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BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY  
EXECUTIVE SESSION

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DATE TAKEN: AUGUST 16, 2023

TIME: COMMENCED 11:10 A.M.  
CONCLUDED 11:41 P.M.

LOCATION: COMMISSIONERS BOARD ROOM

\* \* \* \* \*

PRESENT:

KEVIN DAY, CHAIRMAN,  
TOM FLOWER, COMMISSIONER  
DANIEL SLATER, COUNTY ATTORNEY  
KELLY CAMPER, CLERK TO BOARD

1 (Audio recording begins as follows:)

2 CLERK CAMPER: Okay, go ahead.

3 CHAIRMAN DAY: This is August 16, 2023. The  
4 time is now 11:10 a.m. This is Kevin Day, chair to  
5 the BOCC, and as required by the open meeting (??), this  
6 executive session is being electronically recorded.

7 Also present at this meeting is Commissioner  
8 Flower; Clerk to the board, Kelly Camper; and the  
9 County Attorney, Dan Slater.

10 This is an executive session. We're  
11 discussing our process for the contract  
12 negotiations moving forward here today.

13 I caution everyone here to confine your  
14 discussion to the stated purpose of the executive  
15 session and that no formal action may occur at this  
16 executive session. If at any point in the  
17 executive session, any participant believes the  
18 discussion is going outside the proper scope of the  
19 executive session, please interrupt the discussion  
20 and make an objection at that time.

21 Okay.

COMMISSIONER FLOWER: Will you clarify the purpose?

22 MR. SLATER: So here's the thing. This is why  
23 I think this will be a short executive session.  
24 The board needs to decide how it wants to move  
25 forward with entering into a contract with Braden,

1 if that's what the board chooses to do.

2 Under a normal circumstance, what we would be  
3 doing in this executive session is determining  
4 positions for negotiating with Braden a contract,  
5 and then we would essentially appoint somebody to  
6 go back to Braden, say, here's what we've got. And  
7 Braden would come back and say, well, I'd like to  
8 see this change from this change. And the  
9 negotiator would say, I think the board's fine with  
10 that. And we would come back at a later meeting  
11 and approve a contract.

12 Obviously, that's a very -- that's not  
13 workable, probably under the very unusual  
14 circumstance that this board finds itself in, and  
15 so what I think you've got to do, and obviously you  
16 can't have some sort of situation where Braden's in  
17 here negotiating with us, the three of you, or the  
18 two of you, because that's not something that's  
19 allowed by the Open Meetings Act, doesn't fall under any  
20 provision that's an exception to the open meeting  
21 that allows for an executive session.

22 So I think, I mean, the board needs to decide whether  
23 option one, which is we're going to negotiate with  
24 Braden and come back at a later time and approve a  
25 contract, whether that's what we want to do. In

1           which case, if that's the case, then yes, in this  
2           meeting we discuss what we want to see in a  
3           contract with Braden and go forward.

4           Or option two, do we go into an open session,  
5           now, and discuss what we want to see in a contract  
6           and authorize entry into that contract by a motion  
7           and vote, and basically offer that to Braden on a  
8           take it or leave it kind of situation.

9           And I think option two is, reading the room,  
10          the only option that's workable.

11          COMMISSIONER FLOWER: I think there's a third  
12          option and that would be to hire Braden and enter  
13          into a -- come to an agreement on a contract. Right?  
14          I mean, this whole thing is just a political stunt,  
15          either on our part, or their part. Doesn't matter.  
16          We wouldn't be having this conversation. This  
17          would look totally different if those people down  
18          there in that room hadn't raked us over the coals. We  
19          would go about our business normal, and legally. I  
20          think negotiating a contract should be done in the  
21          executive session. That's a negotiation that's  
22          covered by law.

23          MR. SLATER: Not the way it's written. The  
24          negotiation itself isn't covered by the law.  
25          Determining position is subject to negotiation and

1           instructing negotiators is covered under the law.

