

PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
Resolution No. 24-045

Initiating the Process to Terminate the Interim County Manager.

WHEREAS, by Resolution 2024-032, adopted July 16, 2024, the Board of County Commissioners appointed Mike Smith as Interim County Manager through October 31, 2024; and

WHEREAS, by Resolution 24-038, adopted November 12, 2024, the Board extended the appointment of Mike Smith as Interim County Manager “until a new county manager is appointed or such earlier time as determined by the Board”; and

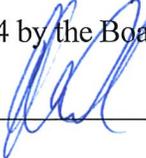
WHEREAS, the Board has not met in a study or work session to discuss the issue of terminating Mr. Smith as Interim County Manager before a new county manager is appointed, but the Board Chair has expressed a desire to discuss the issue and directed special counsel to Park County to draft this Resolution and directed staff and the County Attorney to place it on the agenda for consideration at the regular meeting of the Board to be held on November 26, 2024; and

WHEREAS, the Board has determined that the best interests of the residents of Park County and promoting the working relationships among Park County staff that are required to effectively serve those residents are no longer promoted by retaining Mr. Smith as Interim County Manager;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Park County that:

1. The Board hereby initiates the process of terminating Mr. Smith’s employment as Interim County Manager pursuant to Section 12.2 of the Park County Employee Handbook.
2. Notice of Termination shall be delivered to Mr. Smith on Park County letterhead in the form attached to this Resolution as Exhibit A.
3. The pre-termination review process called for in Section 12.2 shall be conducted either at an executive session held at the Board’s regular meeting on November 26, 2024, pursuant to section 24-6-402(f), C.R.S. (the “Open Meetings Law”) or at the public session. As provided in the Open Meetings Law, Mr. Smith may choose whether to conduct the pre-termination review process in the public session or at an executive session.

DONE and adopted this 26th day of November 2024 by the Board of County Commissioners of the County of Park.

Chairman 

ATTEST: 

County Clerk

Amy Mitchell, Chair	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Richard Elsner	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
Dave Wissel	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

**856 Castello Ave
Fairplay, CO. 80440
P.O. Box 1373
Fairplay, CO 80440
(719) 836-4201 (Fairplay)
(719) 836-3273 (Fax)
Website: www.parkco.us**

**County of Park
BOARD OF COUNTY
COMMISSIONERS**



NOTICE OF TERMINATION

November 26, 2024

Mike Smith
Hand Delivered

Dear Mike,

You will please take notice that the Park County Commissioners are initiating the process to terminate your employment with Park County. As set forth in the Park County Employee Handbook, employment at Park County is “at will.” This means that employees are free to resign their employment with Park County at any time, for any reason or no reason, with or without cause, and with or without prior notice. The County also retains the right to terminate an employee’s employment at any time and for any reason or no reason, with or without cause and with or without prior notice.

A majority of the Commissioners feel that your continued employment as the Interim County Manager for Park County does not serve the interests of Park County and its residents. We believe that a toxic culture has developed for Park County staff and unelected officers including the Planning Commission. While we were initially willing to allow you to continue to serve as the Interim County Manager from November 1 on until a permanent County Manager could be recruited and hired, a majority of the Commissioners now believe that the situation is very serious and can no longer be tolerated.

We do not believe that this is a “disciplinary” action, since it reflects the Commissioners’ dissatisfaction with your management style and methods and your relationship with staff, the Commissioners, and unelected officers of the County as opposed to the violation of a disciplinary policy. For this reason, we do not believe that the pre-termination review process described in Section 12.2 of the Park County Employee Handbook is required here. However, the Commissioners do appreciate the service that you have rendered to the County in the past, and so the pre-termination review process in Section 12.2 shall be made available to you if you wish to have it.

The review shall take place at the Commissioners’ regular meeting to be held on Tuesday, November 26, 2024. It is our current intention to discuss the matter during an executive session, in part in order to preserve the “informal” nature of the conversation under Section 12.2. However, if you would prefer to have the matter discussed in public, it is your right

Richard Elsner
District II

Amy Mitchell
District I

David Wissel
District III

to do so under section 24-6-402 (4)(e), C.R.S., and the Board will conduct a public session for that purpose.

Please return all County property in your possession as soon as possible, but in no event later than Friday, November 29.

Sincerely,

Amy Mitchell
Chair, Park County Board of County Commissioners

Richard Elsner

David Wissel