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**Date Published** June 13, 2018

# **OTIS TELEGRAPH** "The friendly voice of Washington County" Akron ~ Anton ~ Cope ~ Last Chance ~ Lindon ~ Lone Star ~ Otis ~ Woodrow

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**Published Weekly** 

# **COMMISSIONERS RELEASE TAPE** Willeke makes motion "Sunshine" Laws protect public's right to information *Publishers Pen* By Jerry Patterson It wasn't the content of the executive session meeting the public's right to infor-bodies have an attorney

By Jerry Patterson

The Washington County Board of Commissioners (WCBOC) voted to release the May 1, 2018 executive session tape requested by the Otis Telegraph at Tuesday's regular meeting on

#### June 5.

Commissioner Leland Willeke made the motion to release the tape with the condition that a transcript would be taken first, Commissioner Terry Hart seconded the motion.

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**IT'S NEWS TO US!** 

On the third and final Colorado Open Records Request (CORA) the Otis Telegraph along with the help of Steve Zansberg, Colorado Press Association's Attorney secured the release of the May 1, 2018, executive session tape.

that concerned me, but the fact that the commissioners ignored the "Sunshine" laws when making the motion to go into the executive session. The "Sunshine" Laws are there for a purpose they protect both sides, but most importantly they defend

clear on the procedures for going into an executive session.

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I feel executive sessions are overused, misused and abused. Too many times the public and the media are buffaloed and stymied when executive session motions' are made. Most elected bodies have an attorney on staff, paid with taxpayer's money. Most small rural newspapers don't have that luxury. I'm thankful that the Colorado Press Associations was there to help us.

The transcript supports my assumption that the purpose of the meeting was to extract an apology from Commissioner Laybourn for her April 17 statement, It also implies that Hart and Willeke extended an open and friendly hand out to their fellow commissioner to participate in the meeting to work out their differences. On the contrary, when Laybourn asked if she needed to attend, they didn't encourage her but said it was her choice.

The motion to allow access ended a month-long cat and mouse game between the commissioners and the Otis Telegraph.

3rd request and transcript Continued on page 3

#### Note to subscribers:

There is a difference in making an honest mistake and making up a story. I've made plenty of mistakes, but I've never had to retract or apologize for an article yet.

Even though it was the Otis Telegraph that went after the tape of the executive session, Commissioner Hart sent a copy to our competitors first. Why? Not because he prefers them over

# Large crowd attends forum



Photo Caption: Richard Holtorf reads a question to Jon Stivers. Each candidate was given three questions to answer. Otis Telegraph Photo by Jerry Patterson

By Noelle Corman Pictures by Jerry Patterson Last Tuesday evening the Washington County Farm Bureau and the Washington County Republicans teamed up to bring the county voters a chance to get to know the candidates up for election. The Candidate and Issues Forum was the third forum that the two organizations put together as a way for Washington County residents to make a more informed vote before the primary. Prior to the event, voters were asked to submit questions for the candidates. Due to the large number of

positions "up for grabs" this election cycle, the evening had nine county candidates and two state candidates. Voters in attendance that evening were able to hear from: Annie Kuntz and Brandy Ward for Clerk and

Recorder, Jon Stivers and Chris Marston for Sheriff, Terry Hart and Tony Wells for Commissioner, Debra Cooper for Treasurer, Larry Griese for Assessor, and Dallas Bowin for Coroner. State Candidates up for re-election that also came were Senator Jerry Sonnenberg and Representative Kimmi Lewis. All of the candidates, as well as the authe purpose of the Forum was information and that it was not a debate between Candidates. Each candidate was given several minutes to introduce themselves at the start of the Forum.

Some of the topics covered for the evening included addressing the position of a County Manager, county budgets, training for county employees, the rising drug dience, were reminded that and gang issues and more.

Each of the candidates were asked a specific question as it pertained to their desired position as well as county-wide questions.

