

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
March 19, 2013**

The March 19, 2013 meeting was held in the Commissioners' boardroom in the Courthouse located at 200 E. Virginia, Gunnison, Colorado. Present were:

Paula Swenson, Chairperson
Phil Chamberland, Vice-Chairperson
Jonathan Houck, Commissioner
Others Present as Listed in Text

Matthew Birnie, County Manager
Bobbie Lucero, Deputy Clerk to the Board

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS:

CALL TO ORDER: Chairperson Swenson called the Gunnison County Board of County Commissioners meeting to order at 8:32 am.

AGENDA REVIEW: There were no changes to the agenda.

CONSENT AGENDA: Commissioner Chamberland requested that Consent Agenda Item #2 be pulled for further discussion. Commissioner Houck requested that Consent Agenda Items #5 and #8 be pulled for discussion. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the Consent Agenda, excluding Items 2, 5 & 8. Motion carried unanimously.

1. Professional Services Agreement; Welborn and Associates; Services to the Gunnison County Department of Health and Human Services Regarding Grant Development; 3/15/13 thru 7/31/13; Not to Exceed \$1,300
2. **Pulled for Discussion and Separate Action:** Acknowledgment of County Manager Signature; Amendment to Standard Consulting Agreement; MJM Project Consulting, LLC; Gunnison County Courthouse Renovation Project
3. CivicPlus Marketing Agreement for Gunnison County, CO; Extreme Website Makeover Grand Prize; Project Development; First and Second Year Annual Support, Maintenance and Hosting; LDAP Integration; \$1,800
4. Protocol for Quality Care of At-Risk Adults with Developmental Disabilities between the Gunnison County Department of Health and Human Services (APS) and Community Options, Inc. (CCB)
5. **Pulled for Discussion and Separate Action:** Colorado Department of Local Affairs, Search and Rescue Fund, Year End Award Application, FY 2013; Search and Rescue Equipment; \$13,137.17
6. Amendment #2 to Architect Agreement, Gunnison County Courthouse Adaptive Re-Use and Renovation Project - Needs Assessment, Space Planning and Basic Programming Services; \$800
7. Amendment #1 to Architect Agreement, Gunnison County Courthouse Adaptive Re-Use and Renovation Project - Needs Assessment, Space Planning and Basic Programming Services; \$2,000
8. **Pulled for Discussion and Separate Action:** 2013-2015 Gunnison County Mosquito Control Services Renewal Proposal; Colorado Mosquito Control, Inc.; 1/1/13 thru 12/31/15; \$247,650
9. 2013 Intergovernmental Agreement Regarding Undesirable Plant Management; Gunnison County, Saguache County, Hinsdale County, Town of Crested Butte, Town of Mt. Crested Butte, City of Gunnison and Town of Pitkin

CONSENT AGENDA:

CONSENT AGENDA ITEM #2: Commissioner Chamberland inquired why the amendment does not have a contract end date. County Manager Birnie explained that the first agreement did not bill for extra hours worked. This amendment extends the agreement from February to March to receive the Courthouse Needs Assessment and allow the Board to be able to reach a decision on how to move forward in this project. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve Consent Agenda Item #2. Motion carried unanimously.

CONSENT AGENDA ITEM #5: Commissioner Houck inquired why there is no fiscal amendment to this item. County Manager Birnie explained that this was a clerical error on this item and this document is actually a grant. **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to approve Consent Agenda Item #5. Motion carried unanimously.

CONSENT AGENDA ITEM #8: Commissioner Houck inquired if Gunnison County is covered if this document is for multiple years. County Manager Birnie informed the Board there is an exit clause in the agreement. **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to approved Consent Agenda Item #8. Motion carried unanimously.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

COUNTY MANAGER'S REPORT: County Manager Birnie was present for discussion.

