in instances when the Board has specifically authorized such exercise of power. However, it is the responsibility of the County Manager to discuss individual Board member's decisions or instructions at the next available opportunity with the full Board to ensure consistency and compliance with Board policies and objectives. It is the responsibility of the County Manager and not the individual Board members to communicate with the full Board to obtain consensus on decisions, instructions, or requests of individual Board members.

2.1.3 The Board may change its policies or vision, thereby shifting the boundary between Board and County Manager responsibilities. The boundaries between policy and day-to-day operations may, at times, not be clearly delineated and may overlap. The Board may change the latitude of choice given to the County Manager to accommodate changes in policy or vision. However, the Board will respect the authority given to the County Manager herein and pursuant to La Plata County Code Section 2-706 et seq. until such time as a modification or reduction in task authority is clearly identified. The Board's delegation remains contingent upon a clear communication channel between the Board and County Manager. It is the County Manager's responsibility to discuss with the full Board at the next available opportunity any tasks that he/she feels are not clearly delineated or may overlap with policy issues to obtain consensus on such task.

2.1.4 The negotiation of contracts may be handled by either the County Manager (or his designee) or the County Attorney, depending on the nature of the issue, as may be agreed upon by the County Manager and the County Attorney or as directed by the Board.

2.1.5 Any deviation from Board policies should be by approval of the Board. All deviations should be communicated to the Board at the next available opportunity by the County Manager.

Policy 2.2 County Manager Communication

The County Manager is responsible for ensuring that the Board is informed and supported in its work. It is the desire of the Board to delegate the day-to-day functions to the County Manager while recognizing that the quality of County government depends upon the partnership and team concept between the Board, County Manager, County Attorney, and staff.

Accordingly, the County Manager will:

- a. Inform and seek the guidance of the Board on issues that may have an impact on the policy making functions of the Board;
- b. Make the Board aware of all relevant and changing trends, conditions, public reactions, or events that may affect the assumptions upon which the Board policy has been previously based;
- c. Inform the Board of internal and external communications or actions that are, in the County Manager's judgment, salient and important;
- d. Inform and seek the guidance of the Board on both policy and operational issues that may have an impact on public relations or the public perception regarding how the County is operating;
- e. Routinely inform and seek the guidance of the Board on day-to-day operational tasks that may have a detrimental impact on public relations or the public perception regarding how the County is operating;
- f. Routinely inform the Board of operational issues, strategies, objectives and accomplishments. The Board does not desire to dictate these functions, but rather to be informed and provide input on operational functions that may have unintended effects on Board policy or public perception;
- g. Provide the Board with as many staff and external (including unpopular or politically charged) points of view, issues and a range of options as needed, including fiscal ramifications, for fully informed Board discussions, input, and choices. The information provided to the Board will be concise and complete in a user-friendly format;
- h. Ensure that the Board receives materials on a timely basis to allow for adequate review;
- i. Communicate with an individual board member at the earliest opportunity if, in the County Manager's opinion, the Board member is not in compliance with the Board's own leadership policies and Board/Staff relationships and expectations. If this approach is unsuccessful in remedying the situation, the County Manager will communicate with the Board as a whole;
- j. Foster open communication and strive to create a coordinated approach to the functions of County government.

2.2.1 The Board recognizes that the County Manager's duty of loyalty is to the entire Board rather than individual commissioners. The balancing of this loyalty requires the County Manager to exercise discretion as to the sharing of information amongst Board members about the acts of or the opinions and beliefs held by individual Board members.

Policy 2.3 County Manager Relations with Other Elected Officials

The County Manager is responsible for ensuring that the other Elected Officials (Assessor, Coroner, Clerk & Recorder, Surveyor, Sheriff, Treasurer & Public Trustee) are supported in their work. The County Manager is responsible for coordinating and working with the other Elected Officials to ensure Board priorities are accomplished while respecting the autonomous nature of the other Elected Officials.

Accordingly, the County Manager will:

- a. Inform and discuss with the other Elected Officials when taking action that may impact employees in their respective offices;
- b. Routinely inform the other Elected Officials of Board priorities, policies, mission, and goals and any modifications or shifts in these areas that may impact the functions of their respective offices;
- c. Inform, discuss, and seek input from the other Elected Officials on the preparation of their budget and strive to amicably develop a budget that reflects fiscal integrity, Board priorities, and other Elected Officials priorities to the extent possible;
- d. Work cooperatively with the other Elected Officials and maintain healthy working relationships in carrying out the functions of the County;
- e. Be accessible to the other Elected Officials and foster open communication in order to create a coordinated approach to the functions of County government.

