

August 27, 2009

The City Council of the City of Fort Morgan, Colorado, met this day in the conference room of City Hall. The Honorable Mayor Jack L. Darnell called the special meeting to order at 8:30 a.m.

Roll Call: Present: Honorable Mayor Jack L. Darnell  
Councilmember Sharol Lyn Deal  
Councilmember Debra J. Forstedt  
Councilmember Terry McAlister  
Councilmember James A. Powers  
Councilmember Ron Shaver  
Councilmember Alberta M. Simmons

The meeting was open to the public and attended by City Clerk Andrea Strand, Court Administrator Christina Tadolini and Editor John Brennan from *The Fort Morgan Times*.

Mayor Darnell opened the meeting and stated the purpose was to interview candidates for the Municipal Judge position. He explained the process would be that the interviews would take place and then Council would vote, either by roll call or ballot, who they would like to extend a conditional job offer to. Discussion may need to take place in the event that Dennis Brandenburg was selected as the Municipal Judge, because he is currently the Associate Municipal Judge, and a replacement could also be made through this process. Council considered naming two associated judges but determined only one was needed. Once a choice is made, Council would then convene into Executive Session for the purpose of instructing a negotiator.

Council then interviewed Robert James, Dennis Brandenburg and Stuart Crespin. At the conclusion of the interviews, Council discussed and concluded that they would prefer to vote by ballot. Clerk Strand then distributed a ballot to each Councilmember. Mayor Darnell then directed Clerk Strand and Court Administrator Tadolini to gather the ballots and count them; he added that whoever received four votes would be the Municipal Judge.

Clerk Strand and Administrator Tadolini counted the ballots and Clerk Strand announced that Stuart Crespin had received four votes, Dennis Brandenburg had received two votes and Robert James received one vote.

At 12:42 p.m., Councilmember McAlister moved to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); specifically to instruct negotiators concerning a conditional job offer and contract with the candidates for Municipal Judge. His motion was seconded by Councilmember Shaver and duly carried.

Mayor Darnell announced the time is now 1:32 p.m., and we now conclude the Executive Session and return to the open meeting. Upon returning to the open meeting, Mayor Darnell announced, "The time is now 1:35 p.m. and the Executive Session has concluded. The participants in the Executive Session were Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers and Shaver; and City Attorney Jeffrey Wells." Mayor Darnell stated that Councilmember Simmons was absent and he advised Clerk Strand that her absence would be an unexcused absence.

Mayor Darnell continued, "For the record, if any person who participated in the Executive Session believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session, or that any improper action occurred during the Executive Session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. Hearing none, the Executive Session is concluded. I will ask Councilmember Shaver to report on the Executive Session."

Councilmember Shaver stated that Council met to instruct negotiators on a conditional offer and contract for Stuart Crespin. He offered a motion to direct Councilmember McAlister to negotiate the contract and make the conditional offer as set forth in Executive Session. His motion was seconded by Councilmember Forstedt and carried unanimously.

Mayor Darnell adjourned the August 27, 2009, special meeting at approximately 1:40 p.m.

*/s/ Jack L. Darnell*  
Mayor

*/s/ Andrea J. Strand*  
City Clerk