

RESOLUTION NO. 21-04

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ELBERT, COLORADO

A RESOLUTION CONCERNING FULL-TIME EMPLOYEE POSITIONS IN THE OFFICE OF  
THE DISTRICT ATTORNEY FOR THE EIGHTEENTH JUDICIAL DISTRICT

*WHEREAS*, pursuant to Section 20-1-205, C.R.S., the District Attorney is authorized to appoint an Assistant District Attorney; and

*WHEREAS*, pursuant to Section 20-1-201(2), C.R.S., the District Attorney may designate and appoint Chief Deputy District Attorneys, except that no District Attorney may appoint more than one Chief Deputy District Attorney without the prior approval of the boards of county commissioners of the judicial district; and

*WHEREAS*, pursuant to Section 20-1-201(1), C.R.S., the District Attorney is authorized to appoint such Deputy District Attorneys as he deems necessary to properly discharge the duties of his office, with the approval of the boards of county commissioners of the judicial district; and

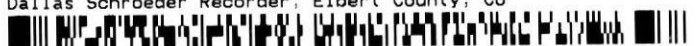
*WHEREAS*, pursuant to Section 20-1-209, C.R.S., the District Attorney is authorized to appoint a Chief Investigator and such other investigators as he may deem necessary in the conduct of his office and such stenographers, office employees, and other technical and professional assistants as are necessary to properly transact the business of his office, subject to the approval of the boards of county commissioners of the judicial district; and

*WHEREAS*, consistent with Sections 20-1-201 and 20-1-205, C.R.S., the boards of county commissioners of the Eighteenth Judicial District have previously eliminated setting limits on the total of number full-time attorney positions for the District Attorney's Office, to include an Assistant District Attorney, if the District Attorney chooses to appoint one; not more than 12 Chief Deputy District Attorneys, if the District Attorney chooses to appoint them; and Deputy District Attorneys, if the District Attorney chooses to appoint them; and

*WHEREAS*, consistent with Section 20-1-209, C.R.S., the boards of county commissioners of the Eighteenth Judicial District have previously eliminated setting limits on the total of number full-time non-attorney positions for the District Attorney's Office, to include a Chief Investigator, other investigators, and such stenographers, office employees, and other technical and professional assistants as are necessary to properly transact the business of the office, if the District Attorney chooses to appoint them; and

*WHEREAS*, consistent with Sections 20-1-201, 20-1-205, 20-1-209, and 20-1-302, C.R.S., the boards of county commissioners of the Eighteenth Judicial District have previously agreed that the salaries and benefits of such attorney and non-attorney positions shall be paid by the counties comprising the judicial district, with each county paying in the proportion that the population of each county bears to the population of the whole judicial district, according to the last preceding population estimate that is prepared before May 1 of the current year by the division of planning in the department of local affairs pursuant to section 24-32-204, C.R.S.; and

*WHEREAS*, consistent with Sections 29-1-101, *et seq.* C.R.S., the District Attorney's Office has discretion in the expenditure of its budget, and the boards of county commissioners of Arapahoe, Douglas, Elbert, and Lincoln Counties have agreed to give the re-elected District Attorney greater flexibility regarding the number of attorney and non-attorney full-time employee positions, so long as the utilization of such positions does not cause the District Attorney's Office to incur expenditures in excess of its budget;



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

1. Consistent with Section 20-1-201(2), C.R.S., the District Attorney is authorized to appoint more than one Chief Deputy District Attorney.
2. Consistent with Section 20-1-201(1), C.R.S., the District Attorney is authorized to appoint such Deputy District Attorneys as he deems necessary to properly discharge the duties of his office.
3. Consistent with Section 20-1-209, C.R.S., the District Attorney is authorized to appoint a Chief Investigator, other investigators, and such stenographers, office employees, and other technical and professional assistants as are necessary to properly transact the business of the office.
4. The District Attorney has statutory discretion about whether to appoint an Assistant District Attorney, and is hereby granted the discretion to appoint any number of Chief Deputy District Attorneys and any number of Deputy District Attorneys, as well as a Chief Investigator, and any number of other investigators, stenographers, office employees, and other technical and professional assistants as are necessary to properly transact the business of the office, so long as the utilization of all such positions does not cause the District Attorney's Office to incur expenditures in excess of its budget.
5. The Board's determination made on this date represents Elbert County's commitment to pay its percentage of said salaries and benefits, as part of the District Attorney's Office budget. This determination shall be subject to the payment of the percentage contributions by the Boards of County Commissioners of Arapahoe, Douglas, and Lincoln Counties as required by law.

**PASSED AND ADOPTED** this 13<sup>th</sup> of January, 2021, in Kiowa, Elbert County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ELBERT, COLORADO**

BY:   
Chris Richardson, Chairman

BY:   
Grant Thayer, Vice Chairman

BY:   
Rick Pettitt, Commissioner

**ATTEST:**

**Amanda Moore  
Deputy Clerk to the Board**