However, it is noted that the County Manager may not exercise control over any matters that are delegated by state statute to any elected county official.

Policy 2.4 County Attorney Delegation

The Board's link to the legality of operations is the County Attorney. Implementation and subsidiary decision making regarding the legal representation of the County is hereby delegated to this individual pursuant to the guidelines, requirements, and constraints set forth herein. The County Attorney's Office is subject to the same personnel policies and procedures as all other County departments.

2.4.1 The County Attorney shall have supervisory and operational control over the legal representation of the County. The County Attorney shall provide legal services to the Board as well as County Elected Officials (unless a conflict of interest exists between the Board and the elected official), county departments, and County boards. The County Attorney shall oversee the legal representation of the County on all legal matters including the preparation, the prosecution and defense of law suits, the settlement of all outstanding claims and the general representation of County government.

2.4.2 The negotiation of contracts may be handled by either the County Manager (or his designee) or the County Attorney, depending on the nature of the issue, as may be agreed upon by the County Manager and the County Attorney or as directed by the Board.

2.4.3 Only decisions of the Board acting as a Board are binding on the County Attorney. Decisions or instructions of individual Board members are not binding on the County Attorney except in instances when the Board has specifically authorized such exercise of power. However, it is the responsibility of the County Attorney to discuss individual Board member's decisions or instructions at the next available opportunity with the full Board to ensure consistency and compliance with Board policies and objectives. It is the responsibility of the County Attorney and not the individual Board members to communicate with the full Board to obtain consensus on decisions, instructions, or requests of individual Board members.

2.4.4 The boundaries between policy and day-to-day legal operations may, at times, not be clearly delineated and may overlap. The Board may change the latitude of choice given to the County Attorney to accommodate changes in policy or vision. However, the Board will respect the authority given to the County Attorney herein until such time as a modification or reduction in task authority is clearly identified. The Board's delegation remains contingent upon a clear communication channel between the Board and County Attorney. It is the County Attorney's responsibility to discuss with the full Board at the next available opportunity any tasks that he/she feels are not clearly delineated or may overlap with policy issues to obtain consensus on such task.

2.4.5 Any deviation from Board policies should be by approval of the Board. All deviations should be communicated to the Board at the next available opportunity by the County Attorney.

Policy 2.5 County Attorney Communication

The County Attorney is responsible for ensuring that the Board is informed and supported in all legal matters. It is the desire of the Board to delegate the legal representation to the County Attorney while recognizing that the quality of County government depends upon the partnership and team concept between the Board, County Manager, County Attorney, and County staff. Accordingly, the County Attorney will:

- a. Inform and seek the guidance of the Board on all significant legal issues that may expose the County to detrimental liability;
- b. Educate the board on legal issues and liabilities in performing their duties;
- c. Make the Board aware of all threatened or possible claims of action, all applicable changes in the law, or any other event that may expose the County to liability or otherwise affect the effective implementation of Board policies, missions, and goals;
- d. Inform the Board of internal and external communications or actions that, in the County Attorney's judgment, are salient and important;
- e. Inform and seek the guidance of the Board on legal issues and actions that may have an impact on public relations or the public perception regarding how the County is operating;
- f. Routinely inform and seek the guidance of the Board on day-to-day negotiations, prosecution, or defense of issues that may have a detrimental impact on public relations or the public perception regarding how the County is operating;

- g. Routinely inform the Board of legal issues and accomplishments and routine periodic updates from attorneys. The Board does not desire to dictate these functions, but rather to be informed and provide input on legal issues that may have unintended effects on Board policy or public perception;
- h. Provide the Board with as many staff and external points of view, issues and a range of options as needed for fully informed Board choices. The information provided to the Board will be concise and complete in a user-friendly format;
- i. Ensure that the Board receives materials on a timely basis to allow for adequate review;
- j. Communicate individually with Board members but will strive to deal with the Board as a whole;
- k. When practical, obtain all Board members' input on applicable decision making items;
- l. Communicate with an individual board member at the earliest opportunity if, in the County Attorney's opinion, the Board member is not in compliance with the Board's own leadership policies and Board/Staff relationships and expectations. If this approach is unsuccessful in remedying the situation, the County Attorney will communicate with the Board as a whole;
- m. Foster open communication and strive to create a coordinated approach to the representation of County government.