1. Courthouse Renovation Project. County Manager Birnie informed the Board that he met with the architects last week, and they decided to not do Option #1, they agreed to do the exact footprint of the Courthouse. County Manager Birnie reported that the big risk in the remodel is the cost in replacing the roof trusses. He informed the Board that the Courthouse Needs Assessment will be discussed at the 3/26/2013 Work Session.
2. YourGunnisonCounty.com. County Manager Birnie informed the Board that the new citizen participation website is active. They are using social media to interact with the public's questions about specific topics. He informed the Board that there are two topics on the website right now. One topic is about the Gunnison Sage-grouse proposed listing, and the second is about the Gunnison/Crested Butte Regional Airport. Within the next week they will add a topic regarding the Courthouse Renovation Project.
3. Gunnison County Strategic Business Plan. County Manager Birnie informed the Board that the Gunnison County Strategic Business Plan has been revised. He asked the Board to email him with feedback regarding the document. He informed the Board that the Performance Report for 2012 will be similar to what is in the budget. Next year, the report will expand to include all of the result measures from all of the departments.
4. Sequester. County Manager Birnie informed the Board the sequester is cutting some funds by 5.2%. He informed the Board that he was not anticipating receiving any of this money and budgeted conservatively, yet this may affect some grants.
5. Riverland Fire Protection District. County Manager Birnie informed the Board that John Nichols will attend the Unscheduled Citizens agenda item today to discuss his issues. Commissioner Chamberland informed that he will be meeting with Adaptive Sports regarding their issues. County Manager Birnie informed the Board that he received a letter from the Crested Butte Fire Protection District regarding the permitting process, and denied Mr. Nichols' proposal. It is unclear if anyone took a formal request for variance to the Board. County Manager Birnie informed that he will need direction on the Land Use Regulations (LUR) policy for the Board and how they want to approach this issue.

ASSISTANT COUNTY MANAGER'S REPORTS AND PROJECT UPDATES: Assistant County Manager Marlene Crosby was present for discussion.

1. Recycling Center. Assistant County Manager Crosby informed the Board that, effective on 7/1/2013, the Recycling Center cannot accept any type of electronics. She will begin advertising press releases in the local papers and she will notify the trash companies. She explained that the Recycling Center will have to prove to the Department of Health they are doing their due diligence. She will advertise that the City of Gunnison has a program that accepts electronics.
2. Ohio City Town Hall. Gunnison County Paralegal Rachel Magruder and Finance Director Linda Nienhueser were present for the discussion. Assistant County Manager Crosby asked the Board for confirmation to proceed and to have authorization for the County Manager's signature on the April 1, 2013 Colorado Historical Society Grant Application. The Board confirmed the cash match of \$39,444. There was discussion that this is a highly competitive grant. Finance Director Nienhueser informed that there is \$50,000 possible in the budget for this grant and she can do an amendment to the budget, if this is approved. There was discussion that the \$50,000 can be split into two years. The Board discussed that the building needs to be updated. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to authorize the County Manager's signature on the Colorado Historical Society Grant Application, and authorize up to \$50,000 as match for Ohio City Town Hall restoration, and also authorize County Manager signature on the grant application. Motion carried unanimously.
3. Colorado Department of Transportation (CDOT) Division of Aeronautics Grant Agreement. Assistant County Manager Crosby provided the CDOT Division of Aeronautics Grant Agreement at the meeting. She informed the Board that she named County Manager Matthew Birnie as the authorized individual on the grant. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve County Manager Birnie's signature on the CDOT Division of Aeronautics Grant Agreement. Motion carried unanimously. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adopt Resolution #2013-03. Motion carried unanimously.
4. Out of State Travel Request for Mandatory ARFF Live Fire Training. Assistant County Manager Crosby explained to the Board that this is mandatory ARFF live fire training. She informed the Board that she would like to send a few employees to the two trainings. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve the out of state travel request for mandatory ARFF Live Fire Training, up to \$12,000 for airfare, lodging, etc. Motion carried unanimously.
5. Mudslide on Kebler Pass. Assistant County Manager Crosby informed the Board about the mudslide that occurred on Kebler Pass. She informed the Board that the mudslide was reported over dispatch. She informed that two rocks fell in the road and one rock fell into the ditch. The people who reported the rockslide moved the rocks with a backhoe, to open the road. Crosby expressed she was frustrated because reverse 911 was sent out and it could have been avoided.

