

Eagle County Leadership Policies and Practices



**Operational Agreements
of the Board of County Commissioners,
County Manager and County Attorney**



updated 11/9/2021

Board of County Commissioners for Eagle County, Colorado

Governing Statement

The Board of County Commissioners is accountable to Eagle County residents and focuses on providing visionary leadership to achieve the County's mission. To achieve the mission, the Board delegates appropriate authority to its two sole employees, the County Manager and County Attorney. The complexity of issues facing the County and the competing interests among community stakeholders make a strict delegation of policy and day-to-day operations impractical. The Board's policy is rooted in a team approach, a clear delineation of task responsibility, and an expectation that the Board is adequately and routinely informed of the tasks of the Manager and Attorney.

It is the intent of this Board to provide high-level organizational leadership and maintain meaningful control of the organization while allowing others to perform the day-to-day operations. Maintaining meaningful control requires that the Board, County Manager and County Attorney operate as a team to advance the strategic priorities of the County. It is expected that the Board will be advised on operational tasks. Through active and routine communication, the Board can provide appropriate input to ensure that management actions are consistent with the Board's overall vision and strategic plan. The Board, County Manager, and County Attorney can jointly determine what operational tasks may overlap or otherwise impact policy and require more active Board involvement.

The Board's Strategic Plan and Areas of Focus shall be the primary vehicles for delegating tasks, recording expectations, and monitoring results. The Board, County Manager and County Attorney will jointly evaluate and communicate successes and areas for improvement in the Strategic Plan and associated goals.

Policy 1.0 Operational Agreements Of The Board

Policy 1.1 County Commissioners Operating Commitments

The Board of County Commissioners is committed to working with one another, Elected Officials, staff and constituents in a manner that emphasizes collaboration, courage, respect, preparedness, innovation, and communication.

1.1.1 Display Collaboration. The Board will collaborate in a concerted effort to reach compromise/consensus. The Board is committed to the following:

- a.** Sharing initial perceptions;
- b.** Finding common ground and documenting decisions;
- c.** Exploring options;
- d.** Giving and taking on action steps to move forward;
- e.** Focusing on the positive aspects of roles, achievements, and experiences.

1.1.2 Display Courage. The Board will display courage and is committed to the following:

- a. Showing a strong political will both individually and collectively;
- b. Committing to goals both individually and collectively;
- c. Pursuing goals with courage and determination;
- d. Proactively asking if programs or ideas are necessary, achievable and fiscally responsible.

1.1.3 Display Respect. The Board will display respect for each other as BoCC members, the process, the schedules, the agenda, and timelines. The Board is committed to the following:

- a. Being non-judgmental in interactions;
- b. Accepting disagreement among colleagues, staff and community members;
- c. Acknowledging one another;
- d. Minimizing disruptions;
- e. Adhering to set agendas and time tables.

1.1.4 Prepare. The Board will prepare for decisions and is committed to the following for decisions:

- a. Reviewing agendas in advance; preparing for items on each week's Commissioner agenda;
- b. Avoiding surprises with each other, the County Manager, and the County Attorney.

1.1.5 Communicate. The Board will effectively communicate by committing to the following:

- a. Making communication with each other a priority;
- b. Structuring time for communication with each other, the County Manager, and the County Attorney;
- c. Ensuring all team members' voices are heard.

1.1.6 Division of Labor. The Board will practice the effective division of labor by committing to the following:

- a. Accepting responsibility for agreed-upon areas of emphasis;
- b. Sharing information and asking for input in these areas;
- c. Practicing accountability to the full Board.

Policy 2.0 Board Delegation to County Manager

Policy 2.1 County Manager Delegation

The Board has two employees it oversees, the County Manager and the County Attorney. The Board's link to the day-to-day operations of the county is the County Manager.

2.1.1 With the exception of legal issues, the County Manager shall have supervisory and operational control over the day-to-day functions required to carry out the policies and objectives of the Board. The Board may communicate directly with staff to obtain information to assist in its policy making functions. Significant requests by individual board members of staff will be directed through the County Manager.