2.5.1 The Board recognizes that the County Attorney's duty of loyalty is to the entire Board rather than individual commissioners. The balancing of this loyalty requires the County Attorney to exercise discretion as to the sharing of information amongst Board members about the acts of or the opinions and beliefs held by individual Board members.

Policy 2.6 County Attorney Relations with Other Elected Officials

The County Attorney has been authorized by the Board to support the other Elected Officials (Assessor, Coroner, Clerk & Recorder, Surveyor, Sheriff, Treasurer & Public Trustee) in their legal matters. Accordingly, the County Attorney will:

- a. Make the other Elected Officials aware of all threatened or possible claims of action, all applicable changes in the law, or any other event that may expose them to liability or otherwise affect the functions of their respective offices;
- b. Routinely inform and seek the guidance of the other Elected Officials on negotiations, prosecution, or defense of issues that may have an impact on their respective offices;
- c. Zealously represent the other Elected Officials' best interests;
- d. Inform and discuss with the other Elected Officials representation that may conflict with Board priorities and ensure that the other Elected Officials are properly represented if such conflict would preclude effective representation by the County Attorney's Office;
- e. Work cooperatively with the other Elected Officials and maintain healthy working relationships in carrying out the legal representation of the County so they continue to utilize in-house representation for cost savings;

- f. Be accessible to the other Elected Officials and foster open communication in order to create a coordinated approach to the representation of County government.

However, it is noted that the County Attorney may not exercise control over any matters that are delegated by state statute to any elected County official.

Policy 3.0 Executive Limitations

Policy 3.1 County Manager Limitations

The County Manager should not cause or allow any practice, activity, decision, or organizational circumstance that is unlawful, imprudent, or in violation of Board policies, directives, or commonly accepted business and professional ethics.

3.1.1 Staff Treatment. With respect to staff treatment, the County Manager will not:

- a. Cause or allow conditions, procedures or decisions that are discriminatory, disrespectful, unfair, unsafe, undignified, disorganized or unclear, unnecessarily intrusive or that fail to provide appropriate confidentiality and privacy;
- b. Operate without an up-to-date employee handbook that assists in clarifying day-to-day operations and shall not operate without written personnel rules/employee handbook that clarify rules for staff, provide for a fair and effective handling of grievances, and protect against wrongful conditions;
- c. Be inaccessible to staff;
- d. Cause or allow unclear communication with all levels of the organization when policies or procedures change;
- e. Fail to promote an organizational culture of trust;
- f. Fail to maintain a rapport and professional relationships with departmental directors and Elected Officials;
- g. Operate without an established organizational chart or act outside the appropriate chain of command.

3.1.2 Fiscal Health. With respect to fiscal health, the County Manager will not:

- a. Jeopardize the fiscal integrity of County government;
- b. Cause or allow the development of fiscal jeopardy or loss of fiscal integrity in accordance with Board objectives and policies;
- c. Allow the County's assets to be unprotected, inadequately maintained or unnecessarily risked;
- d. Expend more funds than are available or allow cash to drop below the amount needed to settle payroll and debts in a timely manner;
- e. Allow the general fund and other fund balances to decline below percentages and reserves as established by the Board in the Board's Reserve Policy;

- f. Engage in any purchases wherein normally prudent protection has not been given against conflict of interest or may not engage in purchasing practices in violation of state law or County purchasing procedures;
- g. Use any fund for a purpose other than for which the fund was established;
- h. Fail to keep and maintain financial policies and procedures;
- i. Fail to report out-of-the-ordinary fiscal events to the Board in a timely manner;
- j. Relinquish responsibility or accountability for maintaining fiscal health of the organization.

3.1.3 Budget. In accordance with the Fiscal Health requirements set forth herein, the County Manager, as the Chief Budget Officer, will not allow budgeting that:

