Katherine Haase

From: ImpactGrants, DOLA <dola_impactgrants@state.co.us>
Sent: Thursday, August 01, 2013 4:32 PM
To: Katherine Haase
Subject: (Email Received - Thank You) Re: Gunnison County Tier II Application for Energy and Mineral Impact Assistance Program Funding

Thank you for your submission to the Division of Local Government This is your confirmation email notifying you that your filing reached our email box. We will review your submission and contact you with any problems or issues if necessary.

Please note: If you submit multiple emails within a four day period, you will only receive confirmation on the first email we receive.
Thank you.

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(For Use by State)

State of Colorado - Department of Local Affairs

ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM APPLICATION

Tier I or Tier II

Applications Must Be Submitted Electronically - Directions on Last Page

-You are Highly Encouraged to Work with your Regional Field Manager with Completing your Application-

A. GENERAL AND SUMMARY INFORMATION

1. Name/Title of Proposed Project:	Gunnison County Courthouse Project

2. Applicant:

(In the case of a multi-jurisdictional application, name of the "lead" municipality, county, special district or other political subdivision).

In the case of a multi-jurisdictional application, provide the names of other directly participating political subdivisions:

3. Chief Elected Official (In the case of a multi-jurisdictional application, chief elected official of the "lead" political subdivision):

Name:	Paula Swenson	Title:	BOCC Chairperson
Mailing Address:	200 E. Virginia	Phone:	(970) 641-0248
City/Zip:	Gunnison, 81230	Phone:	
E-Mail Address:	bocc@gunnisoncounty.org		

4. Designated Contact Person (will receive all mailings) for the Application:

Name:	Matthew Birnie	Title:	County Manager
Mailing Address:	200 E. Virginia	Phone:	(970) 641-0248
City/Zip:	Gunnison, 81230	Phone:	
E-Mail Address:	mbirnie@gunnisoncounty.org		

5. Amount of Energy/Mineral Impact Funds requested:

(**Tier I;** Up to $200,000 or **Tier II;** Greater than $200,000 to $1,000,000)

$1,000,000

6. Brief Description of the Project Scope of Work:

(Give a brief introduction to the project in 100 words or less, including the various tasks involved in the project)

The Gunnison County Courthouse was originally constructed circa 1881, and it has undergone multiple substandard renovations since that time. The current layout and spaces are inadequate and unsafe, and repurposing available areas would not meet all needs identified by the County and Courts.

The project will yield a new, state-of-the-art Courthouse with related landscaping and parking development. The current facility will be demolished and replaced on the existing site within the City of Gunnison on a full city lot owned by Gunnison County. The original circa 1881 portion of the structure will be renovated and incorporated into the overall project.

7. Local priority if more than one application from the same local government (1 of 2, 2 of 2, etc.) **1 of 1**

B. DEMOGRAPHIC AND FINANCIAL INFORMATION.

1. Population

a. What was the 2010 population of the applicant jurisdiction? 15,324

b. What is the current population? 15,434

(Current/most recent conservation trust fund/lottery distribution estimate is acceptable.) What is the source of the estimate?

Colorado Division of Local Government, State Demographer's Office

c. What is the population projection for the applicant in 5 years? 17,360

What is the source of the projection?

Colorado Division of Local Government, State Demographer's Office

2. Financial Information (Current Year):

In the column below labeled "Applicant" provide the financial information for the municipality, county, school district or special district directly benefiting from the application. In the columns below labeled "Entity", provide the financial information for any public entities on whose behalf the application is being submitted (if applicable).

Complete items "a through j" for ALL project types:

	Applicant	Entity	Entity
a. Assessed Valuation (AV) Year: 2012	$688,309,530		
b. Mill Levy	11.328		
c. Property Tax Revenue (mill levy x AV)	$7,797,170		
d. Sales Tax (Rate/Estimated Annual Revenue)	$1,425,560	% / $	% / $
e. Total General Fund Budget Revenue	$13,031,588		
f. Total Applicant Budget Expenditures (Sum of General Fund and all Special Funds)	$43,919,572		
g. Total Multi-year Debt Obligations (all funds*)	$22,451,647		
h. Total Lease-Purchase and Certificates of Participation obligations*	$18,238,950		
i. General Fund Balance as of January 1 of this current calendar year.	$7,448,926		
j. General Fund Balance (Unrestricted) as of January 1 of this current calendar year.	$3,027,070		

For projects to be managed through a Special Fund other than the General Fund (e.g. County Road and Bridge Fund) or managed through an Enterprise Fund (e.g. water, sewer, county airport), complete items "k through o":