2.1.2 Only decisions of the Board acting as a Board are binding on the County Manager. Decisions or instructions of individual Board members are not binding on the County Manager except in instances when the Board has specifically authorized such exercise of power. However, it is the responsibility of the County Manager to discuss individual Board member's decisions or instructions at the next available opportunity with the full Board to ensure consistency and compliance with Board policies and objectives

2.1.3 The Board may change its priorities, policies or vision, thereby shifting the boundary between Board and County Manager responsibilities. The boundaries between policy and day-to-day operations may not, at times, be clearly delineated and may overlap. The Board may change the latitude of choice given to the County Manager to accommodate changes in policy or vision. The Board's delegation remains contingent upon a clear communication channel between the Board and County Manager. It is the County Manager's responsibility to discuss with the full Board at the next available opportunity any tasks that he/she feels are not clearly delineated or may overlap with policy issues to obtain consensus on such task.

Policy 2.2 County Manager Communication

The County Manager is responsible for ensuring that the Board is informed and supported in its work. It is the desire of the Board to delegate day-to-day functions to the County Manager while recognizing that the quality of County government depends upon the partnership and team concept between the Board and County Manager.

Accordingly, the County Manager will:

2.2.1 Inform and seek the guidance of the Board on issues that may have an impact on the policymaking functions of the Board or the Board-directed Strategic Plan and associated goals of the organization;

2.2.2 Make the Board aware of all relevant and changing trends, conditions, public reactions, or events that may affect the assumptions upon which the Board policy has been based;

2.2.3 Inform the Board of internal and external communications that pertain to the County's policies, mission, or goals;

2.2.4 Inform and seek the guidance of the Board on both policy and operational issues that may have an impact on public relations or the public perception regarding how the County is operating;

2.2.5 Routinely inform the Board of operational issues, strategies, objectives and accomplishments.

2.2.6 Routinely inform the Board of opportunities to interact with staff, departments and the community.

2.2.7 Provide the Board with as many staff and external (including unpopular or politically charged) points of view, issues and options as needed for fully informed Board discussions, input, and choices.

2.2.8 Communicate individually with Board members as circumstances dictate but will obtain full board consensus before any key decisions or actions are taken and strive to deal with the Board as a whole;

2.2.9 Communicate with the Board at the earliest opportunity if, in the County Manager's opinion, the Board is not in compliance with its own policies, particularly in the case of Board behavior which is detrimental to the working relationship between the Board and the County Manager;

2.2.10 Foster open communication and strive to create a coordinated approach to the functions of County government.

Policy 2.3 County Manager Relations with Elected Officials

The County Manager is responsible for ensuring that the Elected Officials other than the Board (Assessor, Coroner, Clerk & Recorder, Surveyor, Sheriff, Treasurer & Public Trustee) are supported in their work. The Manager is responsible for working with the Elected Officials to encourage coordination of board priorities while respecting the autonomous nature of the Elected Officials.

Accordingly, the County Manager will:

2.3.1 Inform and discuss with the Elected Officials when taking action that may impact employees in their respective offices;

2.3.2 Routinely inform the Elected Officials of Board priorities, policies, mission, and goals and any modifications or shifts in these areas that may impact the functions of their respective offices;

2.3.3 Inform, discuss, and seek input from the Elected Officials on the preparation of their budgets and jointly develop a budget that reflects fiscal integrity, Board priorities, and Elected Officials priorities to the extent possible;

2.3.4 Work cooperatively with the Elected Officials and maintain healthy working relationships in carrying out the functions of the County;

2.3.5 Be accessible to the Elected Officials and foster open communication in order to create a coordinated approach to the functions of County government.

Policy 2.4 County Manager Expectations

The County Manager should not cause or allow any practice, activity, decision, or organizational circumstance that is unlawful, imprudent, unprofessional, unethical or in violation of Board policies.

Accordingly, the County Manager will:

2.4.1 Treat staff with respect; operate with written personnel rules, provide for a fair and effective handling of grievances, and protect against wrongful conditions; and be accessible to staff.

2.4.2 Maintain the fiscal health of the County by maintaining fiscal integrity, protecting the County's assets, protecting against purchases with conflicts of interest or other violation of state law or County purchasing procedures, and reporting out-of-the-ordinary fiscal events to the Board in a timely manner.

2.4.3 Provide for a balanced budget that follows statutory requirements, supports Board priorities in its allocation among competing budgetary needs, contains adequate information to enable credible projection of revenues and expenses, maintains fund balances or reserves to a level established by the Board, and maintains a contingency plan capable of responding to significant shortfalls within the County's budget.