When the Commissioner Candidates were asked what their stance was on a need for a County Manager, current Commissioner Hart responded that he felt there was a need for a Manager/ Administrator

**Continued on Page 2** 

## Washington County Gets Active Shooter Kits

#### Bryant McCall

Washington County OEM On Tuesday June 5th the Washington County Commissioners gave the Washington County Emergency Management Director permission to order 23 active shooter event casualty response kits. These kits are designed to deliver the most critical "point of wounding" supplies for responders to an active shooter event. The goal is to get these kits to the people who are the first to respond to, or be on scene of, an event in Washington County. We will be distributing the kits to local fire departments, ambulances and schools. It is hoped that until we can find a better solution to preventing active shooter events, that maybe we can be better prepared to respond to the event and save lives.

The kits include: 1 Quicklitter (an emergency cloth stretcher to move injured people), 4 Cat tourniquets, 3 Halo chest seals, trauma dressings, gloves, trauma sheers and other supplies. We will also be doing training with the schools and fire departments to teach them how to use all the supplies in the kits.

the Telegraph, because he told me last February we were the paper in the Hart house.

Hart has become like commissioner Willeke. He distrusts the press, even though we had a good working relationship until commissioner Willeke came on board.

When Hart e-mailed me the transcription of the tape, he warned me that the Akron News Reporter would be printing the complete transcription. I thought that was an odd memo at the time. Why wouldn't we publish the whole thing after spending a month to get it released?

I later learned that Hart was afraid I would pull out of context. Of course, I don't believe it was Hart's idea. It was Willeke's motion to release the tape but not before it was transcribed. Why should the taxpayers have to pay for a tape recording to be reproduced? Isn't the tape recording the original copy of the meeting?

With the distance to some of the schools within our county, the staff needs to be able to treat and help any injured people until more trained people can arrive. The supplies in this kit will help save lives if an event happens. We hope that these kits are never used, but we need to be prepared.

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The pothole at the intersection of Hwy 34 and RR is growing larger everyday. Semi's are having to make wide turns to avoid the pothole. CDOT plans on working on the pothole sometime this week. Photo by Jerry Patterson.

## Otis Telegraph

### The friendly voice of Washington County June 13, 2018

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M-F: 7:30am-5:30pm Sat.: 7:30am-3:00pm



Senator Jerry Sonnenberg address the crowd at the forum. Photo by Jerry Patterson

#### **Candidates forum** continued from front

and to "closely watch for an ad in the local papers" for the job opening. His opponent Tony Wells was asked the same question and his response included the description of the position to be the CEO of the county and that "we need to hire a manager to take care of business." For the Clerk and Recorder Candidates, neither of the ladies vying for the position have held the office before. Candidate hopeful Annie Kuntz addressed the issue of the Driver's License inconsistent hours and how a new Clerk would operate it. "This has been an issue. It is because of a lack of training that it's not open. The Driver's License should be open 8:00 am - 4:30 pm, Monday through Friday," said Kuntz. Her opponent Brandy Ward also thought the office should be open more consistently. "I want to be trained so [I can also fill in] in the Driver's License," said Ward. She also went on to say that because of the nature of the responsibilities in the office, the training for a qualified employee takes time. The Sheriff's Candidates were asked about the growing drug and gang problem in the county. Candidate Marston felt strongly that the issue is due to a lack of education. Current Sheriff

Stivers felt while education was important, bringing the K-9 Unit back would help tremendously.

All of the County Candidates were asked about a county-wide employee manual. Each of them responded in similar ways that while the county does have one, it needs to be updated, and in some specific offices, an additional one that deals with the particular issues only pertinent to that office should also be updated.

Senator Jerry Sonnenberg was in attendance that evening but his opponent Debra Gustafson was not. "We need to make education a priority in our state. Education, highways and safety are my top three priorities," said the Senator. Both the Senator and Representative Lewis answered a few questions on state issues. "I think we had a great turnout for this year's Forum," said Washington County Farm Bureau Treasurer Jenny Koester. "The voters had some tough issues they wanted more insight to and I think many of them are now going to be able to make a more confident vote on their ballot." The Washington County Farm Bureau and the Washington County Republicans would like to thank all the candidates for coming to the Forum and answering important questions for the voters as well as the citizens who attended.

