



**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners for the County of Elbert, Colorado, as follows:

(1) That the Board of County Commissioners, based upon all evidence and information available to it at this time, has determined it is in the public interest to indemnify former Commissioner Kurt Schlegel, Commissioner Robert Rowland and Commissioner Larry Ross from any judgment entered against them in their individual capacities in the above captioned lawsuit. The County's insurance coverage for any act for which indemnification is provided by this resolution, shall be primary.

(2) The purpose of this resolution is to protect elected representatives of the County against personal liability for their actions taken in good faith on behalf of the County. It is the intent of the County that this resolution be liberally construed in favor of the protection of such elected officials. By adoption of this resolution, the County does not waive its rights to claim sovereign immunity as a defense in the above captioned lawsuit.

(3) If any provision of this resolution is found to be invalid by any court of competent jurisdiction, said findings shall not affect the validity of the remainder of the resolution.

(4) All indemnification described in this resolution shall be effective immediately and shall be valid during the current fiscal and calendar year, and shall be considered automatically renewed on January 1<sup>st</sup> of each year thereafter unless repealed by resolution of the Board of County Commissioners within sixty days prior to the renewal date.

**APPROVED AND ADOPTED** this 8th day of April, 2015.

Upon a Motion duly made and seconded, the foregoing resolution was adopted by the following vote:

  
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**ROBERT ROWLAND, CHAIRMAN**      AYE/NAY/RECUSED **RR**

  
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**KELLY DORE, VICE-CHAIR**      AYE

  
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**LARRY ROSS, COMMISSIONER**      AYE/NAY/RECUSED 

**ATTEST: DALLAS SCHROEDER  
COUNTY CLERK**

BY:   
\_\_\_\_\_  
Clerk to the Board