Identify the relevant Special Fund or Enterprise Fund:			
k. Special or Enterprise Fund Budget Amount			
l. Special or Enterprise Fund Multi-Year Debt Obligations*			
m. Special or Enterprise Fund Balance as of January 1 of this calendar year			
n. Special or Enterprise Fund Balance (Unrestricted) as of January 1 of this calendar year			
o. Special or Enterprise Fund Lease-Purchase and Certificate of Participation Obligations*			
p. Special Fund Mill Levy (if applicable)			

For Water and Sewer Project Only complete items "q through s":

q. Tap Fee			
r. Average Monthly User Charge (Divide sum of annual residential revenues by 12 and then divide by the number of residential taps served.)			
s. Number of Taps Served by Applicant			

*** Include the sum of the year-end principal amounts remaining for all multi-year debt obligations, lease purchase agreements or certificate of participation notes**

C. PROJECT BUDGET. List expenditures and sources of revenue for the project. The totals on each side of the ledger must equal.

Expenditures		**Sources of Revenue** (Dollar for Dollar Cash Match is Encouraged)			Funding Committed
List Budget Line Items (Examples: architect, engineering, construction, equipment items, etc.)		List the sources of matching funds and indicate either cash or documentable in-kind contribution			Yes/No
Line Item Expenditures	Line Item Costs		Cash	In-Kind	
Needs Analysis Phase (Program plans and pre-development)	$137,348	Energy/Mineral Impact Fund Grant Request	$ 1,000,000		No
MJM Project Consulting, LLC	$216,000	*Energy/Mineral Impact Fund Loan Request (If applicable)	$ 0		No
Design Phase (estimate)	$1,436,480	Energy/Mineral Impact Fund Tier I Grant	$175,000		Yes
Construction Phase (estimate)	$13,377,150	County Funds	$4,991,978		Yes
		Certificate of Participation (COP)	$9,000,000		No
TOTAL	$15,166,978	**TOTAL**	$15,166,978	$	
Please attach a more detailed budget if available		*Loans with a 5% interest rate may only be awarded for potable water and sewer projects. Leave blank if a loan is not requested.			

D. PROJECT INFORMATION.

The statutory purpose of the Energy and Mineral Impact Assistance program is to provide financial assistance to "political subdivisions socially or economically impacted by the development, processing or energy conversion of minerals and mineral fuels."

1. Demonstration of Need:

a. Why is the project needed at this time?

Gunnison County has been informed by the 7th Judicial District of the immediate need for additional courtroom space. As well, the spaces designated within the building for the Courts and Probation require increased security now that the detention officers no longer work within the building. Essentially, the current building does not meet modern court facility standards, thus all staff and users of County and Court offices are exposed to the potential for physical injury and/or inconvenience. Also, while the courthouse is compliant with the Americans with Disabilities Act, current provisions have been difficult to utilize for both staff members and the public.

b. How does the implementation of this project address the need?

By reconstructing the majority of the building, we will be able to provide a desperately needed third courtroom for use by the 7th Judicial District. As well, the addition of dedicated courtroom entrances and secure pathways will allow officers of the court to adequately separate victims and their families from the accused. Currently, all of these persons enter the courtrooms through the same hall and doorway, a practice that is, at best, disrespectful to victims and dangerous to all parties and, at worst, potentially dangerous.

c. Does this project, as identified in this application, **completely** address the stated need? If not, please describe additional work or phases and the estimated time frame. Do you anticipate requesting Energy and Mineral Impact Assistance funds for future phases?

Yes. At the conclusion of the construction phase, all current and projected future needs of the County and the Courts will be addressed via a safe, secure and energy-efficient building.

d. What other implementation options have been considered?

Originally, Gunnison County hoped that renovating the current structure would be feasible. However, the Needs Assessment completed for this project indicated that the building is in much worse shape than anticipated (i.e., mechanical systems have outlived their useful life, and the roof is in need of complete replacement).

e. What are the consequences if the project is not awarded funds?

Whether or not DOLA funding is obtained, the County must proceed with the project to ensure the general safety of the public and staff. Without DOLA funds, the County will either need to limit the scope of the project or delay it.

2. Measurable Outcomes:

a. Describe measurable outcomes you expect to see when implementation of this project is complete. How will the project enhance the livability* of your region, county, city, town or community (e.g. constructing a new water plant will eliminate an unsafe drinking water system and provide safe and reliable drinking water; the construction of a new community center will provide expanded community services, or projects achieving goals regarding energy conservation, community heritage, economic development/diversification, traffic congestion, etc.)?