2           COMMISSIONER FLOWER: We cannot be our own  
3 negotiators?

4           MR. SLATER: Well, you can, but the point is  
5 you got to have that negotiation then, with Braden,  
6 if you're going to do that. And I don't think  
7 there's time to have that negotiation with Braden,  
8 is my point. I think the law is pretty clear both  
9 in the letter and I think in spirit, that  
10 especially with an executive position like County  
11 Manager, the Legislature anticipates that the bulk  
12 of those discussions are going to be public. That  
13 the discussion of how... who we hire as County Manager  
14 is public, and the discussion of that contract, I  
15 think, should also be public.

16           Now again, if we were determining positions  
17 going back to him and saying: "Here's what we've  
18 got Braden. Tell us what you think". You know, "We want to  
19 offer you \$5", and he says, "no, I'll take seven." And,  
20 then we go back and forth and we've already decided  
21 we'll take six, if we want. If he pushes us --  
22 that's the kind of thing we'd be having a  
23 discussion about in here today.

24           But, in terms of what we actually are going to  
25 offer in a contract, the reality is, if the two

1 of you want a contract with Braden, you're going to  
2 have to authorize that in this meeting today and  
3 not authorize negotiation for a contract. You're  
4 going to have to approve a contract and instruct  
5 the chair, the county clerk, to sign that contract  
6 upon, you know, if Braden agrees to it.

7 COMMISSIONER FLOWER: And you're committed to  
8 the idea that a contract is necessary because this  
9 is an executive officer?

10 MR. SLATER: I'm not committed to that idea at  
11 all. But, I mean, if you're going to -

12 CHAIRMAN DAY: I put forth the  
13 contract on recommendation from a prior County  
14 Manager who is a CCI representative (? Dennis Hunt ?) who  
15 provided, I think, the basic outline for this  
16 contract that you put together for us today. Correct?

17 MR. SLATER: Yes. I think it would be very  
18 unusual for us to have an executive position  
19 without a contract. If we want to say we are going  
20 to hire Braden at X number of dollars a year, we  
21 can do that through a motion.

22 COMMISSIONER FLOWER: And why wouldn't we? I  
23 can tell you why, in my opinion, we would. Because of  
24 that bullshit that's going on downstairs. That's  
25 the only reason to me that we're where we're at  
today.

1 MR. SLATER: I don't know that I disagree ... but  
2 the point is you can have a different makeup of  
3 this Board of County Commissioners ... kind of you  
4 would for a (inaudible)

5 COMMISSIONER FLOWER: You could, but that's  
6 the political reality. Right?

7 MR. SLATER: Right. But that contract  
8 provides certain assurances to Braden in terms of a  
9 safety net, I guess.

10 COMMISSIONER FLOWER: I agree with you. I  
11 thought the only thing that contract that had any  
12 validity was the whole severance thing, and I'm not  
13 saying I agree with the contents of the severance  
14 thing. But the concept . . . But does he - should he have  
15 any more job  
16 security than anyone else in this county system? I  
17 don't think so. (inaudible/overtalking)

18 MR. SLATER: That's a lawyer question. (chuckle)

19 COMMISSIONER FLOWER: Yeah. I kept wanting to  
20 say, I kept thinking to myself, when you get in  
21 executive session, you should tell me . . .ask  
22 everybody, "Tom, why we're making a big deal about  
23 this?" "Why do have to have a contract with this person?"  
24 Dennis Hunt doesn't cut a lot a weight with me.  
25 (overtalking)

I've been around his

1 influence all six years.

2 CHAIRMAN DAY: And I will speak to that. The  
3 reason I pushed to have a contract and ready for  
4 today, if possible, was for the assurances for the  
5 position in the county --

6 COMMISSIONER FLOWER: Yeah.

7 CHAIRMAN DAY: That is exactly why I pushed  
8 for that.

9 COMMISSIONER FLOWER: I understand that,  
10 Kevin. Should anybody have any assurances of a  
11 job? I don't know. That's a philosophical  
12 question, right? I'm pretty sure that Braden  
13 believed if we vote to hire him as a County Manager  
14 and I get recalled, he'll be out the next meeting.  
15 Okay. That's politics. That's the way it works.  
16 He may be out regardless, so I just -- I don't want  
17 to bow to that bullshit that went on down there  
18 today. That's all that was. Trying to pressure us  
19 into doing something different than what I believe  
20 is right.