2.4.4 Maintain a capital improvement program that reflects the Board's stated priorities; projects on-going operating, maintenance, and replacement expenses; and provides enough detail on the costs, benefits, budget, and progress of each capital program to allow the Board to accurately assess the proposed capital improvement program both prior to and during construction.

2.4.5 Provide staff accountability, performance correction, adequate training, day to-day management and oversight of his/her direct reports; respond in a timely manner, investigate and resolve complaints relating to staff; ensure positions are filled with competent, performing and engaged employees.

2.4.6 Protect the County's assets by ensuring they are adequately maintained and not unnecessarily risked; maintain adequate property and liability insurance for County operations; allow the disbursement of funds under controls sufficient to meet auditor's standards or otherwise allow internal control standards necessary to satisfy generally accepted accounting/auditing standards; properly and proactively maintain building and equipment; and protect County government, this Board and staff from claims of liability.

2.4.7 Maintain Emergency Plans to prevent and/or respond to emergencies and/or disasters, have a known emergency operations plan and a continuity of operations plan for the County, and take appropriate action immediately to ensure the safety of the public and public assets, including authorizing specific actions by county staff.

2.4.8 Treat the public with respect by ensuring high standards regarding the treatment of our residents and guests; provide the public the best possible services and facilities given available resources; ensure that attention is paid to detail and quality service demonstrating a high level of professionalism; and manage the dissemination of County information to promote transparency and maintain a positive image.

2.4.9 Develop strong ties and cooperative relationships with local jurisdictions and the local business community.

2.4.10 Maintain a succession plan or ensure the County is adequately covered with other member(s) of the County Manager's Office who can perform the tasks of County Manager

in his/her absence.

Policy 3.0 Board Delegation to County Attorney

Policy 3.1 County Attorney Delegation

The Board has two employees it oversees, the County Manager and the County Attorney. The Board's link to the legality of operations and strategies is the County Attorney.

3.1.1 The County Attorney shall have supervisory and operational control over the legal representation of the County. The County Attorney shall provide legal services to the Board as well as elected county officials, county departments, advisory councils and boards. The County Attorney shall oversee the legal representation of the County on all legal matters including the preparation and negotiations of contracts, the prosecution and defense of lawsuits, and the general representation of County government.

3.1.2 Only decisions of the Board acting as a Board are binding on the County Attorney. Decisions or instructions of individual Board members are not binding on the County Attorney except in instances when the Board has specifically authorized such exercise of power. However, it is the responsibility of the County Attorney to discuss individual Board member's decisions or instructions at the next available opportunity with the full Board to ensure consistency and compliance with Board policies and objectives.

3.1.3 The boundaries between policy and day-to-day legal operations may, at times, not be clearly delineated and may overlap. The Board may change the latitude of choice given to the County Attorney to accommodate changes in policy or vision. The Board's delegation remains contingent upon a clear communication channel between the Board and County Attorney. It is the County Attorney's responsibility to discuss with the full Board at the next available opportunity any tasks that he/she feels are not clearly delineated or may overlap with policy issues to obtain consensus on such task.

Policy 3.2 County Attorney Communication

The County Attorney is responsible for ensuring that the Board is informed and supported in all legal matters. It is the desire of the Board to delegate the legal representation to the County Attorney while recognizing that the quality of County government depends upon the partnership and team concept between the Board and the County Attorney, and County staff.

Accordingly, the County Attorney will:

3.2.1 Inform and seek the guidance of the Board on all legal issues that may expose the County to detrimental liability;

3.2.2 Make the Board aware of all threatened or possible claims of action, all applicable changes in the law, or any other event that may expose the County to liability or otherwise affect the implementation of Board policies, missions, and goals;

3.2.3 Inform the Board of internal and external communications or actions that may impact the County's policies, mission, or goals;

3.2.4 Inform and seek the guidance of the Board on legal issues and actions that may have an impact on public relations or the public perception regarding how the County is operating;

3.2.5 Routinely inform the Board of legal issues and accomplishments. The Board does not desire to dictate these functions, but rather to be informed and provide input on legal issues that may affect Board policy or public perception;

3.2.6 Provide the Board with as many staff and external points of view, issues and options as needed for fully informed Board choices;

3.2.7 Communicate and advise Board members individually but strive to deal with the Board as a whole;

3.2.8 Communicate with the Board at the earliest opportunity if, in the County Attorney's opinion, the Board is not in compliance with its own policies, particularly in the case of Board behavior which is detrimental to the working relationship between the Board and the County Attorney;

3.2.9 Foster open communication and strive to create a coordinated approach to the representation of County government.

Policy 3.3 County Attorney Relations with Elected Officials

The County Attorney has been authorized by the Board to support the Elected Officials other than the Board (Assessor, Coroner, Clerk & Recorder, Surveyor, Sheriff, Treasurer & Public Trustee) in their legal matters.