There was an impromptu discussion regarding if the Board should be approving all out of state travel at these regular meetings because the travel is already approved in the individual department's budget. The Board agreed this will be discussed at a future meeting.

BREAK: The meeting recessed from 9:18 until 9:30 am.

LETTER OF SUPPORT; CRESTED BUTTE LAND TRUST'S SLATE RIVER VALLEY APPLICATION FOR GREAT OUTDOORS COLORADO GRANT FUNDING: Crested Butte Land Trust Executive Director Ann Johnston was present for the discussion. She explained that they have a new project. She asked for confidentiality for the first few months for the client. She explained the property is 2½ miles north of the Town of Crested Butte, and is adjacent to two other land trust properties. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve the letter of support that was presented for Crested Butte Land Trust's Slate River Valley application for Great Outdoors Colorado. Motion carried unanimously.

DONATION TO THE GUNNISON COUNTRY FOOD PANTRY; IN HONOR OF COMMUNITY DEVELOPMENT DIRECTOR JOANNE WILLIAMS RETIREMENT: **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approved a donation in the amount of \$500 to the local food pantry in honor of Community Development Director Joanne William's retirement. Motion carried unanimously.

VOUCHERS AND TRANSFERS: Finance Director Linda Nienhueser was present for the discussion. There were no questions from the Board. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve the vouchers in the amount of \$1,041,246.21 as presented. Motion carried unanimously. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve the cash transfers in the amount of \$1,907,234.79 for February 2013. Motion carried unanimously.

TREASURER'S REPORT: Treasurer Melody Marks was present for the discussion. She reported that the software in her office is getting better all the time. She explained the FDIC raised the limit for Deposit Insurance Coverage from \$100,000 to \$250,000. She explained another change is negotiable CDs, which is a note on a bank that you can sell on the market, have been deemed by the Securities Commissioner of the Department of Regulatory Agencies to be legal investments. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to accept the Treasurer's Report as presented. Motion carried unanimously. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve Resolution 2013-04: A Resolution Authorizing Depositories for Public Monies and Superseding Resolution 2006-24. Motion carried unanimously. **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to approve Resolution 2013-05: A Resolution Authorizing the Gunnison County Treasurer to Deposit and Invest Public Funds. This Resolution Supersedes Resolution 2004-47. Motion carried unanimously.

BREAK: The meeting recessed from 10:15 until 10:18 am in order to call to order as the Gunnison/Hinsdale Board of Human Services (see separate minutes). The meeting then immediately recessed again for a short break from 10:18 until 10:30 am.

GUNNISON COUNTY BOARD OF HEALTH MEETING: County Medical Officer Dr. John Tarr, Health and Human Services Director Renee Brown, Public Health Director Carol Worrall, West Central Public Health Partnership Coordinator Margaret Walker, Environmental Health Official Richard Stenson, Montrose County Environmental Health Director Jim Austin, and Montrose County Environmental Health Specialist Katherine Schriener were present for discussion.

CALL TO ORDER: Chairperson Swenson called the meeting to order at 10:31 am.

ACKNOWLEDGMENT OF OFFICERS, PUBLIC HEALTH DIRECTOR AND COUNTY MEDICAL OFFICER FOR 2012: Chairperson Swenson acknowledged that the Chairperson for the Board of Health is the (BOCC) Chairperson, the Vice-chairperson is the (BOCC) Vice-chairperson, the Public Health Director is Carol Worrall, and the County Medical Officer is Dr. John Tarr.

DESIGNATE 2013 MEETING DATES AND TIMES: Chairperson Swenson acknowledged that the Board of Health meetings will be quarterly meetings on the third Tuesday of the month.

DESIGNATE 2013 AGENDA POSTING LOCATIONS: **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to make the posting locations the same as they are for the Board of County Commissioners. Motion carried unanimously.