- a. Deviates from statutory requirements;
- b. Deviates materially from Board priorities in its allocation among competing budgetary needs;
- c. Contains inadequate information to enable credible projection of revenues and expenses;
- d. Plans the expenditure in any fiscal year of more funds than are conservatively projected to be received in that period, or which are otherwise available;
- e. Reduces fund balances or reserves in any fund to a level below that established by the Board as outlined in the Board's Reserve Policy;
- f. Fails to maintain a budget contingency plan capable of responding to significant shortfalls within the County's budget;
- g. Fails to provide for an annual audit that adequately protects the County's fiscal assets;
- h. Fails to contain as many staff and external points of view (including unpopular or politically charged) as needed for fully informed Board choices, decisions, or input;
- i. Fails to be educational and informative to the staff and citizens of La Plata County;
- j. Fails to be derived from multi-year plans and projections;
- k. Omits credible projection of revenues and expenses, separation of capital and operational items, cash flow projections, and disclosure of planning assumptions;
- l. Results in new positions or material increases to salary and benefits without specific approval of the Board. It is the County Manager's responsibility to communicate with the Board on what constitutes material increases;
- m. Fails to overlook opportunities to secure funding sources outside the County;
- n. Fails to develop a long-term plan for projecting on-going operating, maintenance and replacement expenses for existing and proposed capital improvements.

3.1.4 Employee Compensation and Benefits. With respect to employment, compensation, and benefits to employees, consultants, contract workers and volunteers, the County Manager will not:

- a. Cause or allow jeopardy to the County's public image or allow discrimination based on race, sex, age, marital status, religion, sexual orientation, national

- origin, color, veteran status, political affiliation, gender identity, marital status, genetic information or disability;
- b. Fail to seek Board guidance and direction on material changes to compensation and benefit structures and will not allow the County to be without acceptable compensation and benefit guidelines;
- c. Fail to ensure compensation policies are consistent, fair, incorporate standard business practices, and promote the hiring and retention of highly qualified personnel;
- d. Change his or her own compensation and benefits;
- e. Promise or imply permanent or guaranteed employment.

3.1.5 Capital Improvement Programs. With respect to planning for and reporting on capital equipment and improvements programs, the County Manager will not:

- a. Jeopardize either programmatic or fiscal integrity of the County;
- b. Allow the development of a capital program which deviates materially from the Board's stated priorities;
- c. Plan the expenditure in any fiscal period of more funds than are conservatively projected to be available during that period;
- d. Fail to project on-going operating, maintenance, and replacement expenses in making such determination;
- e. Provide enough detail on the costs, benefits, budget, and progress of each capital program to allow the Board to accurately assess the proposed capital improvement program both prior to and during its construction;
- f. Fail to ensure a maintenance schedule is developed and followed as fiscally practicable.

3.1.6 All Other County Programs. With respect to planning for and reporting on all County programs, the County Manager will not:

- a. Jeopardize or otherwise adversely impact the policies, objectives and strategies of the Board;
- b. Allow the development of a program which deviates materially from the Board's stated priorities;
- c. Fail to project initial and on-going costs of such programs;
- d. Fail to provide enough detail on the costs and benefits of each program to allow the Board to accurately assess the proposed program both prior to and during its implementation;
- e. Fail to seek guidance and policy direction from the Board regarding significant program modifications or transfer to other organizations.

3.1.7 Asset Protection. With respect to the County's assets, the County Manager will not:

- a. Allow the County's assets to be unprotected, inadequately maintained, abused, or unnecessarily risked;

- b. Fail to have in place adequate property and liability insurance for County operations;
- c. Subject facilities and equipment to improper wear and tear or insufficient maintenance;
- d. Allow internal control standards and disbursement of funds controls to be less than that necessary to satisfy generally accepted government accounting/auditing standards;
- e. Fail to properly and proactively maintain building and equipment and will not lack safeguards against theft, loss, or damage of property;
- f. Unnecessarily expose County government, this Board or staff to claims of liability.

3.1.8 Emergency Plans. With respect to emergency planning, the County Manager will:

- a. Have in place adequate plans to prevent and/or respond to emergencies and/or disasters;
- b. Have a functional and actionable emergency operations plan and a continuity plan for the County;
- c. Take appropriate action immediately to ensure the safety of the public and public assets, including authorizing specific actions by county staff;
- d. Ensure that emergency plans are operational through training of appropriate personnel.

3.1.9 Public Treatment. With respect to the public, the County Manager will:

- a. Ensure high standards regarding the treatment of our citizens, residents and guests;
- b. Ensure that the public gets the best possible services and facilities given available resources;
- c. Ensure that attention is paid to detail and that quality service that demonstrates a high level of professionalism is provided.

3.1.10 Public Information. With respect to information, the County Manager will provide for and manage the dissemination of County information to further transparency and maintain a positive image.

3.1.11 Jurisdictional Relationships. With respect to external relationships, the County Manager will develop strong ties and cooperative relationships with local jurisdictions including but not limited to other appointed and Elected Officials.