"The NFL and the Flag (AGAIN)"

By Pastor Scott

So with all the news about world unrest, economics, unemployment, politics, immigration, etc., let's take a few minutes to address the recent flap between President Trump and the Philadelphia Eagles cancellation of a White-House Welcome. In a way, since this is America, this issue is about economics, politics, and world unrest, unemployment, and immigration to be sure.

Why, you say? Simple. The NFL players (like Brandon Marshall of the Broncos) who are (or were) kneeling for the National Anthem are saving that this has nothing to do with patriotism. Nothing to do with disrespecting our armed services or law enforcement officers. It has to do with social justice and racial equality. To that I say, preposterous, absurd and ridiculous.

The truth is, it has everything to do with disrespecting our flag, our service men and women, our law enforcement officers.

The National Anthem is about our country, our freedoms, our way of life. The NFL players are creating more unrest in America than the President is by their actions. History has shown that when America is in turmoil, the world is in turmoil. Eight years of failed American leadership prior to the current administration on the world stage has created the mess the world is in today. It was Obama who reignited social unrest and racial division after this country had finally begun healing from the race-riots of 1992 (Los Angeles), 1965 (Watts), 1967 (Detroit) and others events that marred this nations proud history.

And politics? The Philadelphia Eagles originally agreed to attend as a team; then most of the players, 10 hrs before the meeting, backed out. How is that not politics?

(See Brandon Marshall, for example). These rich, overpaid athletes like what America has to offer in the way of money, yet continue to attempt to undermine the foundation of this country and stir up unrest. I myself, as many others have done, have given up watching the NFL on TV, and don't go to games. I have filed it like I have the NBA with its rich, racist and Anti-American, Anti-Law enforcement athletes like LeBron James and Stephan Curry. (Fortunately, there's still baseball).

How about unemployment? Why support any organization that fosters political division and unrest against our very country? If these athletes want to make politically motivated speeches and protests, they should do it on their own time, not ours. This nation's sporting events were always a place where this country could come together and leave politics, and political views behind. Such is not the case anymore. You can't go to work for someone else, then spend your time at work protesting the very entity that has given you the opportunity to earn a living. You would be **unemployed** immediately!

Then finally, Immigration. Since this started, I have immigrated more away from TV altogether, which is a good thing. There really is nothing good to watch anyway, when you get away from RFD TV, or family TV. Sitcoms are not funny anymore, dramas have become politicized to the point of irrelevance, and reality TV gives me a headache anyway. So thank you, NFL, for helping my case of immigration.

(As always, comments may be addressed to: revscotb@gmail.com),

**₩**PrScott Opinions and Letters to the flect the opinions and beliefs ty Courthouse. The officer





The Yuma District Hospital Patient Family Advisory Council (PFAC) sponsors a monthly Brown Bag Lunch Listen and Learn.

The Brown Bag Lunch Listen and Learn is an opportunity for our community members to learn about a variety of topics. You can also watch the presentation live via skype at the Akron Clinic.

12 noon, Dr. Larry Lee, our new spine specialist at YDH, will be presenting. He will discuss general back wellness, what to do when back pain occurs, core strengthening and more.

If you are unable to attend in Yuma, please bring your lunch and join us at the Akron Clinic and Rehab to watch the presentation live via skype.

If you have any questions, please contact Judy Price at 970-848-4887.



On Thursday, June 14 at



Press Release-Sterling, CO Update on shooting at the Logan County Courthouse On May 30th at approximately 2:25 PM, an officer with the Colorado Department of Corrections (CDOC) was involved in an editor do not necessarily re- shooting at the Logan Coun-

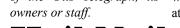
and fired upon the offender who was hit by gunfire. The offender was transported to a local hospital. His condition is unknown at this time.

