



ELBERT COUNTY, COLORADO

The Board of Elbert County Commissioners met in a special meeting on Monday, November 3, 2014 with roll call of members as follows:

Robert Rowland- PRESENT

Kurt C. Schlegel- PRESENT

Larry D. Ross- PRESENT

The Board of County Commissioners convened at 10:00 a.m., Chairman Kurt Schlegel called the meeting to order.

1. Executive Session

Commissioner Rowland moved that the Elbert County Board of County Commissioners go into executive session for the discussion of legal issues. Commissioner Ross seconded. All three Commissioners voted AYE. Motion passed.

County Attorney Wade Gateley added for the record that the BOCC is going into executive session per Section 24-6-402(4)(b) of the Colorado Revised Statutes.

Chairman Schlegel stated:

It is Nov. 3, 2014, and the time is 10:01 a.m. For the record, I am Commissioner Schlegel. This executive session is being electronically recorded as required under the Colorado Open Meetings Law. Also present at this executive session are the following people:

- Wade Gateley, Attorney to the Board of County Commissioners
- Ed Ehmann, Elbert County Manager

This is an executive session for a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions or issues pursuant to Section 24-6-402(4)(b) of the Colorado Revised Statutes.

I caution each participant to confine all discussion to the stated purpose of the executive session, and that no formal action may occur in this executive session.



If at any point in this executive session any participant believes the discussion is going outside the proper scope of the executive session, please interrupt the discussion and make an objection.

County Attorney Wade Gateley stated for the record, I am the County Attorney Wade Gateley and it is my opinion that the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication. Specifically this involves pending litigation, and therefore, I am recommending that no further record be kept of this executive session and that the recorder be turned off until we finish, at which time we'll go back on the record.

The recorder was turned off at 10:03 a.m. on Nov. 3, 2014. per Chairman Schlegel.

The Elbert County Board of County Commissioners came out of executive session at 11:12 a.m. on Nov. 3, 2014.

Chairman Schlegel declared:

I have turned the recorder back on because the privileged attorney-client communication is now concluded.

I hereby attest that this recording reflects the actual contents of the discussion at the executive session, to the extent required by the Colorado Open Meetings Law, and that this recording has been made in lieu of any written minutes to satisfy the recording requirements of the Colorado Open Meetings Law.

I further attest that the Board took no formal action in contravention of Section 24-6-402(4) of the Colorado Revised Statutes, and no adoption of any proposed policy, position, resolution, rule or regulation took place.

This recording will be retained for a period of at least 90 days. The time is now 11:13 a.m. and we now conclude the executive session and return to the open meeting.

Commissioner Schlegel once again stated the participants of the executive session were Commissioner Kurt Schlegel, Commissioner Robert Rowland, Commissioner Larry Ross, Wade Gateley, Attorney to the Board of County Commissioners and Elbert County Manager Ed Ehmann.



The Board took no formal action in contravention of Section 24-6-402(4) of the Colorado Revised Statutes, and no adoption of any proposed policy, position, resolution, rule or regulation took place.

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 executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Colorado Open Meetings Law, I would ask that you state your concerns for the record.

Commissioner Ross stated he had none.

Commissioner Rowland stated he had none.

Being no further business for the Board of County Commissioners, Commissioner Rowland moved to terminate this session of the Board of County Commissioners with an executive session, at 11:14 a.m. on Nov. 3, 2014.

Commissioner Ross seconded. All three Commissioners voted AYE. Motion passed.

No further record was kept of this executive session.

A handwritten signature in blue ink, appearing to read "Wade Gateley", written over a horizontal line.

Wade Gateley
Attorney to the Board



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO

Kurt C. Schlegel, Chairman

Robert Rowland, Vice Chair

Larry D. Ross, Commissioner

ATTEST: Dallas Schroeder

County Clerk

BY:

Clerk to the Board of County Commissioners