21 I don't know what you believe, Kevin. I think  
22 I do, but I don't . . . we haven't had that conversation.  
23 If we want to start governing this county by the mob rule  
24 mentality, then God help us all. Nobody down there  
25 has the expertise, knowledge, and insight that the



1 three commissioners have. They can run their pie  
2 hole all they want. They don't know.

3 Is it total insanity to go downstairs and vote  
4 to hire a County Manager and work out the details  
5 later?

6 MR. SLATER: No, that's entirely your  
7 decision.

8 COMMISSIONER FLOWER: Is it insanity?

9 MR. SLATER: Given it is (chuckle), well, I guess - are you  
10 asking the question as a theoretical? Is it  
11 insanity to hire - to appoint someone as County Manager and  
12 say we're going to talk about a contract as we go  
13 forward?

14 Or is it insanity in this situation where we  
15 have a decent potential of having a different  
16 makeup of the Board of County Commissioners the  
17 next time it meets?

18 COMMISSIONER FLOWER: No, that's not what I  
19 was asking.

20 MR. SLATER: Okay.

21 COMMISSIONER FLOWER: Would it be completely  
22 irresponsible, in your opinion, legal or not? I  
23 don't care. I just appreciate you for what you  
24 are. Would it be irresponsible to hire a County  
25 Manager and then hammer out the details of the

1 contract later?

2 MR. SLATER: No. I don't believe it would be,  
3 as long as you got the salary set. You have to  
4 have something in the interim because they say -- they'll  
5 receive a salary of X number of dollars and they'll  
6 receive the same benefits as the department head  
7 and we will work out the important details later.

8 COMMISSIONER FLOWER: Now, I know we'll get  
9 crucified for that. That was the second part.

10 MR. SLATER: Ironically, you might get less  
11 crucified for that, than what I thought was going to  
12 happen (mumbling).

13 COMMISSIONER FLOWER: Now, so the reality of it  
14 is, do I believe if we don't act on this today it  
15 will not ever be considered, not ever, but it won't  
16 be considered? Yes, I believe that. I think  
17 they're banking on that.

18 I have believed from day one that we need a County  
19 Manager. I believe we've gone through all the  
20 hoops that Bill and his billy goats have come up  
21 to, to make sure we're doing it legal. I  
22 assume you believe .

MR. SLATER: I believe that you're legal.

23 CHAIRMAN DAY: I don't work for them.  
24 I represent them. It's all  
25 philosophical. I get that.

1           MR. SLATER: So what I'm hearing is not that  
2 we are going to necessarily -- well, what I'm  
3 hearing is that either way we're not going to have  
4 a discussion today about instructing negotiators  
5 about a contract today.

6           COMMISSIONER FLOWER: I would be fine with  
7 that. I'm not... I haven't driven a stake in the ground on  
8 that. Kevin, you?

9           CHAIRMAN DAY: I know it makes a longer,  
10 harder day, but at the end of that day, I would  
11 prefer to move forward as we are on the agenda, and  
12 we hash out the contract in public meeting and  
13 move forward with...., I guess, we have the hiring on  
14 the agenda first, and we have the contract on the  
15 agenda second. Maybe we should have had that flip  
16 flopped.

17          MR. SLATER: Again, it's the chicken or the  
18 egg problem.

19          CHAIRMAN DAY: Well, the results of the  
20 contract might be -- make a difference in the  
21 answer we get.

22          COMMISSIONER FLOWER: So what if we  
23 consider -- and are we appointing a County Manager  
24 or are we hiring a County Manager?

25          MR. SLATER You're appointing. It's acceptance

1 of the appointment. And it's a paid  
2 position, so I guess it's the same thing.