3.1.12 Efficient Operations. With respect to internal operating procedures, the County Manager will ensure that the County has internal procedures for the well- being of the County to promote effective and efficient County operations. With respect to efficient operations, the County Manager will:

- a. Ensure that the expectations are clear and employees are held accountable in a consistent manner;

- b. Ensure that poor performance is addressed in a swift, consistent and respectful manner;
- c. Seek input from employees, at all levels where appropriate, and incorporate applicable feedback into decision making.

3.1.13 Education. With respect to education, the County Manager will make the Board, County elected officials, and county staff aware of changes or pending changes to the law that may adversely impact the policies, visions, and functions of County government.

3.1.14 Professional Training. With respect to training, the County Manager will maintain and upgrade the professional knowledge, skills and development of herself/himself and her/his staff to effectively carry out his/her duties.

3.1.15 Absence from the County. The County Manager will not leave the County without ensuring adequate coverage by other member(s) of the County management team who can perform the tasks of County Manager in his/her absence.

3.1.16 Board Goals and Objectives. Upon the direction of the Board, the County Manager will work with the Board to establish, and annually update, the Board's goals and objectives.

Policy 3.2 County Attorney Limitations

The County Attorney should not cause or knowingly allow any practice, activity, decision, or organizational circumstance that is unlawful or may expose the County to unwarranted liability.

3.2.1 Staff Treatment. With respect to staff, the County Attorney will:

- a. Reduce the County's legal exposure from conditions, procedures or decisions that are discriminatory, disrespectful, unfair, unsafe, undignified, disorganized or unclear, unnecessarily intrusive or that fail to provide appropriate confidentiality and privacy;
- b. Be accessible to staff.

3.2.2 Employee Compensation, Benefits, and Relations. With respect to employment, compensation, and benefits to employees, consultants, contract workers and volunteers, the County Attorney will reduce the County's legal exposure from discrimination based on race, sex, age, marital status, religion, sexual orientation, national origin, color, veteran status, political affiliation, gender identity, marital status, genetic information or disability.

3.2.3 Representation. With respect to representing the County in litigation, negotiations, and all other matters, the County Attorney will:

- a. Zealously represent the County's best interests;
- b. Avoid representing the County in any situation that presents a conflict of interest;
- c. Foster the goals and objectives of the Board;
- d. Maintain a professional demeanor both internally and externally;

- e. Take appropriate and timely action to reduce liability to the County;
- f. Assure that the County is properly represented in all legal proceedings and that all legal documents are approved for form and legality;
- g. Provide enough detail on the costs and benefits of each legal matter to allow the Board to accurately assess the proposed matter both prior to and during its implementation.

3.2.4 Education. With respect to education, the County Attorney will make the Board, County Elected Officials, and County staff aware of changes or pending changes to the law that may adversely impact the policies, visions, and functions of County government.

3.2.5 Availability. With respect to availability, the County Attorney will provide adequate staff coverage for weekly Board meetings, applicable staff meetings, staff inquiries, and other needed legal services.

3.2.6 Outside Counsel. With respect to outside representation, the County Attorney will:

- a. Obtain necessary outside counsel to adequately protect the County's interest in a cost-effective manner;
- b. Ensure the services from outside counsel are competent, appropriate, and within approved budgets.

3.2.7 Citizen Treatment. With respect to the public, the County Attorney will:

- a. Ensure high standards regarding the treatment of our citizens;
- b. Conduct himself/herself with a high level of professionalism;
- c. Ensure professionalism among County Attorney's office staff.

3.2.8 Professional Training. With respect to training, the County Attorney will maintain and upgrade the professional knowledge, skills and development of herself/himself and her/his staff to effectively represent the County.

3.2.9 Absence from the County. The County Attorney will not leave the County without ensuring adequate coverage by other member(s) of the County Attorney's Office who can perform the tasks of County Attorney in her/his absence.

Policy 4.0 Strategic Direction

4.1 Goals and Objectives. The Board will provide leadership in order to establish a strategic, long-term direction for the organization. In that regard, on an annual basis, the Board will establish goals and objective that provide guidance and direction to the County Manager for implementation organization wide.

