

ITEM 1 Call to Order, 6:00 p.m.

ITEM 2 Roll Call: Mayor Gibson, Trustee Billings, Trustee Brady, Trustee Cooper, Trustee McVey, Trustee West, Trustee Wittler.

Present: Mayor Gibson, Trustee Billings, Trustee Brady, Trustee Cooper, Trustee McVey, Trustee West, Trustee Wittler.

Phone/Computer: Don Steerman

Absent: None

Guest Present: Colette West, Lexi Brooks, Jennifer Esch, Penni Morris, Jennifer Leathers, Randi Batterton

**Staff Present: Tammy Newman, Town Clerk
Katrina Martin, Interim Police Chief
Officer Dustin Martin
Officer Jonah West**

ITEM 3 Pledge of Allegiance, led by Mayor Gibson

ITEM 4 Prayer, led by Jeremy West

Public Comment:

Jennifer Esch, Assistant District Attorney of the 15th Judicial District Baca, Cheyenne, Kiowa and Prowers counties, for 16 years 8 years as elected District Attorney, 6 years as the assistant District Attorney and 2 years as the deputy District Attorney. First off Chief Martin, is one of the best officers that Ms. Esch has dealt with. Ms. Martin only flaw is she is to in-depth, very detailed and very lengthy on arrest warrants. Second to dispelling the rumor that the city force doesn't work well with the sheriff office. These two agencies do work well together, the shooting a month ago is a prime example. Also hoping that the uptake in crime is not contributed to the local police department. The crime rate is climbing all over the whole state. Finally, there is 6 very major cases, 3 meth distribution, 1 attempted murder and 2 other serious cases. Don't know how these cases will play out without these officers here to make sure we get all the photos, all the body camera footage that was collected and testify at preliminary hearings and possibly trials in a year. It puts District Attorneys office in a difficult spot if there aren't any warm bodies to testify. Makes it hard to prosecute.

Trustee West has concerns about the cases that are pending. What happens, can a Police Chief that is no longer seated be summoned?

Ms. Esch responded that Ms. Martin would be personally served a subpoenaed within the United States, but if she moves to Mexico or outside of the United States, she can't be a subpoenaed. Most of the time former officers have good will and they cooperate, but they don't have to. It can be done but it is tricky.

Jennifer Leather Baca County Emergency Manager. Ms. Leathers has worked with Ms. Martin since 2014-2015 and as emergency manager Ms. Martin shows up to just about everything Ms. Leathers has had, and hasn't had any issues.

ITEM 5 Executive Session, C.R.S. Section 24-6-402(4)(f), for discussion of personnel matters, interim Police Chief.

Mayor Gibson asked Ms. Martin if she wanted to go into executive session or keep in public meeting.

Ms. Martin stated that after yesterday's special meeting the trustees need to have discussion amongst themselves, then let her know what the town's offer is and then I will tell you what I'm willing to do or not do. Mayor Gibson said Ms. Martin is going to be included in the whole thing, Ms. Martin said no, trustees can have discussion themselves. Ms. Martin is not going to put herself in that place again like yesterday. Ms. Martin stated she has the right to be present or not in her personnel matter, and will not be present. Attorney Steerman confirmed that Ms. Martin has that right to be present or not in the personnel discussion.

Trustee Cooper made motion to go into executive session C.R.S. Section 24-6-402 (4)(f), for discussion of personnel matters, interim Police Chief at 6:10. Second by Trustee McVey. motion carried.

ITEM 6 Return to special meeting:

Executive session concluded at 7:38 pm, present for executive session;

Trustee Wittler, Trustee West, Trustee Billings, Trustee Brady, Trustee Cooper, Trustee McVey, Town Attorney Steerman and Mayor Gibson.

For the record if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session accord or if any improper action accord in violation of the open meetings law, I would ask for you to state your concerns for the record. Seeing none we will move back into open session.

Trustee Cooper made a motion for a vote to re-appoint Katrina Martin to the position of the Police Chief. Second by Trustee West.

Yes: Trustee Brady, Trustee Cooper, Trustee West, Trustee Wittler, Mayor Gibson

No: Trustee Billings, Trustee McVey

Vote: 5 Yes, 2 No

Ms. Martin asked for a break at 7:41pm to talk to her husband. Returned at 7:48 pm.

Officer Dustin Martin addressed the board, he doesn't know what Ms. Martin will decide it is up to her. If she hadn't lost the two rookies he would not be here, he does not like this place because of this stuff. If Ms. Martin decides not to come back, he will not do the 24 hours stuff anymore. Officer Dustin Martin stated Officer Jonah West will be on duty by himself tonight and Friday morning there will be no coverage for the town. Don't know what the board had planned before the change of vote but he will not help run this department and do what she did, so it's up to the board.

Trustee McVey asked for clarification on Officers statement that he wasn't going to help run this department, are you saying you are quitting? Officer Martin stated he isn't quitting he just will not do her job and go through the stuff she has done.

Ms. Martin stated she will stay for now. If you decide to put Chief of Police job announcement out, just come to her and let her know that's all she asks. Ms. Martin will not play chief and train her replacement. Ms. Martin asked for the boards supports of the department, and for ideas to make it better.

ITEM 7 Adjournment

Trustee Wittler made motion for adjournment at 7:55 pm, second by Trustee Billings. All agreed.