3 COMMISSIONER FLOWER: Yeah, see, and I just  
4 keep wanting to say, well, how all of a sudden are  
5 we appointing somebody, instead of just hiring a County  
6 Manager?

7 MR. SLATER: Because it is a county official (Mumbling).  
8 Theoretically you appointed me as County Attorney  
9 at the same time you awarded me a contract. (Mumbling)

10 COMMISSIONER FLOWER: I'm fine, Kevin, with  
11 proceeding with the agenda. But I can also tell  
12 you I will move to postpone the last item on the  
13 agenda until the next meeting. Whether I'm here or  
14 not, doesn't matter.

15 CHAIRMAN DAY: The last thing being the one we  
16 moved down there or the last (overtalking)

17 COMMISSIONER FLOWER: No, well, I'm sorry.  
The last . . . (overtalking)

MR. SLATER: ... (? ?) contract...

18 CHAIRMAN DAY: Because we  
19 did vote before you arrived to put consideration  
20 realigning the VSO back to Commissioner Canda to the final.

21 MR. SLATER: I was wondering how we skipped(??)--

22 CHAIRMAN DAY: Yes --

23 COMMISSIONER FLOWER: So I'm saying be  
24 prepared that I would move to postpone that. The  
25 discussion and consideration or approval of a

1 contract.

2 You believe, Dan, that we should, in an open  
3 meeting, sit down, quote, unquote, and go through  
4 that contract line by line with Braden in an open  
5 discussion?

6 MR. SLATER: Well, line by line I'm not sure.  
7 I'm not sure that necessarily means we have to go  
8 through that with Braden. I think the  
9 Commissioners would determine what contract they  
10 want to propose to Braden.

11 COMMISSIONER FLOWER: And the chairman gives  
12 that to him?

13 MR. SLATER: Yes. And if Braden accepts it,  
14 the chairman would then be authorized to execute  
15 the contract on behalf of the county.

16 COMMISSIONER FLOWER: There's language in that  
17 contract I don't even understand.

MR. SLATER: Okay.

18 COMMISSIONER FLOWER: No clue what  
19 they're really trying to say.

20 MR. SLATER: And it may be that it's poorly  
21 written. (Chuckle) I accept that as being a reality, yeah.

22 COMMISSIONER FLOWER: That was a head  
23 scratcher to me, that document. I don't  
24 know who wrote it.

CHAIRMAN DAY: Michelle is ..... Commissioner Hamich, was....  
came from the County

1 Managers Association or whatever it's called, and I  
2 probably took out three or four pages at least of  
3 that, and edited it down to the specific, for this particular  
4 situation. Based on what, and I mean, obviously gray areas  
5 and open areas for discussion.

6 COMMISSIONER FLOWER: Here's another question  
7 for you, Kevin.

CHAIRMAN DAY: Okay.

8 COMMISSIONER FLOWER: How do you feel about postponing  
9 it all? Give them what they want.

10 CHAIRMAN DAY: Um, if that's the case, I just  
11 spent two months (???)--

12 COMMISSIONER FLOWER: Pardon? I just didn't  
13 hear what you said at the end.

14 CHAIRMAN DAY: If that's the case, I just  
15 spent two months fighting for something that I know  
16 needs to happen, that then I see not happening. I  
17 don't know that for a fact. (Mumbling) .. my perception...

18 MR. SLATER: Back up. Well, we got to be a  
19 little careful. We are in an executive  
20 session. I think that's where you were headed,  
21 right?

CHAIRMAN DAY: Uh, so....

22 COMMISSIONER FLOWER: I don't mind having a  
23 conversation in public meeting with the  
24 Commissioners about that contract. And then sending  
25 it to Braden via the chairman and negotiating that  
back and forth over however long time it takes.

But, it's also a little awkward to sit in an

1 open meeting and say, "I don't even know what the  
2 hell this sentence means." I'm willing to do that.