PUBLIC HEALTH PROGRAM UPDATES: Public Health Director Worrall informed the Board that they hired a new employee; her name is Sara Hindes, she will be a nurse in the Public Health department. They also hired Emergency Preparedness Nurse Kathy Norris. Public Health Director Worrall informed the Board that there is discussion for a possible formal contract for coalition for

emergency response. She also informed the Board that Gunnison County is in the top 15 for the National County Health Ratings. She will release the information once it is allowed to be released. The National Association of Counties may be sending the Board information regarding the national rankings.

PRESENTATION ON PUBLIC HEALTH IMPROVEMENT PLAN AND ENVIRONMENTAL HEALTH WORK PLAN: West Central Public Health Partnership Coordinator Walker and Environmental Health Official Richard Stenson gave a presentation to the Board. The Board reviewed the Board of Health's work plans and the Food Safety Data. Montrose County Environmental Health Specialist Schriener provided the Restaurant Inspection Report form to the Board, and she informed that this information is provided on the Gunnison County Health and Human Services website. She reported that every complaint is followed up with the restaurant manager, and the percentage of food borne illness violations per inspection has gone down. Food safety classes are still being issued by the Colorado State University Extension office.

ADJOURN: Moved by Chairperson Swenson and seconded by Commissioner Chamberland to adjourn the Board of Health meeting at 11:16 am. The Board reconvened the Board of County Commissioners meeting at 11:16 am.

LOT CLUSTER AGREEMENTS: Community Development Administrative Services Manager Beth Baker was present for the discussion.

1. Lot Cluster Agreement; Richard L. and Connie K. Murdie; Lots 6 and 7, Antelope Hills Mobile Home Subdivision. Community Development Administrative Services Manager Baker informed the Board that the Murdies would like to combine two lots in the Antelope Hills Subdivision to avoid having neighbors too close. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve Lot Cluster Agreement for Richard L. and Connie K. Murdie for Lots 6 and 7 in Antelope Hills Subdivision. Motion carried unanimously.
2. Lot Cluster Agreement; William and Roxanna Marshall; Lots 7, 8, 9, 10 and 11, Block 30, Town of Tincup. Community Development Administrative Services Manager Baker informed the Board that there is a cabin on Lot 7 and the propane is on Lot 8. The Marshalls would like to cluster these lots. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approved Lot Cluster Agreement with William and Roxanna Marshall for Lots 7, 8, 9, 10 and 11, Block 30, in the Town of Tincup. Motion carried unanimously.

UNSCHEDULED CITIZENS:

1. John Nichols and President of the Riverland Industrial Park Property Owners Association Danny D'Aquila were present for the discussion. Mr. Nichols opined that this problem can be resolved by adding one sentence to the Riverland Industrial Park Guidelines. The Board reviewed the document Mr. Nichols provided at the meeting. Mr. Nichols is proposing to add "dry hydrant." Mr. Nichols informed that the Crested Butte Fire District denied his proposal. Chairperson Swenson informed Mr. Nichols that he needs to provide documentation that the Riverland Industrial Park HOA Board voted and also provide documentation of the denial received from the Crested Butte Fire District. Mr. D'Aquila informed the Board that John Rossman thought he was going to have access to a water supply, which would be a fire truck pumping 1,500 gallons a minute, near his haul road. He explained that if they pumped water with the truck, the fire department, the 32 buildings, and the six new properties get water. Mr. D'Aquila stated that the Fire District said it would be a step in the right direction, but then they need to also install pump houses, infrastructure, electricity and a holding pond. There was a discussion on how much it would cost to install pump houses, infrastructure, electricity and a holding pond. The Board agreed that a Work Session needs to be scheduled on this topic.