***(Livability means increasing the value and/or benefit in the areas that are commonly linked in community development such as jobs, housing, transportation, education, emergency mitigation, health and environment)**

- Court Processes. The reconstruction of the courthouse including the addition of a third courtroom will assist the public and the State Court system (Judges, Probation, Deputy District Attorney and all related staff) by providing the necessary space for more timely and safe court processes and greatly increased safety of judges and other court staff. Adequate separation of victims and their families from the incarcerated or accused will significantly reduce the risk and occurrence of physical and verbal threats, emotional distress, retaliation and intimidation between victims of crime, testifying witnesses and inmates, including friends and/or family members on either side of a particular legal matter, in any area of the courthouse prior to entering a courtroom as access is currently limited to one public hallway.
- Health & Safety. In addition to protecting victims and witnesses, this project will help to ensure the personal safety of all County and State staff and community members either working in or visiting the courthouse for any reason. Unlike modern courthouse facilities, Gunnison County's courthouse security measures are limited to video cameras in the rear parking lot, selected hallways and courtrooms. The County has not had the means to employ metal detection, personal search and electronic scanning protections at any entry points of the courthouse; metal detection is available only upon entering a courtroom. Without creating a physical barrier between inmates and innocent parties to ensure that the personal safety and rights of victims and testifying witnesses are preserved, threats, emotional distress, retaliation and intimidation will continue to occur within the courthouse building as they are extremely difficult to prevent.
- Environment. The project will be designed and constructed to include many modern energy-efficient elements, which will reduce the amount of emissions and energy necessary to operate the current facility, maximize efficiency and minimize carbon footprint.

b. How many people will benefit from the project? (i.e., region, county, city, town, community, subdivision, households or specific area or group; or any portion thereof)

All persons residing within Gunnison County will benefit from this project, as well as countless visitors to our community. This will be evidenced by the reduction in wait time for court processes, the ease of navigation within the building, the improvement of living and working conditions within the facility, the opportunity for local employment during the building process, and the overall reduction of the facility's carbon footprint.

c. How will the outcome of the project be measured to determine whether the anticipated benefits to this population actually occur?

The physical benefits will be measured by the increased number of hearings conducted by the Courts and the increased energy efficiency of the building (the County subscribes to a service called Planet Footprint to monitor energy consumption and progress toward the County's energy efficiency goals). Other outcomes such as the ease of navigation for visitors to the building and the reduction of negative impacts to victims and their families (caused by being in close proximity to offenders) can only be measured through observation. Nonetheless, the existing negative impacts are unsafe, disrespectful and intimidating to victims and their families and, because of this reality, we have a moral responsibility to mitigate these impacts regardless of whether or not they can be physically measured. It is difficult to measure a negative, but the lack of security or safety problems in the new facility will be a measure of its success

d. Does this project preserve and protect a historic building, facility or structure? If yes, please describe.

Yes. Completion of this project will serve to fortify and protect the portion of the building that was first constructed in 1881. We intend to have that original portion serve as the entrance to the courthouse, and we intend to display items of historical interest as they relate to the County and/or the County Courthouse within that entrance. Some of the planned construction aspects will also serve to remove physical barriers (i.e., ceilings and walls) to reveal and showcase some of the esthetic early construction features (i.e., high and ornate tin ceilings). The modern architecture and layout will be used to expand services to citizens and improve the efficiency of County and State Court services. We believe this additional space will meet the County's other space needs for the foreseeable future.

e. Will this project implement an energy efficiency/strategy that could result in less carbon footprint or conserve energy use or capitalize on renewable energy technology? If yes, please describe.

Yes. In 2010, Gunnison County entered into a performance contract with Ennovate to reduce energy consumption in all County buildings. To date, we have reduced the energy consumption in County facilities (several buildings) by approximately 14.9% via energy efficiency upgrades. This construction project will assist us with furthering that goal by implementing new strategies that have been identified, along with those additional strategies that are anticipated to be revealed during the architectural planning process. The Needs Assessment indicated that many of the mechanical systems in the building should be replaced, which will give us another opportunity to improve energy efficiency.

3. Relationship to Community Goals

a. Is the project identified in the applicant's budget or a jurisdictionally approved plan (e.g. capital improvement plan, equipment replacement plan, comprehensive plan, utility plan, road maintenance and improvement plan or other local or regional strategic management or planning document)? What is its ranking?

Yes, this project has been identified in the County's budget, Capital Improvement Plan, and Strategic Plan.