3 CHAIRMAN DAY: I am at the mercy of everyone  
4 around. So, I would defer to however this goes.  
5 I'm not -- my opinion is I would like to see it  
6 take place today.

7 COMMISSIONER FLOWER: At least the consideration of  
8 hiring or appointing a County Manager.  
9 Is that what you're  
10 saying? Or both?

11 CHAIRMAN DAY: My preference is the entire  
12 agenda, but that is -- there again, I'm one man. So...

13 COMMISSIONER FLOWER: Well, do you want to deal  
14 with all of that in the face of that adversarial  
15 atmosphere? And I might as well say it, that part of the  
16 reason we have that is because you allowed it.

17 CHAIRMAN DAY: I did. And I have allowed it all  
18 the way through. . .

19 COMMISSIONER FLOWER: And I respect you for trying to say  
20 anything. That's enough. You're not going to  
21 keep on badgering. That's what it was. And Canda  
22 was out of order, he should have never been allowed  
23 to get on his political stump because I had a  
24 motion on the floor. It's not right.

25 MR. SLATER: Let's focus on negotiations.

26 COMMISSIONER FLOWER: Sorry.

CHAIRMAN DAY: Thank you . . .

COMMISSIONER FLOWER: I'll go

1           downstairs and negotiate that contract and it's  
2           going to be long, and it's going to be miserable.  
3           I'm not going to vote on it without understanding  
4           everything that's in there.

5           MR. SLATER: No different than what we did  
6           for the County Manager manual, either.

7           COMMISSIONER FLOWER: No, that's true.

8           CHAIRMAN DAY or MR. SLATER: We went through it  
9           section by section.

10          COMMISSIONER FLOWER: Are we within our realm  
11          to do that in this session, or no?

12          MR. SLATER: I don't think so. Because,  
13          again, we're not -- don't think so.

          CHAIRMAN DAY and COMMISSIONER FLOWER: Okay. / Alright.

          CHAIRMAN DAY: Are we looking at what we'll disclose . . .  
(overtalking)

14          MR. SLATER: (??) section by section and discuss it... uh,  
          especially because we haven't gotten in here  
15          for legal advice and I think what you're asking for  
16          at this point is -(??)

17          CHAIRMAN DAY: So process-wise, if nothing  
18          gets changed, we would consider appointing a County  
19          Manager.

20          MR. SLATER: Right.

21          CHAIRMAN DAY: And then we would move into  
22          discussion and approval. This would be a  
23          discussion of the Board of County Commissioners.

24          MR. SLATER: Right.

25          CHAIRMAN DAY: Uh, not including the candidate.



1           MR. SLATER: That's up to you guys as to  
2 whether you want his input on provisions as you go  
3 along.

4           CHAIRMAN DAY: And with it being on there as  
5 discussion and approval, we can hash this out and  
6 approve today.

7           MR. SLATER: Yes.

8           CHAIRMAN DAY: Which would take, to me, input  
9 from the candidate because he also has to approve  
10 this, for this to be (overtalking).. . --

11          MR. SLATER: The theory has always been that  
12 Braden will probably take whatever we offer him (mumbling).

13          CHAIRMAN DAY: Yes, so, uh... So, possibly a discussion just  
14 with the County Commissioners and yourself going  
15 through this contract and hammering it all out,  
16 followed by input from Braden.

17          MR. SLATER: Yeah. And I would suggest that, I mean,  
18 to the extent you're going to have public input on  
19 this, don't have public input on every section.  
20 Wait until the end of the contract to ask for  
21 public input on the contract.

22          COMMISSIONER FLOWER: And we wouldn't legally  
23 have to even do that.

24          MR. SLATER: No, you never have to have  
25 public comment. . .exact. (mumbling/overtalking).

          COMMISSIONER DAY: But I believe we need to have that.

1

2

MR. SLATER: I understand that, and I mean, that, I mean, based on the

3

history of the county, Board of County Commissioners, it

4

would be very usual not to.