Accordingly, the County Attorney will:

3.3.1 Make the Elected Officials aware of all threatened or possible claims of action, all applicable changes in the law, or any other event that may expose them to liability or otherwise affect the functions of their respective offices;

3.3.2 Routinely inform and seek the guidance of the Elected Officials on

negotiations, prosecution, or defense of issues that may have an impact on their respective offices;

3.3.3 Effectively represent the Elected Officials' best interests;

3.3.4 Inform and discuss with the Elected Officials representation that may conflict with Board priorities and ensure that the Elected Officials are properly represented if such conflict would preclude effective representation by the County Attorney's Office;

3.3.5 Work cooperatively with the Elected Officials and maintain healthy working relationships in carrying out the legal representation of the County;

3.3.6 Be accessible to the Elected Officials and foster open communication in order to create a coordinated approach to the representation of County government.

Policy 3.4 County Attorney Expectations

The County Attorney should not cause or allow any practice, activity, decision, or organizational circumstance that is unlawful or may expose the County to liability.

Accordingly, the County Attorney will:

3.4.1 Treat staff with respect; reduce the County's legal exposure from conditions, procedures or decisions that are discriminatory, disrespectful, unfair, unsafe, undignified, disorganized or unclear, unnecessarily intrusive or that fail to provide appropriate confidentiality and privacy; and be accessible to staff.

3.4.2 Reduce the County's legal exposure from discrimination based on race, sex, age, marital status, religion, sexual orientation, sexual identity, national origin, color or disability.

3.4.3 Effectively represent the County's best interests; foster the goals and objectives of the Board; take appropriate and timely action to reduce liability to the County; assure that the County is properly represented in all legal proceedings and that all legal documents are approved for form and legality; and provide enough detail on the costs and benefits of each legal matter to allow the Board to accurately assess the proposed matter both prior to and during its implementation.

3.4.4 Educate the Board, Elected Officials, and county staff on changes or pending changes to the law that may adversely impact the policies, visions, and functions of County government.

3.4.5 Provide adequate staff coverage for weekly Board meetings, applicable staff meetings, staff inquiries, and other needed legal services.

3.4.6 Obtain and oversee necessary outside counsel to adequately protect the County's interest in a cost-effective manner and ensure the services from outside counsel are competent, appropriate, and within approved budgets.

3.4.7 Treat our constituents with respect and ensure high standards in all interactions with the public. Promote a positive image of the county through a high degree of professionalism.

3.4.8 Maintain and upgrade the professional knowledge, skills and development of the attorney staff to effectively represent the County.

3.4.9 Maintain a succession plan or ensure the County is adequately covered with other member(s) of the County Attorney's Office who can perform the tasks of County Attorney in his/her absence.

Policy 4.0 Vision, Mission Statement, and Strategic Plan

Policy 4.1 Visionary and Strategic Leadership.

Effective leadership requires a unified vision and direction from the Board of County Commissioners. The Board is committed to establishing a clear vision, mission statement, values, strategic plan, and associated goals for itself and all County departments. The Board is committed to revisit and revise its vision, mission statement, values, strategic plan, and associated goals as necessary in the best interests of the organization.

4.1.1 Vision: Eagle County is made up of thriving communities for families and is home to a vibrant workforce, with personal health and wellness achievable for all. Our natural beauty is preserved through purposeful environmental stewardship. We are an international, year-round resort destination with a diverse, resilient economy.

4.1.2 Mission: CREATING A BETTER EAGLE COUNTY FOR ALL. Eagle County achieves the mission by providing top quality county services with excellent customer service in a financially sustainable manner; we partner with the community and engage our residents.