- Budget: During 2011, $200,000 was allocated for this purpose. During 2012, another $200,000 was allocated. In 2013, $1,928,690 was or will be allocated, for a total of $2,328,690 through the end of 2013. (Please note that this figure includes an approximate $2,845 in earnings on investments.) The 2013 Gunnison County Budget can be viewed online at http://204.132.78.100/finance_pdf/2013/2013_Gunnison_County_Budget.pdf.
- Capital Improvement Plan: This project is included within the 2013-2017 Capital Improvement Plan (CIP) for Gunnison County. This project is the first priority for a General Fund function and is the only one of the CIP projects listed in the Gunnison County Strategic Plan (see below). Many of the other listed projects in the CIP have already been started/completed or are in enterprise funds with dedicated funding. The CIP document can be viewed online at http://204.132.78.100/finance_pdf/2013/2013-2017_Capital_Improvement_Plan.pdf.
- Strategic Plan: Completion of this project aligns with the County's net energy-efficiency goals and will positively affect the following two (out of a total of 18) strategic results outlined in the Gunnison County Strategic Plan, as adopted by the Board of County Commissioners on 5/24/2011. The Gunnison County Strategic Plan document can be viewed online http://204.132.78.100/commissioners_pdf/BOCC_Strategic_Plan.PDF.
    - "By 2015, Gunnison County will begin a courthouse project, securing funding not derived from new taxes, in order to address operational and energy efficiency, employee productivity, access, safety and judicial needs."
    - "In each year from 2013 through 2017, Gunnison County will achieve an overall net energy efficiency increase of 10% in one county facility from baseline consumption in 2012."

4. Local Commitment and Ability to Pay/Local Effort

a. Why can't this project be funded locally?

As stated earlier, Gunnison County has begun preparations for this project by creating a dedicated construction fund.

However, the magnitude of this project, when done properly, will cost much more than what the County has thus far been capable of saving. We anticipate that the entirety of this project's costs will be funded by a combination effort comprised of savings, grants, and loans. The State Courts create over 60% of the needs identified in the needs assessment. It is appropriate for the State to contribute funding to the project and the DOLA Energy Impact Grant is the only viable vehicle for that funding.

b. Has this project been deferred because of lack of local funding? If so, how long?

Yes, this project realistically should have been completed many years ago. The lack of funding and a comprehensive plan have hampered the County's ability to move forward. As well, construction of the new Public Safety Center complex in 2010 was given priority over this project due to the tremendous liability associated with incarcerating people in substandard conditions. Because of this liability, all available resources were directed to that project first.

c. Explain the origin of your local cash match. (Note: Whenever possible, local government cash match on a dollar for dollar match basis is encouraged.)

The local cash match will be made possible because we have been saving money in the construction fund dedicated for this project.

d. What other community entities, organizations, or stakeholders recognize the value of this project and are collaborating with you to achieve increased livability of the community? Please describe how your partners are contributing to achieve the improvement to the livability of the community through this project. If in-kind contributions are included in the project budget, detailed tracking will be required on project monitoring report.

While the 7th Judicial District's needs have been a major impetus for the implementation of this project, thus it is fully understood that the Court supports this project, no offer of financial assistance from the Courts has been offered or anticipated because state statute requires counties to provide State Court facilities. C.R.S. §13-3-108 indicates that, among other responsibilities, the Chief Justice shall prepare an annual capital construction budget that specifies additional court housing facilities required by the each court, the estimated costs of those additional facilities and whether such additional structures would include space for other governmental units of non-judicial purposes, and a detailed report of the present court facilities currently in use and the reasons for their inadequacy. The statute goes on to indicate that the Chief Justice is authorized to approve payment of state funds for the construction of any capital improvement facilities to be used for judicial purposes authorized and approved by the general assembly. Lastly, it indicates that the Court Administrator should enter into a leasing agreement with the local governing body when joint construction is authorized or when a facility will be used for non-judicial purposes. The leasing agreement is supposed to provide for the payment of state funds for that portion of the construction costs related to the operation of the courts. However, the General Assembly has never appropriated the funds necessary for the State to partner in the construction of court facilities.

i. Please describe the level of commitment by each collaborator. (e.g. fee waivers, in-kind services, fundraising, direct monetary contribution, policy changes.)

There have been no offers of assistance from the State or its Courts.

ii. Please list the value of the resources that each collaborator is bringing to the program.

e. Has the applicant dedicated the financial resources in their current budget, reserve funds and/or unused debt capacity that are being used for the local matching funds? Explain if No

Yes.

f. Have the applicant's tax rates, user charges or fees been reviewed recently to address funding for the proposed project?