5

COMMISSIONER FLOWER: I would request that

6

you put a time limit on it, and each speaker gets

7

to speak one time. I'm not going to sit there and

8

get badgered.

MR. SLATER: That's good. Good idea.

9

CHAIRMAN DAY: Two minutes.

10

COMMISSIONER FLOWER: Two minutes. You

11

heard McMahon. He went on for four and a half

12

minutes. I don't care to hear that again, and we

13

are in control of that.

14

MR. SLATER: Was it only four and a half

15

minutes? (laughter/overtalking)

COMMISSIONER FLOWER: Seemed like a (? ?)

16

MR. SLATER: Seemed like a lot longer than that

17

I think it was four and a half

18

minutes after he said he was going to sit down.

19

COMMISSIONER FLOWER: Good point. Good point.

20

CHAIRMAN DAY: So we'll have consideration of

21

appointment of County Manager. We'll allow public

22

comment, move to the discussion at the table of the

23

contract, get that hashed out, input from Braden,

24

get that hashed out, then allow for public comment.

25

Two minutes.

1           COMMISSIONER FLOWER: And that the speakers  
2 speak to you. Not to Braden, nobody else. To  
3 you. Because that's how most public comment rules  
4 are set up, that you speak to the chair. You do  
5 not speak -- turn around and speak to somebody else  
6 in the group.

7           CHAIRMAN DAY: My apologies to (?her?) because I  
8 am not fully aware of all the procedures. . .

9           COMMISSIONER FLOWER: There's no . . .

10          CHAIRMAN DAY: . . . including (? ?)

11          a motion on the floor like that.

12          COMMISSIONER FLOWER: But we can set that up.

13          (Simultaneous speakers/mumbling)

14          MR. SLATER: . . (mumbling) With all due respect. . .

15          COMMISSIONER FLOWER: He could have said it all. . .

16          MR. SLATER: I understand. . .

17          COMMISSIONER FLOWER: He could have said it all in  
18 public comment or in Commissioner items.

19          MR. SLATER: I understand what he could have  
20 done. But, there's no way Commissioner Day could have  
21 told Commissioner Canda. . told him to stop talking. It would  
22 have been a disaster.

23          COMMISSIONER FLOWER: Suicide. Agreed.

24          CHAIRMAN DAY: So, consideration, the motion  
25 for that, public comment, discussion of the contract at  
the table, open that up to. . with Braden, and then public  
comment, and we vote on that. And we will move on  
to consideration of the realigning, which should be

1 a null and void thing because the County Manager  
2 will take over those roles at that point,  
3 according to the handbook. And all three of those  
4 will be contentious. I think that they should happen  
5 today.

6 COMMISSIONER FLOWER: Um, don't be totally  
7 surprised if I introduce a motion to postpone on  
8 the contract. I may not, but...

9 CHAIRMAN DAY: It's your purview.

10 COMMISSIONER FLOWER: . . I could get voted (?down/out?).

11 MR. SLATER: That would be an interesting  
12 vote.

13 COMMISSIONER FLOWER: Yes, that would. And  
14 you know what? In the event of a (?checkup?) tie, you know  
15 what happens. Chair has the deciding vote. Highly  
16 unusual, but. . .

17 MR. SLATER: Among the three of you, how could  
18 you have a tie?

19 COMMISSIONER FLOWER: If Bill abstains . .  
20 MR. SLATER: Oh.

21 COMMISSIONER FLOWER: . . . and I . . and I  
22 vote to postpone, and Kevin votes not to postpone,  
23 he wants to do it today, and I don't, and Bill  
24 don't want any part of it, which I can see  
25 happening. . .

26 MR. SLATER: Well, then the motion would fail  
27 for a lack of majority. The chair would have (? ?)  
28 the tiebreaker. The  
29 Chairman has to vote. This is a situation where (? ?) . .

1 the chair would be cast (mumbling) vote --

2 COMMISSIONER FLOWER: Yeah, that's true. The  
3 chair wouldn't be casting inside vote.

4 MR. SLATER: So, but . . . (Simultaneous speakers)  
5 COMMISSIONER FLOWER: We'll figure that out. And, like,  
I make a motion to postpone. He abstains.