The Colorado Bureau of Investigation is conducting an investigation. The officer involved has been placed on administrative leave as per

Economics comes into play here as well. When fans realize this is about America and not what the NFL players try to tell us it's about, they should do the right thing and spend their money elsewhere. It's interesting to me, that when these players lost sponsorships, suddenly they were standing again



I am writing today's column still nursing sixteen broken ribs and a couple of chipped vertebrae in my back, thanks to a very unfriendly cow. Recovery is going quite well thanks *Continued on next page* 



of the Otis Telegraph, its was responding to an escape policy. No officers were inattempt by a CDOC offender jured during the incident.

## Hail Nails Area Last Week



Circle of a Hemp field South of Hwy 34 in Otis. Just hours before the hail came in, it was cultivated with 8" standing plants. Report This is what is left. Photo by Jerry.



CHOICE WASHINGTON COUNTY HAS Clerk and Recorder Write-In: Brandy Ward Wed June 13 Late T-Shws 89/63 40% 96/65 20% Thur June 14 Ptly Cldy Fri June 15 PM T-Strms 93/63 40% Sat June 16 Ptly Cldy 91/62 20% 81/58 20%

75/57

50%

20%

Last Wednesday night, a summer storm came barreling through the Northeast part of our state as Mother Nature showed her power. The storm built over the Akron hill and circled north of Otis before backing in. South of Otis suffered hail damage due to over an hour hail and caused signif-

icant damage. Many acres of wheat and corn sustained losses. There were also areas that reported over 2 inches of rain. North of Otis reported anywhere from half to one inch of rain.

The Yuma area reported that they had severe hail damage and some places up to 4"





June 13, 2018

### Otis Telegraph— 3 **Transcript of Recorded Proceeding**

#### **Commissioners Release Tape-Continued from front page** June 4, 2018

#### Via E-mail

Madeline J. Meacham, Esq. County Attorrney Washington County 150 Ash Ave., 2nd floor Akron, CO 80720

Re: CORA Request by Otis Telegraph

#### Dear Ms. Meacham:

Thank you for your letter, which we received on May Thank you, as well, 18. for mentioning the litigation over access to JonBenét Ramsey's autopsy report, in which I, too, participated (then as Tom Kelley's associate; I am now his partner). Let me also assure you that my client is not suggesting (nor must he prove) that there is any nefarious "cover up," with respect to the improperly closed meeting the County Commissioners conducted on May 1st. To the contrary, as I am sure you are aware, both the Colorado Open Records Act and the Open Meetings Law are "strict liability" statutes – they guarantee the public the right to access government information irrespective of the motives or scienter of public officials. In other words, even when public officials act with the best of intentions, but nevertheless mistakenly fail to "strictly adhere" to the requirements of the Open Meetings Law, as occurred on May 1st, the public is entitled, under CORA, to inspect the audio recording of the improperly closed meeting.

While you attempt to diminish the impact of the two trial court decisions I provided you, your letter fails to mention either of the two binding Court of Appeals decisions I cited: Gumina v. City of Sterling and Zubeck v. El Paso Cty. Retirement Plan. In both of these published Court of Appeals decisions, the court held, unequivocally, that when a public body fails to strictly adhere to the statutory requirements for announcing the "particular matter" to be discussed and thereafter voting in public on a motion to conduct a properly authorized executive session, the recording of that closeddoor meeting is a public record subject to inspection. As for the particulars of the May 1st closed-door BOCC meeting, here is our understanding of what transpired: On April 17, 2019, Commissioner Lea Ann Laybourn made a public statement at the outset of a business meeting of the County Commissioners at which she excoriated the two male members of the Board for belittling and treating disrespectfully herself and other unnamed county employees. Specifically, Ms. Laybourn said:

legal obligation to address recent behaviors that have crossed the line professionally and ethically.

First and foremost, I will not tolerate abuse of power. Employees have reported discriminating comments and practices. I, myself, have been undermined, belittled, bullied, humiliated, intimidated, retaliated against, and punished.

I will no longer tolerate this treatment. If necessary, I will call the DA and file a malfeasance of office, the Secretary of State, and the Equal Opportunity Commission, and ask them to join us at each and every County business Commissioners meeting as long as I serve as the Board Chairman. I also want to reassure any other victims or concerned individuals that should anyone else come forward, there will be no fear of retaliation.

