

**Proceedings of the Dolores County Board of  
County Commissioners**

**March 12, 2019**

A special meeting of the Board of County Commissioners was held in the boardroom in Dove Creek, Colorado on March 12, 2019. Present for the meeting were Chairperson Floyd Cook and Commissioners Julie Kibel and Steve Garchar. Also, present for the meeting were; County Attorney Dennis Golbright via phone and Deputy Clerk to the Board Jody Gardner.

The meeting began with everyone standing to recite the Pledge of Allegiance.

**Guests**

Dolores County Sheriff Don Wilson, Undersheriff Matthew Lathrop, Deputy Braiden Banks, Deputy Matt Purkat, Dove Creek Press Sarah Lawrence, Dolores County citizens; Jim Hutchinson, Larry Schultz, Loyd Knuckles, Dave and Carolyn McCuskey, Jerry Martin, Jim Taylor, James Pribble, Mary Brann, Buddy Funk, Dave Koontz, Eddie Hodson, Road & Bridge Supervisor Steve Davis, Town of Dove Creek Manager Sonny Frazier

**2<sup>nd</sup> Amendment Discussion and Possible Adoption of Resolution #3-19-01**

Attorney Golbright gave a brief explanation of Colorado's HB 19-1177 proposed extreme risk protection order or "red flag" legislation that would authorize the seizure of firearms from individuals without due process. The petition can be originated by a broad class of individuals, to include family, roommates and anyone you've had an "intimate relationship" with. Unchallenged statements made by a petitioner before a judge, alleging that someone is a danger to themselves or others in an ex parte proceeding—prior to any formal court hearing at which the respondent can be represented by counsel and present counter evidence—would be sufficient for law enforcement to enter that person's home and confiscate their private property.

The Dolores County Commissioners take the stand that the proposed legislation is an infringement on the right of the people to keep and bear arms as stated in the 2<sup>nd</sup> Amendment. The Dolores County Sheriff's office staff swore under oath to uphold the Constitution of the State of Colorado, and to faithfully perform the duties of the position. Sheriff Wilson stated that he and his staff will not infringe upon the rights of the people of Dolores County per red flag guidelines. The Dolores County Sheriff's office and BOCC believe that behavioral health is the issue that needs addressed not gun confiscation. Proper behavioral health determinations by qualified professionals will be made prior to private property confiscation by the Dolores County Sheriff's office and the BOCC will support the Sheriff in his role to make those decisions.

There were numerous public comments from local citizens in favor of the 2<sup>nd</sup> Amendment and the Resolution.

Commissioner Kibel made a motion to approve and sign Resolution #03-19-01.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor.

Commissioner Cook adjourned the meeting.

Attest:

  
Deputy Clerk to the Board of County Commissioners



  
Chairman to the Board of County Commissioners