4.2 Values. The County will support, foster, and encourage the following values from the Board and staff:

- a. Honesty and integrity – Comporting ourselves professionally to build and preserve the public trust.
- b. Respect – Consistently demonstrating courtesy, understanding and concern for citizens, colleagues and visitors alike.
- c. Dedication to public service – Understanding that our purpose is to serve the needs of the public.
- d. Open and transparent government – Ensuring that the public is well informed and welcoming public involvement.
- e. Responsible stewardship of public resources – Demonstrating the utmost care and competence in managing the financial and property resources of the County.
- f. Accountability – Being dedicated to our duty to our citizens and our community and through our actions, inspiring confidence in County government.

Policy 4.2 Chair's Responsibility.

The responsibility of the Chair is to maintain procedural integrity of Board meetings. The Chair shall also represent the Board as delegated by the full Board or when necessary to deal with exigent circumstances.

4.2.1 The Chair will attempt to ensure that the full Board conducts itself openly, orderly, efficiently, and with dignity and will facilitate an orderly meeting. The Chair shall keep the discussion content consistent with the agenda and allocated time to the extent reasonably possible.

4.2.2 The Chair will work cooperatively with the County Manager to prepare the agenda for full Board meetings. The Chair will either, by himself/herself or through the County Manager, inform and seek the guidance of the full Board on items to be placed on the agenda or items that may be of a politically sensitive nature.

4.2.3 The Chair will act on behalf of the full Board when so delegated by the Board or when absolutely necessary to protect the County with a situation requiring immediate action when full Board participation cannot be obtained. It is the responsibility of the Chair, acting either by himself/herself or through the County Manager, to communicate and obtain guidance from the full Board at the earliest opportunity when such actions are taken. Except as set forth in this section, the Chair will obtain all Board members' input on applicable decision making items. The Chair represents the Board only when so delegated such authority by the full Board.

4.2.4 The Chair will preside over meetings and sign documents on behalf of the Board of County Commissioners.

4.2.5 The Chair will seek to obtain consensus among board members on significant discussion issues.

4.2.6 The Chair will initiate the annual evaluation process for the County Manager and the County Attorney.

4.2.7 As the liaison to the Board, the Chair will be accessible to the County Manager and the County Attorney, as necessary.

Policy 5.0 Ethical Conduct

Policy 5.1 Ethical Conduct and Policies

The Board shall abide by the County's Conflicts of Interest, Lobbying and Travel Policy and the Code of Ethics and Conduct Policy and shall operate in an ethical and legal manner.

Furthermore, the Board is committed to the following:

- a. Promoting decisions which benefit the public interest;
- b. Promoting public confidence in county government;
- c. Performing the duties of the Board diligently and promptly;
- d. Maintaining a positive image;
- e. Providing the best service or product at the lowest costs without sacrificing quality and fiscal responsibility;
- f. Maintaining a respectful attitude towards employees, other public officials, colleagues and the public;
- g. Effectively and efficiently working with government agencies and organizations in order to further the interests of the County;
- h. Accepting the responsibility that his or her mission is that of a servant to the public;
- i. Advocating for the best interests of the County and its citizens at the local, regional, state and national levels;
- j. Recognizing and avoiding or disclosing conflicts of interest;
- k. Recognizing and avoiding situations that might create an appearance of impropriety;
- l. Acting with integrity.

5.2 Statutory Responsibilities. Members of the Board of County Commissioners will act in accordance with the Colorado Revised Statutes as they relate to the Board's responsibilities and authorities. The Board will not:

- a. Perform any statutorily precluded act.
- c. Accept any statutorily precluded gift.

5.3 External Communication Protocols. It is acknowledged that the appropriate communication protocol for engagement of another local government or public entity on official business involving the County is as follows:

- Elected Official to Elected Official
- County Manager to appointed Agency Head (City/County Manager, Superintendent, etc.)
- County Attorney to Agency Attorney
- Staff to staff

However, it is also recognized that there are exceptions to this protocol. The Board members will use their best judgment to maintain appropriate channels of communication, to avoid any appearance of impropriety or undue influence, and to keep one another and the County Manager informed when such contacts do occur.

5.4 Boards and Commissions. The Board believes that citizen involvement in County government is a positive and valuable resource to the Board as the governing body of La Plata County. Consequently, the BOCC appoints numerous boards, commissions and committees to serve in an advisory capacity, to fulfill functions and duties established by the Board and to undertake specific assignments as directed by the Board. Board and Commission appointments shall be made in accordance with La Plata County Policy I.A.9, as it may be amended from time to time.

5.5 Compliance. Compliance with all policies contained herein shall be reviewed by the Board on an annual basis, or more frequently, if necessary.