BOARD OF COUNTY COMMISSIONER ITEMS:

COMMISSIONER HOUCK:

1. Meeting with Judge Patrick. Commissioner Houck reminded the Board that they need to set up a meeting with Judge Patrick. County Manager Birnie informed the Board that he is attempting to set up a meeting on Thursday, March 21st.
2. Listening Tour. Commissioner Houck informed the Board that he attended the Listening Tour that was sponsored by the Community Foundation. Rural Philanthropy Days donors are touring around the region meeting with locals to discuss their needs and looking at how non-profits work around the community. He informed that the funders expressed one of the missing pieces at Rural Philanthropy Days is elected officials and representatives. He informed the Board that he plans to attend the 1st day of Rural Philanthropy Days. Commissioner Chamberland informed the Board that he was planning to attend as well.
3. Community Foundation Board Meeting. Commissioner Houck informed the Board that the Community Foundation Board meeting is March 20th.
4. Carbon Task Force Policy Meeting. Commissioner Houck informed the Board that he attended an Office of Resource Efficiency (ORE) Board meeting last week regarding the Carbon Task Force Policy recommendations and funding. He informed the Board that he spoke with ORE regarding

their partnership, and encouraged ORE to work into gaining a business relationship with the electric company and the City of Gunnison.

- 5. Lee Spann's Meeting. Commissioner Houck informed the Board that he and Commissioner Chamberland attended Lee Spann's meeting regarding the listing if the Gunnison Sage-grouse. He reported that there was a large attendance from the recreational community. They had an opportunity to speak with retired Fish and Wildlife Service employee Al Pfister, regarding the Proposed Rule written in 2004.

COMMISSIONER CHAMBERLAND:

- 1. Broadband Meeting. Commissioner Chamberland informed the board that there will be an Open Technology meeting on March 27th. He reported that they are expecting to get funding within 30 days. They are working on a commercial easement and working with Senator Bennet and Senator Tipton's offices on legislation. He reported that the City of Gunnison is discussing having an external access road for the Communications Center.
- 2. Colorado Counties, Inc. Commissioner Chamberland informed the Board that he attended the Colorado Counties, Inc (CCI) meeting. There was discussion regarding CCI being opposed to the Collective Bargaining Bill.

CHAIRPERSON SWENSON:

- 1. Dolores County Meeting. Chairperson Swenson informed the Board that the meeting in Dolores County was very productive and will prospectively get eight counties to participate in the Memorandum of Understanding for working relationships regarding the conservation of the Gunnison Sage-grouse. She informed the Board that there will be a conference call with San Miguel County Attorney on March 20th.

ADJOURN: Moved by Commissioner Chamberland and seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:36 am.

Paula Swenson, Chairperson

Phil Chamberland, Vice-Chairperson

Jonathan Houck, Commissioner

Minutes Prepared By:

Bobbie Lucero, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2013-03**

A RESOLUTION APPROVING GRANT AGREEMENT CDAG #13-GUC-02

WHEREAS, the General Assembly or the State of Colorado declared in Title 43 or the Colorado revised Statutes, Article 10, 1991 in C.R.S. §43-10-101 (the Act) "... that there exists a need to promote the safe operations and accessibility of general aviation in this state; that improvements to general aviation transportation facilities will promote diversified economic development across the state; and that accessibility to airport facilities for residents of this state is crucial in the event of a medical or other type of emergency ..."

The Act created the Colorado Aeronautical Board ("the Board") to establish policy and procedures for distribution of monies in the Aviation Fund and created the Division of Aeronautics ("the Division") to

carry out the directives of the Board, including technical and planning assistance to airports and the administration of the state aviation system grant program. SEE: C.R.S. §43-10-103 and C.R.S. §43-10-105 and C.R.S. §43-10-108.5 of the Act.

Any entity operating a public-accessible airport in the state may file an application for and be recipient of a grant to be used solely for aviation purposes, The Division is authorized to assist such airports as request assistance by means of a Resolution passed by the applicant's duly-authorized governing body, which understands that all funds shall be used exclusively for aviation purposes and that it will comply with all grant procedures and requirements as defined in the Division's Aviation Grant Management Manual, revised 2009, ("the Manual").

NOW, THEREFORE. BE IT RESOLVED THAT:

GUNNISON COUNTY, as a duly authorized governing body of the grant applicant, hereby formally requests assistance from the Colorado Aeronautical Board and the Division of Aeronautics in the form of a state aviation system grant. GUNNISON COUNTY states that such grant shall be used solely for aviation purposes, as determined by the State, and as generally described in the Application.