I will stand beside you. Not behind you. Not in front of you. We are a Board. Not a single unit. We are equal. This is not a dictatorship. We, along with all of the elected officials are working toward the same goal; the highest degree of excellence, transparency and oversight for Washington County.

We will be tolerant and kind to our guests, visitors, elected officials, department heads, and each other. (italics added)

On the evening of May 1, 2018, Commissioners Hart and Willeke announced only that they would be meeting behind closed doors in order to discuss the following topics: "determining positions relative to matters that may be subject to negotiations; [and] developing strategy for negotiations." No mention was made of which "particular matter" was the subject of the negotiations, or even with which party such "negotiations" were purportedly to be conducted.

It is our belief that during that closed-door meeting, Commissioners Hart and Willeke discussed what steps to take, if any, in response to Commissioner Laybourn's public statement on April 17th. Whether the two Commissioners also discussed the possibility of authorizing your office to investigate whether Ms. Laybourn's statement required the County to conduct an investigation into the possible existence of a hostile work environment, is unknown. Nevertheless, in any case, any such discussion does not involve any matter that may be "subject to negotiations" with an out-

An executive session of the Washington County Board of Commissioners was held on May 1, 2018.

#### PRESENT AT THE

SESSION: Terry Hart, Leland Willeke

MR. HART: Okay. For the purpose of this recording, the Board of County Commissioners have two-thirds vote to go into executive session and to -- for the motion we will be under the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators. It is --MW. WILLEKE: 10:27 (inaudible).

MR. HART: -- 10:27 at the time. Okay. It is May 1, and the time is 10:27 a.m. For the record I am Chairman Pro Tem, Terry Hart. As required by the opening meeting law, this executive session is being electronically recorded. Also present at this executive session are -- and I will allow him to introduce himself. MR. WILLEKE: Leland Willeke, Commissioner.

MR. HART: This is an executive session for the following purpose.

MR. WILLEKE: Terry, you need to introduce yourself, also.

MR. HART: Okay. My name is Terry Hart, Chairman Pro Tem.

MR. WILLEKE: And also, the fact that Commissioner Laybourn was invited to this meeting,

but --

MR. HART: Chose not to be here.

MR. WILLEKE: -- chose not to be here.

MR. HART: Okay. And repeat the language of the motion to -- okay. This is -- I caution each participant to confine all discussion to the stated purpose of this executive session and that no formal action may occur in this executive session. If at any point in the executive session any participant believes the discussion is going outside of the proper scope of executive session, please interrupt the discussion and make an objection. Okay.

Yeah, this is for the end, so at this point I will open the -for discussion, and Commissioner Willeke?

MR. WILLEKE: Terry, I have got several comments concerning this issue, and this issue is a statement read by the chairman at a public meeting. It has been published in the papers.

MR. HART: Can you name dates on that, please?

MR. WILLEKE: That was presented on April 17, 2018, and in the paper that followed was the following week, on the 26th. The paper edition would have been roughly April 26.

In the absence of Commissioner Hart and myself not saying anything, we are agreeing that the allegations put forth in that statement are real, and that the County is in jeopardy. We must immediately get the facts on the table, and that could resolve these issues. And that is what we intended to do with this meeting today. We need to be an executive session and get the facts on the table.

The issue here is not to publicize, but to resolve the problems. Is it just talk, or is there really discriminating acts? Illegal discrimination is defined very specifically. Do any of these allegations rise to this level and do any of the allegations rise to the level of malfeasance? We need to get these issues resolved and get the monkey off of the County's back.

think it is important that if perhaps a -- the importance that we, Commissioner Hart and myself, acknowledges this, is that if there is a discrimination case brought against the County, say six months down the road, it will be on record that Commissioner Hart and Willeke have tried to address and acknowledge the situation and want to get to those facts so that we can avoid putting the County at risk and get the -- any liability off of the County.