4.1.3 Values: The County will support, foster, and encourage the following values from the Board and staff:

**Creativity
Respect
Engagement
Accountability
Team
Excellence
Service**

4.1.4 Strategic Plan. The priorities and goals of the Board of County Commissioners will be contained in the county's 2022-2024 Strategic Plan and includes the following:

Provide exceptional core services to support quality of life for our residents, businesses, and visitors

Support our workforce

- **Implement innovative solutions to encourage affordable housing**
- **Provide early childhood care and education**
- **Support mental health services and access to affordable healthcare**

Create a resilient economy

- **Encourage economic diversification**
- **Increase transportation option, including transit and county airport flights**
- **Improve broadband connectivity**

Protect our mountain ecosystem

- **Reduce greenhouse gas emissions in county operations and across entire community**
- **Safeguard our natural resources, wildlife habitat, and water resources**
- **Reduce impacts of wildfires and drought**

Decision Making Matrix

Roles & Responsibilities

Decision Category:	BOCC	County Manager	County Attorney	Director	HR Director	Chief Financial Officer	Strategic Communications Director
Personnel Issues:							
Budgeted FTE adjustment within a department (equity).	I	A			C	C	
Unbudgeted FTE adjustment	C	A			C	C	
Hiring/Firing Director level	C	A	C		C		
Hiring/Firing Employee (Non Dir.)	I	C			C		
Review and Respond to Department Conflicts (internal to organization)	I	A		A	C		
Review and Respond to Complaints/ Concerns about County Manager or Attorney	A	I	I		C		
Approve Methodology and Set Salary Ranges and Benefits	C				C		
Set Individual Salaries and Individual Additional Benefits Outside the Norm	I	A			C	I	

A Approve Decision; "Official"

I Informed after the fact

C Consulted before action is taken (seek guidance)

C/I Consulted unless not practical due to timing or other circumstances

Decision Category:	BOCC	County Manager	County Attorney	Director	HR Director	Finance Director	Communications Director
Personnel Issues (Continued)							
Employee Discipline of Director	I	A			C		
Employee Discipline of Non-Director		C		A	C		
Severance Agreements	C/I	A	A		C	C	
Develop/Maintain a Leadership Succession Plan	C	A		A			
Budget Decisions							
Oversight and Review on Additional Appropriations	A	C				C	
Community Request (not in budget)	A	C				C	
Grant Opportunities–how to pursue?	C/I	A		C		C	
Create Department Budget	C	A		A		C	
Approve Department Budget	A	A		C		C	
Set Reserve Levels	A	C				C	
Settlement Agreements	C/I	C/I	A		C/I	A	C/I
Monitor Budget for cost savings and/or overruns	I	A		A		C	
Capital Expense Prioritization	A	C		C		C	

A Approve Decision; "Official" **C** Consulted before action is taken (seek guidance)
I Informed after the fact **C/I** Consulted unless not practical due to timing or other circumstances

Decision Category:	BOCC	County Manager	County Attorney	Director	HR Director	Finance Director	Communications Director
Operational Decisions							
Organizational Leadership Structure Change	C	A			C		C
Manage Communication w/in Organization	C/I	A		I			A
Ensure County adheres to Statutory Regulations	I	A	C	A			I
Complaint from Public	C	A		I			I
Complaint on Internal Service	I	A					
Media Relations	C/I	A					A
Significant Culture Change	A	A			C		C
Routine News Release External	I	I		C			A
Policy Decisions							
Develop Strategic Plan and Budget Process	A	A		C	C	C	C
Support New Event/Program (not in budget)	A	C				C	I
Purchase Land	A	C	C			C	I
Establish and Maintain Compensation Plan and Benefits Plan/Policy	A	C			C	C	
Lobbying Efforts/ Legislative Framework	A	C	C	C			C
Jurisdictional Relations	A	C	C				C

A Approve Decision; "Official"
I Informed after the fact

C Consulted before action is taken (seek guidance)
C/I Consulted unless not practical due to timing or other circumstances

Decision Category:	BOCC	County Manager	County Attorney	Director	HR Director	Finance Director	Communications Director
Policy Decisions (Continued)							
Routine Media Inquiries	I	I		C			A
Crisis/Emergency Communications	C/I	A					A
Countywide Internal Communication	C/I	A		I			C
Advisory Board Creation/Selection	A	C	C	C			I
County Representation on Community Boards	A	C					I
Determine Fees for Service	A	A		C		C	I
Land Use Regulation Revision	A	C	C	C			I
Support of Ballot Measure/Create Ballot Initiative	A	C		C			C

A Approve Decision; "Official"

I Informed after the fact

C Consulted before action is taken (seek guidance)

C/I Consulted unless not practical due to timing or other circumstances