Each airport-operating entity that applies for and accepts a grant that it thereby makes a COMMITMENT to keep the airport facility accessible to, and open to, the public during the entire useful life of the grant funded improvements/equipment; or b) to reimburse the Division for any unexpired useful life of the improvements/equipment, or a pro-rata basis.

By signing this grant agreement, the applicant commits to keep open and accessible for public use all grant funded facilities, improvements and services for their useful life, as determined by the Division and stated in the Grant Agreement.

FURTHER BE IT RESOLVED:

That GUNNISON COUNTY hereby designates Matthew Birnie as the Project Director, as described in the Manual and authorizes the Project Director to act in all matters relating to the work project proposed in the Application in its behalf, including executions of the grant contract and any amendments.

GUNNISON COUNTY has appropriated or will appropriate or otherwise make available in a timely manner all funds, if any, that are required to be provided by the Applicant under the terms and conditions of the grant contract.

GUNNISON COUNTY hereby accepts all guidelines, procedures, standards and requirements described in the Manual as applicable to the performance of the grant work and hereby approves the grant contract submitted by the State, including all terms and conditions contained therein.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 19 day of March, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

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

RESOLUTION NO. 2013-04

**A RESOLUTION AUTHORIZING DEPOSITORIES FOR PUBLIC MONIES
AND SUPERCEDING RESOLUTION NO. 2006-24**

WHEREAS, Section 30-10-708 (1), C.R.S. authorizes the Board of County Commissioners to designate by written resolution those state banks, national banks having their principle offices in Colorado, or in compliance with applicable law, savings and loan associations having their principal offices in Colorado, to be utilized by the County Treasurer for the deposit of funds collected and held by such Treasurer; and

WHEREAS, Under Section 24-75-601 and 701 *et.seq.*, as amended, it is lawful for any county, city and county, city, town, school district, or special district (a Local Government Entity) to pool any moneys in its treasury, which are not immediately required to be dispersed, with the same such monies in the Treasury of any other Local Government Entity in order to take advantage of short-term investments and maximize net interest earnings.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the following state banks, national banks, savings and loan associations and Government Asset Pools are hereby approved and designated as depositories of funds coming into the possession of the County Treasurer of Gunnison County, provided that such depositories shall at all times comply with the provisions of the Public Deposit Protection Act of 1975, as amended.

Bank of the West

Wells Fargo

Gunnison Bank and Trust

Gunnison Savings and Loan

Colotrust, a governmental pool fund

C-Safe, a governmental pool fund

CSIP, a governmental pool fund

SIGMA Financial Corporation

Other PDPA Eligible Depositories as listed with the Colorado Division of Banking's Regulated Institutions list, Colorado Department of Regulatory Agencies.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 19 day of March, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2013-05**

A RESOLUTION AUTHORIZING THE GUNNISON COUNTY TREASURER TO
DEPOSIT AND INVEST PUBLIC FUNDS THIS RESOLUTION SUPERCEDES RESOLUTION NO: 2004-47

WHEREAS, the County of Gunnison, State of Colorado is charged with the responsibility of depositing public funds which come into its possession;

WHEREAS, Colorado Revised Statutes, Section 24-75-601 to 24-75-603 provides for the investment of public funds and monies;

NOW, THEREFORE BE IT RESOLVED as follows:

