

At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Elbert County Fairgrounds Agriculture Building in Kiowa, Colorado on Wednesday, the 9th day of September 2026, there were present:

Mike Buck	Chair
Byron McDaniel	Vice Chair
Dallas Schroeder	Commissioner
Rhonda Braun	Clerk to the Board

**APPROVE
RESOLUTION 26-**

WHEREAS, Elbert County, Colorado (the “County”) is a duly and regularly created, organized and existing political subdivision and public body corporate and politic, existing as such under and by virtue of the Constitution and laws of the State of Colorado; and

WHEREAS, the applicants are requesting a Major 1041 land use permit to construct and operate a solar energy facility across approximately 1,990 acres with a battery energy storage system (BESS) and operations & maintenance building (O&M), in southeastern Elbert County; and

WHEREAS, the Board of County Commissioners, having found that the original hearing was properly noticed, and having reviewed the recommendation of the Planning Commission and having reviewed the documentation of the applicant, and having listened to all public comment, and being fully advised in the premise;

BE IT THEREFORE RESOLVED, the proposed Shepherd Solar Special Use by Review meets all review criteria found in the Elbert County Zoning Regulations Article XVII.M., thus the Board of County Commissioners of the County of Elbert, State of Colorado does hereby approve the **Shepherd Solar Major 1041 Land Use Permit, Case No. 1041-2026-0001** with the conditions of approval to include:

1. The applicant shall remove signs within two (2) weeks of the conclusion of all notified meetings, public hearings or decisions. Signs not removed within two (2) weeks may be removed by Elbert County. Applicant subject to sign removal fee; and
2. The Major 1041 permit shall not become effective until all fees are paid and conditions of approval are met.
3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.
4. In accordance with Elbert County Code XVII.N, a financial security in the form of a bond, irrevocable letter of credit, or similar posting shall be negotiated and paid to the County.
5. The Major 1041 permit approval is contingent upon approval of the concurrent Special Use by Review (SUR) application.
6. A Road Use Agreement (RUA), and associated requirements, must be finalized with Elbert County Public Works and executed before beginning any construction on site.
7. All required and pertinent "final" plans shall be submitted to Public Works and Public Health prior to the completion of construction permits.

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

MIKE BUCK, CHAIR **AYE/NAY**

BYRON MCDANIEL, VICE CHAIR **AYE/NAY**

DALLAS SCHROEDER, COMMISSIONER **AYE/NAY**

ATTEST: RHONDA BRAUN
COUNTY CLERK

BY: _____
CLERK TO THE BOARD