

**RESOLUTION No. 2012-009**  
*Supersedes Resolution 2010-020*

**A RESOLUTION OF THE  
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO  
TO ADOPT A CODE OF ETHICS AND CONDUCT  
FOR OURAY COUNTY QUASI-JUDICIAL BOARDS AND COMMISSIONS**

**WHEREAS**, Ouray County, Colorado, acting by and through the Board of County Commissioners of Ouray County, Colorado (Board) is a statutory County, organized under and by virtue of the laws of the State of Colorado; and

**WHEREAS**, the Board periodically makes appointments of citizens of Ouray County to certain Ouray County Boards and Commissions in order to facilitate the business and affairs of Ouray County; and

**WHEREAS**, a code of ethics exists by Colorado statute at C.R.S. § 24-18-101, *et seq.* wherein the legislative declaration provides that the provisions of the code of ethics recognize that some actions are conflicts *per se* between public duty and private interest while other actions may or may not pose such conflicts depending upon the surrounding circumstance; and

**WHEREAS**, the Board adopted Resolution 2010-020 to have a common Code of Ethics / Code of Conduct for all Ouray County Boards and Commissions that act in a quasi-judicial capacity and persons otherwise appointed to represent Ouray County, utilizing in part the provisions of C.R.S. § 24-18-101, *et seq.* and setting out the expectations and responsibilities of those persons selected to represent Ouray County on Boards and Commissions;

**WHEREAS**, membership of certain Boards and Commissions require the members to act in a quasi-judicial capacity on matters presented at public hearings including observing appropriate due process requirements and subsequently making recommendations to the Board on such matters;

**WHEREAS**, acting in a quasi-judicial capacity implicates several important considerations for public officials, including but not limited to liability, ethics, proper quasi-judicial procedure, and compliance with the Colorado Sunshine Law, C.R.S. § 24-6-401 *et seq.*, and the County endeavors to provide training and education to persons appointed to represent Ouray County in order to ensure compliance with these considerations; and

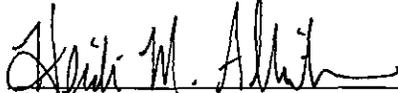
**WHEREAS**, the Board determined that while the tenets of the Code of Ethics and Conduct should be observed by all members of Ouray County Board and Commissions, only the Boards and Commissions that act in a quasi-judicial capacity will be required to sign the Code of Ethics and Conduct;

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Ouray County, Colorado that the Code of Ethics and Conduct (Attachment A) is adopted and approved and the members of Ouray County Boards and Commissions who act in a quasi-judicial capacity, such as the Planning Commission, the Board of Visual Appeals and the Ridgway-Ouray Area Joint Planning Boards, will be required to sign the Code of Ethics and Conduct. This resolution shall supersede Resolution 2010-020.

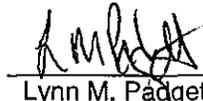
APPROVED AND ADOPTED THIS 13<sup>th</sup> DAY OF MARCH, 2012.

Voting for: Commissioners Albritton, Fedel and Padgett  
Voting against: None

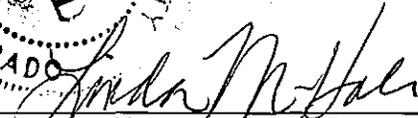
BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO

  
Heidi M. Albritton, Chair

  
F. Mike Fedel, Vice-Chair

  
Lynn M. Padgett, Commissioner



  
Michelle Nauer, Clerk and Recorder  
By: Linda Munson-Haley, Deputy Clerk of the Board

## Code of Ethics and Conduct Policy For Ouray County Boards and Commissions

As a member of the \_\_\_\_\_, I agree to:

- Attend all regularly scheduled meetings insofar as possible and review meeting materials prior to those meetings.
- Make quasi-judicial decisions **only** after I have had the opportunity to review all information and evidence, hear comments and following a full discussion at a properly noticed and scheduled meeting.
- Exercise my independent judgment and I will refuse to surrender that judgment to individuals or special interest groups.
- Encourage and welcome the free expression of opinion by all members of the Board or Commission to which I am appointed and participate in consistent communication with Ouray County citizens.
- Avoid being placed in a position of conflict of interest and refrain completely from using my position for personal or partisan gain.
- Promptly disclose any conflict of interest or personal or private interest in any matter proposed or pending before the Board or Commission to which I am appointed and to recuse myself when required. If I must recuse myself, I will refrain from attempting to influence the decision of the other members of the Board or Commission to which I am appointed in voting on the pending matter as required by the Colorado Code of Ethics set forth at C.R.S. § 24-18-101, attached.
- If I have disclosed a personal or private interest not requiring recusal, I will affirm that, notwithstanding such personal or private interest, I will be impartial in acting on such matter.
- Take no action that will compromise Ouray County and respect the confidentiality of information that is privileged under applicable laws.
- In regards to matters that could be or will be considered in a quasi-judicial setting, I will avoid *ex-parte* contacts and not discuss the matter that will be considered with any person outside of the properly noticed public hearing on the matter.
- Disclose all unsolicited materials and information that I have received pertaining to a matter and affirm, if appropriate, that I will be impartial in acting on such matter. If I receive any such unsolicited materials and information I will promptly forward the same to appropriate Ouray County Staff.
- Recognize that decision-making authority rests with the Board or Commission as a body and not with individual members. I agree that once a majority of the members have reached a decision or position, I may prepare a minority opinion on such matter; however, I recognize that the majority opinion is binding and I will support the decision or position of the majority.
- Follow appropriate procedure and protocol during meetings.
- Acknowledge that I received or reviewed open meetings, quasi-judicial decision-making, ethics and liability educational materials provided to me by the County.

Further, as a member of the above mentioned Board or Committee, I recognize that I am representing Ouray County; therefore, I will strive to:

- Conduct myself in a courteous and respectful manner with my colleagues, staff and the public;
- Be attentive to all persons participating in the meeting;
- Exhibit good sportsmanship; and
- Participate as a team member.

I have read and understand the Code of Ethics / Code of Conduct Policy for Ouray County Boards and Commissions and agree to comply with its terms and conditions. I further agree that failure to follow the Code of Ethics / Code of Conduct Policy may be cause for my removal from said Board or Committee by the Board of County Commissioners of Ouray County.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name