1. The County Treasurer is hereby authorized to invest County funds. The primary objectives of such investments shall be the safety of the invested funds and the liquidity of the invested funds for the timely payment of County obligations. The secondary objective shall be the achievement of a market average yield on the invested funds.
2. All investments of County funds shall be in compliance with the Treasurer's Investment Policy which is attached to this Resolution as Exhibit A and which may be modified or changed from time to time.
3. The Treasurer shall invest County funds only in the following securities:
 - a. Money market accounts and certificates of deposits issued by banks located in the County and collateralized under applicable Colorado statutes.
 - b. Money market accounts and certificates of deposit issued by banks located outside the County, but in the State of Colorado and collateralized under applicable Colorado statutes.
 - c. State investment pools authorized under the provisions of Colorado Revised Statutes, Sections 24-75-701 to 708.
 - d. Money market funds authorized under the provisions of Colorado Revised Statutes, Section 24-75-601.1(k).
 - e. Direct obligations of the United State Government which are sold at discount or have semi-annual interest payments; e.g. U.S. Treasury bills, U.S. Treasury notes; and U.S. Treasury bonds. The Treasurer is authorized to establish a Treasury Direct account in the county's name at the United States Treasury.
 - f. Debt securities offered by federal government or federally sponsored agency under the provisions of Colorado Revised Statutes Section 24-75-601.1(a) and (b).
4. The maximum maturity of any security purchased by the Treasurer shall not exceed five years unless specifically approved in advance by the Board of County Commissioners.

5. The Treasurer may sell securities held by the County to meet, as necessary, the County investment objectives and cash needs.
6. Any material exception to the Investment Policy shall be reported by the Treasurer to the County Commissioners expeditiously. The Treasurer shall submit to the Board of County Commissioners a written report on the investment program no less than twenty business days following the end of each calendar quarter.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland, and adopted this 19 day of March, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

INVESTMENT POLICY FOR GUNNISON COUNTY

I. SCOPE:

This investment policy applies to activities of the Treasurer with regard to investing the financial assets of the General Fund and all other Funds including the following:

- Capital Improvements
- Public Works
- General Fund
- Special Revenue Funds
- Enterprise Funds
- Special Assessment Funds
- Trust & Agency Funds
- Debt Service Funds

II. OBJECTIVES:

Funds of the County will be invested in accordance with this policy, all applicable County policies, Colorado Statutes and Federal regulations. The County's investment portfolio shall be managed in a manner to attain a market rate of return throughout budgetary and economic cycles while preserving and protecting capital in the overall portfolio. Investments shall be based on statutory constraints. The primary investment criteria in priority sequence are safety, liquidity and avoidance of speculation.

III. DELEGATION OF AUTHORITY:

The County Treasurer shall be the "Investment Officer" responsible for investment decisions and activities. The Investment Officer shall operate the investment management program consistent with this policy. In order to optimize total return through vigilant portfolio management, resources shall be allocated to the investment management program.

IV. PRUDENCE:

- A. The standard of prudence to be applied by the Investment Officer shall be the "prudent investor" rule, which states; "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent investor rule shall be applied in the context of managing the overall portfolio.
- B. The Investment Officer, acting in accordance with this policy and exercising due diligence, shall not be personally responsible for a specific security's credit risk or market price changes.

V. MONITORING AND ADJUSTING THE PORTFOLIO:

The Investment Officer will routinely monitor the contents of the portfolio, the available markets, and the relative safety of competing instruments. The portfolio shall be priced at least monthly.

VI. INTERNAL CONTROLS:

The Investment Officer shall organize, control, and make decisions relating to cash flow needs and investment opportunities. When it is determined those funds are available for investments and other portions of this policy have been followed, the Investment Officer shall wire transfer the same amount to the appropriate financial institution. The Custodian shall receive copies of the confirmations and all securities to be held in safekeeping except those held by the Federal Reserve. Wire transfers made for investments may be made only to qualified institutions listed in item number XI. Money held in SEC Registered money market funds must comply with CR 24-75-601. Money held in state pools must comply with CRS 24-75-701. Other controls may be adopted to prevent loss of public funds due to fraud, error, and misrepresentation, unanticipated market changes or imprudent actions.

VII. SHORT TERM VERSUS LONG TERM PORTFOLIO:

Limitations on investments diversification, and maturity scheduling shall depend upon whether the funds being invested are considered short-term under one year or long-term funds not more than five years. All funds shall be normally considered short-term except those reserved for building construction projects (i.e., bond sale proceeds) and any unreserved funds used to provide investment flexibility for a future fiscal year.