MR. HART: Agreed. The exposure at the moment, from this board member's prospective, is serious. The attempt of this executive session is to address that with all seriousness. At the recommendation of our advisor, Mr. Dennis Hunt

from CTSI, this meeting is taking place, and at his recommendation, it was for all three board members to sit down, remember the oath that they took, speak as adults, and work towards the betterment of the County. At this point, there are only two-thirds of the board here, Commissioner Willeke and myself. We wish that the third one was here to participate and contribute. I do understand her concern, but at the same time, do not give credit to that. I think that there

-- this is a serious matter that needs discussion. Serious enough that commission -- that advisor, Mr. Hunt, said that if there is an impasse that one or two cannot get past to stay on the board, then a resignation should be considered. That was his words, not mine.

MR. WILLEKE: Well said, Commissioner Hart, and I agree with your comments. I think it is clearly unprofessional to air these issues in front of the public. And to my knowledge, the chair is not granted any additional authority to speak publicly on county issues without consulting the other commissioners. I don't have any further comments.

MR. HART: At this time. I don't either

other than God bless Washington County.

MR. WILLEKE: We are in a session here to develop a

strategy, and I am going to ask you, Terry, what

your thoughts are for next steps here.

MR. HART: I -- I felt that I had made headway with Commissioner Laybourn yesterday. We sat here in this room for 45 minutes discussing hard issues leading up -- hopefully, leading up to this meeting with all present, including the option of a mediator to be here so that Commissioner Laybourn would feel comfortable, and making all of the possibilities for a board discussion for the betterment of the County and the betterment of the board. And I felt that we made headway. At the end, I was sure that there had been, but by this morning after a night in between, it appeared early on that whatever was gained was lost at that point. Now, this - afterthat, this morning, we had moved towards the business part of our meeting and it felt like -- hey, it almost felt like a board there for a minute until at our advisor's suggestion that we go into an executive session.

She chose -- Commissioner Willeke -- or, Commissioner Laybourn chose not to be a part of this. So, I don't know what else we can say at this point. The next direction for this board -- I'm just going to say it. I -- our advisor from CTSI said there probably should be a request for a

resignation if we cannot get this impasse -- get past this. So, I -- I think that is a last resort. I hope that is a last resort, but if it makes sense for the County, hard decisions have to be made. God help us if it comes to that.

MR. WILLEKE: Thank you for those comments,

Commissioner Hart. I -- my impression is that without Commissioner Laybourn willing to put the facts on the table that the allegations put forth in her statement have no basis or no merit. And if that's the case, for me, a simple, public, written apology would suffice.

I feel I have a moral and

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side third party. If we are correct about what was discussed in the Commissioners' closeddoor meeting, then there can

Cont. lower next column		
Trivia Questions		
Answers moved to pg 12 1. What Nation's treasures include the Sistine Chap- el?		
<ol> <li>What continent boasts the most telephone lines?</li> <li>What was known as the Spice Island?</li> </ol>		
4. Who told a Senate com- mittee: "Billy Carter is not a buffoon, a boob or a wacko?"		
<ul><li>5. What's the better-known identity of minus 273.15 degrees Celsius?</li><li>6. What did second base-</li></ul>		
<ul><li>man Bill Wambsganss do</li><li>all by himself in a 1920</li><li>World Series game?</li><li>7. What city's sewer tour</li></ul>		
gets no stars in the Miche- lin Green Guide? 8. Who was the first mem-		
ber of Britain's royal fami- ly to graduate from univer- sity? 9. What are the odds		
against cutting an ace from a deck of cards? 10. What European city is		
know as The Bride of the Sea?		

MR. HART: Thank you, Commissioner Willeke. I agree with those statements. The allegations are very serious and to avoid any future litigation or legal posturing, this board, at least this board member, sees the need to talk as a board, resolve together, learn what we need to, to correct and to become a full board working together for the betterment of the County. That is this board member's goal and main motivation to even have this meeting.

