



WHEREAS, the settlement of the claims made was done on behalf of both Elbert County and Commissioner Robert Rowland jointly, was not done pursuant to a judgment but was done pursuant to a negotiated agreement, and was not paid pursuant to Resolution 15-11; and

WHEREAS, the settlement was authorized and completed to save any further costs and fees related to the claims made and to avoid any further expensive, unnecessary and time consuming litigation that would distract the Commissioners and County Staff from the jobs they have been elected and appointed to do; and

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 has determined to affirm the County Manager's authority to settle and the settlement of the claims made in the lawsuit filed in the Colorado Office of Administrative Courts under Case No. 2013-0012 and the Enforcement action filed in the Elbert County District Court under Case No. 14-CV-30078 as it was in the interests of Elbert County to save any further costs and fees related to the claims made and to avoid any further expensive, unnecessary and time consuming litigation that would distract the Commissioners and County Staff from the jobs they have been elected and appointed to do.

(2) The purpose of this Resolution is to affirm the County Manager's authority to enter into the settlement and to affirm the settlement on behalf of both Elbert County and Commissioner Robert Rowland jointly. It is the intent of Elbert County that this Resolution be liberally construed in favor of affirming the County Manager's authority to settle and the settlement of the above referenced civil actions.

(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.

APPROVED AND ADOPTED this 27th day of January, 2016.

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

[Signature] AYE
LARRY ROSS, CHAIRMAN

[Signature] AYE
KELLY DORE, VICE-CHAIR

RECUSED AYE
ROBERT ROWLAND, COMMISSIONER

ATTEST: DALLAS SCHROEDER
COUNTY CLERK

BY: [Signature]
DEPUTY, CLERK TO THE BOARD

