



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

Special Meeting Held in the BOCC Meeting Room
January 29, 2025 at 8:00 AM

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Rhonda Braun Recorder, Elbert County, Co



CALL TO ORDER AND ROLL CALL

The Special Meeting was called to order at 8:00 AM.

Roll Call

Present: Commissioner Dallas Schroeder, Commissioner Byron McDaniel, Commissioner Mike Buck

APPROVAL OF AGENDA

Motion: Approval of Agenda

Commissioner Buck made a motion to Approval of Agenda as presented. Commissioner Schroeder seconded the motion.

Aye – Byron McDaniel, Mike Buck, Dallas Schroeder

Nay – None

EXECUTIVE SESSION

Motion: To Enter Executive Session for the purpose of receiving legal advice on specific legal questions or issues pursuant to Section 24-6-402(4)(a) of the Colorado Revised Statutes.

Commissioner Buck made a motion to Enter into Executive Session with County counsel, Josh Marks pursuant to C.R.S. 24-6-402(4)(b), to conference with County counsel to receive legal advice on specific legal questions and issues and advice on matters that are privileged or confidential between attorney and client issues involving, and determining positions relative to matters that may be subject to hearing, review, or determining positions or strategy relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators, pursuant to C.R.S. 24-6-402(4)(e) of the Colorado Revised Statutes. Specifically, I move the Board go into Executive Session to discuss legal advice related to the Duvall et. Al. vs. Elbert County Board of County Commissioners litigation pending in Elbert County District Court, Case No. 2024CV30089. Commissioner Mike Buck seconded the motion.

Aye – Byron McDaniel, Mike Buck, Dallas Schroeder

Nay – None

The Commissioners entered into Executive Session at 8:02 AM

The Commissioners exited Executive Session at 8:31 AM

Commissioner McDaniel stated the time was now 8:31 AM and the Board of County Commissioners have now come back out of the Executive Session. The participants in the Executive Session were Council Josh Marks, Commissioner Buck, Commissioner McDaniel and Commissioner Schroeder. The Board took no formal action in the contravention of Section 24-6-402(4) of the C.R.S. and no adoption of any proposed policy, position, resolution, rule or regulation took place.

Commissioner McDaniel further stated 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, that they would state their concerns for the record.

None of the members present in the Executive Session had concerns of improper action in the Executive Session after being given an opportunity to do so.

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ACTION ITEMS

None

ADJOURNMENT

Motion: Adjourn

Commissioner Buck made a motion to Adjourn. Commissioner Schroeder seconded the motion.

Aye – Byron McDaniel, Mike Buck, Dallas Schroeder

Nay – None

The Meeting Adjourned at 8:32 AM

BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO



BYRON MCDANIEL, Chair, COMMISSIONER District 3



DALLAS SCHROEDER, COMMISSIONER District 2



MIKE BUCK, COMMISSIONER District 1

ATTEST: Emily Backhus-Irwin

Deputy Clerk

BY: 

Deputy Clerk to the Board of County Commissioners