I stood up seven years ago and gave an oath to do my best to uphold the Constitution of the State of Colorado and of the County. And as a result of that oath, I will stick through this through thick and thin to get to a resolution, if possible. MR. WILLEKE: Well, I agree with your comments, Commissioner Hart. In the absence of the commissioner that -- Laybourn, that made the public statement, at this meeting we are not going to be able to get the facts that we so urgently need to get to the bottom of these issues. I

be no plausible claim that the Commissioners were unable to publicly announce that they would be discussing "matters in connection to Commissioner Laybourn's public statement on April 17th." Or, more generally, "concerns recently raised about the conduct of the County Commissioners."

Thus, if we are correct in our surmising what was the focus of the two Commissioners' closed-door discussion of May 1, 2018, then, under the case law we have cited, the meeting was improperly closed to the public and the audio recording of that meeting is a public record, as a matter of law.

While disclosure of the contents of that recording may prove embarrassing to one or both of the Commissioners who participated in that discussion, that is not a valid legal basis to withhold a public record. Moreover, should the court order the County Commissioners to release that public record to Mr. Patterson and the Otis Telegraph, the County would also bear the cost of that newspaper's instituting and litigating the matter. Putting that unnecessary economic burden on

the County's taxpayers, we respectfully submit, would only cause greater embarrassment to the County Commissioners.

Accordingly, this letter constitutes the written notice required by § 24-72-204(5) (a), C.R.S., that Mr. Patterson and the Otis Telegraph intend to file an Application with the District Court, no sooner than three days hereafter, for an order directing the County Commissioners to show cause why the public record to which the Otis Telegraph has been denied access should not be provided. Because our prior exchange of communications has made it clear that "there is no need for a meeting to determine if the dispute may be resolved without filing an application" with the District Court, and because the Otis Telegraph has an expedited need for the record, as a member of the news media, we are providing only three days' notice, rather than the presumptive fourteen days, as set forth in the above referenced provision.

Sincerely, Steven D. Zansberg SDZ/cdh cc: Jerry Patterson, **Editor, Otis Telegraph**  MR. HART: Amen. I agree. Yeah, acknowledge the mistake, acknowledge the allegations, and I would be good with that and could move on and not even think about it again. MR. WILLEKE: Right. I just don't see that there's -there's been no evidence of any basis or any merit to these allegations. I don't have any further comments. MR. HART: I think we have covered -- covered all of the happenings of the -- and the -- the words of the article in the paper, and without Commissioner Laybourn's input, I have no further comment either.

With that being said, we will close this executive session. I've got to find my cheat sheet here. Oh, where did I put it. I hereby attest that this recording reflects the actual contents of the discussion of the executive session and has been made in lieu of any written minutes to satisfy the recording requirements of the open law -- open meetings law. I will hand the tape to the county attorney to retain for 90 -- for a 90-day period and the time is now 10:45, and we conclude the executive session and return to the open meeting.

(Executive session is concluded.)

#### TRANSCRIPTIONIST'S CERTIFICATE

#### STATE OF COLORADO **COUNTY OF MORGAN**

I, TAMARA L. ALEXANDER, do hereby certify: That the foregoing proceedings were transcribed by me; that the foregoing is true and correct transcript to the best of my ability.

Done this 9th day of June, 2018.

#### Tamara L. Alexander

#### Under The Wire Continued from page 2

largely to Sue's experienced care. She does not have a nursing degree but you would never know it. Her very capable skills have been developed taking care of me after various horse, cow and combination of those two wrecks, practically since the day we married. I must admit, she has had a lot to deal with, broken hands, wrists, arms, a leg, foot and now ribs to list major events only. I also must admit to being more than a little embarrassed by my medical history. At least until Sue began cleaning her office and everything changed for me.

My four foot, eleven and one half inch dynamo decided it was time for an office overhaul. "Time to throw some of this stuff I've saved away," she remarked as, head down, she tackled the shelves. A few minutes into the project is when my whole outlook on injuries changed. Sue walked into my office packing a two foot tall stack of calendars she had saved over the years. "Some of these are really cool," she said, "and boy do they bring back memories."

The pile contained calendars from bull and horse sales, livestock auctions, **Continued on next page**