

WHEREAS, the Board hereby determines that it is in the public interest for Elbert County to bear the costs of defending the current and former employees or officials against the claims for personal liability and damages asserted in the suit against them, and to defend against and/or pay or settle such claims on their behalf; and

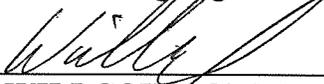
WHEREAS, a defense is being provided by the self-insurance pool to which Elbert County belongs but there may be fees or costs in the defense or damages awarded that may not be covered by the Pool;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for the County of Elbert, State of Colorado, that any costs not provided by the County's self-insurance pool for providing a legal defense for Robert Roland, Wade Gateley and Ed Ehmann, in the matter of *Fenner v. Board of County Commissioners of Elbert County, et al.*, Case No. 17CV00630-RM-MEH, pending in the United States District Court for the District of Colorado shall be borne by Elbert County and that the County may retain outside legal counsel as deemed necessary to provide the defense of the above captioned lawsuit; and

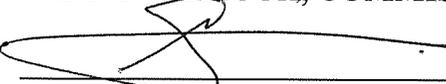
BE IT FURTHER RESOLVED that Elbert County shall indemnify each of the current and former employees or officials named as a Defendant in the suit from any and all judgments or settlements that may enter against them in the above captioned litigation, and that claims asserted against them may be compromised, settled and resolved by Elbert County as it may deem appropriate, necessary, or convenient. Elbert County shall specifically indemnify the current and former employees and officials named as Defendants in this suit from any claims for punitive damages.

APPROVED AND ADOPTED this 5th day of Dec, 2017.

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



DANNY WILLCOX, COMMISSIONER AYE

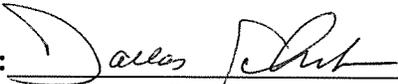


GRANT THAYER, COMMISSIONER AYE



CHRIS RICHARDSON, COMMISSIONER AYE

ATTEST: DALLAS SCHROEDER
COUNTY CLERK

BY: 

Clerk to the Board