6 You vote against it. I vote for it. Dies for  
7 lack of a majority.

MR. SLATER: You would need a second.

8 CHAIRMAN DAY: You would need a second  
9 for your motion.

10 COMMISSIONER FLOWER: That's also true. That's true,  
too. (Overtalking / chuckles)

11 MR. SLATER: I was going to say, is that  
(mumbling/overtalking) . . . issue is that once the motion  
12 is made, they really . . . (mumble/laughter)

13 COMMISSIONER FLOWER: Good. Well, I suspect we're  
14 looking at two or three o'clock.

15 MR. SLATER: Well, I canceled my appointment  
16 this afternoon on the basis of that possibility.

17 CLERK CAMPER: And I told my dog to cross his  
18 legs. (laughter)

19 CHAIRMAN DAY: Okay. Are we good, sir?

20 MR. SLATER: I think we've discussed  
how we're going to negotiate this whole process.

21 COMMISSIONER FLOWER: May I recap, so I  
22 understand?

23 CHAIRMAN DAY: You may.

24 COMMISSIONER FLOWER: Consideration of appointing a  
25 County Manager, then discussion and approval of a

1 contract. Discussion among the three commissioners  
2 and subsequently with the applicant.

3 CHAIRMAN DAY: The initial discussion  
4 will be the three commissioners with, uh, legal?

5 MR. SLATER: So I think procedurally, what we . . .  
6 because it says, discussion and approval, we can have a  
7 discussion without a motion being on the floor.

8 COMMISSIONER FLOWER: Right.

9 MR. SLATER: So we can go through the  
10 contract. Just the three commissioners. Have that  
11 discussion, and at that point, then there can be a  
12 motion made. And once the motion is made, you can go  
13 through your normal thing, without further discussion with  
14 commissioners and anybody from the floor. At some point  
15 you're going to put Braden in and get his thoughts,  
probably before the motion.

16 COMMISSIONER FLOWER: Um, and again, I don't know  
17 what happened. I know you had your hands on the  
18 contract. So will you stand for questions about  
19 the contract? "What does this mean?"

20 MR. SLATER: For you all, yes. (overtalking/mumbling)  
21 I don't. . . mind. .

22 COMMISSIONER FLOWER: Yes. Yes. "What does this  
23 mean? What's the purpose? What's that word mean?  
24 You're okay with that?

25 MR. SLATER: Absolutely. Correct.

1           COMMISSIONER FLOWER: Yeah. I say the public doesn't  
2           have anything to say about that discussion  
3           initially.

4           MR. SLATER: Well, yeah -- no, but my point, this  
5           hasn't come up yet, but I know it will. At some  
6           point, somebody from the public is going to ask me  
7           a question. And my response is going to be "I take questions  
8           from the Board of County Commissioners, not from the public.

9           COMMISSIONER FLOWER: And I would hope the  
10          chairman would not even allow you the opportunity.

11          MR. SLATER: Well, somebody -- one  
12          of the commissioners might say, "Well, I'm going to  
13          ask the question."

14          COMMISSIONER FLOWER: But, the chair should  
15          indicate to the group, "Sorry, that's not happening."

16          CHAIRMAN DAY: He should. (? ?) reaction (laughter)

17          MR. SLATER: This is not an easy job.

18          CHAIRMAN DAY: It is not.

18          MR. SLATER: Okay. . . you adjourn the executive session.

19          CHAIRMAN DAY: I here today --  
20          hereby attest that this recording reflects the  
21          actual contents of the discussion of the executive  
22          session and has been made in lieu of any written  
23          minutes to satisfy the recording requirements of  
24          the Open Meetings Law.

25          Uh, this recording will be retained for a 90-day

1           period. The time is now 11:41, and we will  
2           conclude this executive session and return back to  
3           the open meeting.

4                       (Audio ends)

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