VIII. SHORT TERM PORTFOLIO DIVERSIFICATION

- A. The Treasurer may diversify its short-term investments by using the following instruments as defined under CRS 24-75-601.
 1. U.S. Treasury Obligations (bills, notes, and bonds and STRIPS)
 2. U.S. Government Agency Securities
 3. SEC Registered Money Market Mutual Funds
 4. Certificates of Deposit in FDIC Insured Colorado Commercial Banks and Savings and Loan Associations with 102% collateral under PDPA over the \$250,000 FDIC insurance level
 5. Negotiable Certificates of deposit
 6. Local Government Investment Pools regulated under CRS 24-75-701
- B. Short-term investment maturities for all funds shall be scheduled to coincide with projected cash flow needs, taking into account large routine expenditures (payroll, bond payments) as well as considering sizable blocks of anticipated revenue (property taxes, state and federal transfer payments) or seasonal fluctuations in sales taxes.

IX. LONG TERM PORTFOLIO DIVERSIFICATION:

Instruments and diversification for the long-term portfolio shall be the same as for the short-term portfolio. Maturity scheduling shall be timed according to anticipated need. For example, investment of building construction funds shall be timed to meet contractor payments. No long-term investments shall exceed five years.

X. COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS:

- A. Before the Treasurer invests any surplus funds in investment instruments purchased on the secondary market, the Investment Officer shall obtain and record three competitive offers. If a specific maturity date is required, either for cash flow purposes or for conformance to maturity guidelines, offers will be requested for instruments, which meet the maturity requirement. If no specific maturity is required, a market trend analysis, which includes a yield curve, will normally be conducted to determine which maturities would be most advantageous.
- B. The Treasurer will accept the offer, which provides the highest rate of return within the maturity required and within the parameters of these policies, with the following exception:
 1. Gunnison County seeks to promote local economic development through various programs and activities. Included may be an objective of rewarding local financial institutions that increase their commitments to private economic growth and local housing investment. The government's governing board shall allow this objective to be utilized if short-term investment yields are lowered by no more than 20 basis points (0.20 percent) in exchange for potential expansion of the tax base.

XI. QUALIFIED DEPOSITORIES AND FINANCIAL INSTITUTIONS:

- A. The Treasurer shall maintain a list of Banking Institutions approved as depositories for its public funds which are qualified under CRS 24-75-603, are federally insured and collateralize deposits over \$250,000 according to the Public Deposit Protection Act.
- B. Separate from the banking institutions approved as depositories, the Treasurer shall maintain a listing of Financial Institutions that are approved for investment purposes. The Investment Officer shall conduct a due diligence review of the condition and the regulatory history of each Financial Institution, including state pools prior to its approval. This review shall be accomplished by requiring financial institutions to submit a Statement of Qualification covering all officers and control persons which includes full disclosure of all information that would be required on an NASD Form U4, for Broker Dealers or an SEC Form ADV Parts 1 and 2.

XII. SAFEKEEPING AND COLLATERALIZATION:

- A. All fixed term investment securities purchased under this policy shall be held by the Investment Officer or in third-party safekeeping by a custodial institution eligible under CRS 24-75-601. The custodian shall issue a safekeeping receipt listing the specific instrument, rate, maturity, and other pertinent information.
- B. Deposit-type securities (such as certificates of deposit) shall be collateralized as required by PDPA for any amount exceeding FDIC or FSLIC coverage. Other investments requiring collateral including repurchase agreements will be secured by the actual security held in safekeeping by a third-party custodian. At a minimum all collateral shall meet the Level 2 category as defined by the Governmental Accounting Standards Board (GASB).
- C. Money market instruments such as SEC registered money market mutual funds qualified under CRS 24-75-601 and state pools under CRS 24-75-701 shall be collateralized as required by law.

XIII. REPORTING REQUIREMENTS:

The investment office shall generate monthly reports for management purposes. In addition, the Governing Board will be provided a monthly report that will include data on investment instruments being held as well as any narrative necessary for clarification.

Date: _____