Tax rates are statutorily constrained and there are no user charges or fees due to our statutory responsibility to provide State Court facilities. We have, however, prioritized this project by dedicating existing taxes to the renovation fund. None of the State's Court fees are dedicated to facility needs.

g. If the tax rate, user charges or fees were modified, what was the modification and when did this change occur?

N/A

h. Has the applicant contacted representatives from local energy or mineral companies to discuss the project? If yes, when was the contact and what was discussed.

Yes. Request for support, and an explanation of the project and needs.

i. Has the applicant requested financial support from the industry? If yes, when was the contact, what amount did you request? What were the results? If no, why not?

Since the provision of space for the Courts, Probation and the Deputy District Attorney's office is a County responsibility, we have not requested financial support from the industry.

5. Readiness to Go

a. Assuming this project is funded as requested, how soon will the project begin? What is the time frame for completion?

We hope to evacuate the building in December 2013, begin demolition in March 2014, and occupy the new facility in April 2015.

b. Describe how you determined that the project can be completed within the proposed budget as outlined in this

application? Are contingencies considered within the project budget?

The architectural firm generated a detailed estimate based on the needs identified in the assessment. Our budget contains a 10% construction contingency.

c. Has the necessary planning been completed? How? What additional design work or permitting must still be completed, if any? When? How did the applicant develop project cost estimates? Is the project supported by bids, professional estimates or other credible information? Please attach a copy of any supporting documents.

Yes. The Needs Assessment itself, including estimates, plus the more comprehensive budget developed by our owner's representative and Finance office. The Needs Assessment has been completed and can be viewed online at http://204.132.78.100/administration_pdf/GC_Courthouse_Analysis_2013.pdf. Design work commenced in June 2013.

6. Energy & Mineral Relationship

a. Describe how the applicant is, has been, or will be impacted by the development, production, or conversion of energy and mineral resources.

Gunnison County's history has long been tied to the mining industry. The extraction of coal, gold, silver, uranium and secondary resources has been integral to the development of several of the County's communities. Gunnison County is home to two of Colorado's largest and most productive coal mines, Oxbow Mining LLC's Elk Creek Mine and Mountain Coal Company's West Elk Mine in Somerset, producing significant amounts of exported product, and significant tax revenues. Each mine produces approximately five-to-six million tons of high-quality bituminous coal annually. The Elk Creek Mine is one of the top five underground producing mines in the nation. Gunnison County has worked with Oxbow Mining and Mountain Coal to create a Special District under the Gunnison County Land Use Resolution to provide a smooth process for expansion of their respective mining operations.

In 2003, Gunnison County adopted the *Coal Resource Special Area Coal Mining Regulations*, to recognize the unique importance of coalmining within the Somerset area. Specifically the special regulations intend to simplify and expedite the permitting process for existing coal companies and avoid duplication with State and Federal permitting requirements while avoiding or mitigating potential impacts to the environment, public services and facilities, property and public safety that are not addressed by other State or Federal agencies. Gunnison County has consistently supported lease revisions, the Colorado Roadless Rule versus the Clinton Roadless Rule, and even a lowering of the royalty rates in support of the coal mines.

The D-seam coal from the Elk Creek Mine's underground mining operation has high BTU content and is low in ash, sulfur and mercury. Elk Creek's coal is much sought after because it meets all environmental standards and is perfect for power generation needs. Elk Creek is expected to produce more than 60 million tons of high quality coal from privately held and federally leased tracts over the next 10 years. Currently, Elk Creek's production is on pace to make it one of the top five producing underground coal mines in the United States. Elk Creek coal quality has averaged consistently high BTU.

b. To further document the impact in the area, name the company or companies involved, the number of employees associated with the activities impacting the jurisdiction and other relevant, quantitative indicators of energy/mineral impact.

The Elk Creek mine employs approximately 340 employees with an annual payroll of about $27 million. West Elk employs approximately 360 employees with an annual payroll of about $42.8 million. These payroll figures are exclusive of benefits provided by Oxbow Mining and Arch Coal. Gunnison Energy Corporation employs 29 employees and SG Interests employs six employees in the county.

SG Interests and Gunnison Energy built a new 25-mile "Bull Mountain Pipeline," which impacts County roads and services. Costs to the County relative to staff time and compensation to Planning Commission members for permit review was also significant.

7. Management Capacity

a. How will you separate and track expenditures, maintain funds and reserves for the capital expenditures and improvements as described in this project?

Project costs and revenues are reported in a specific group of general ledger accounts to segregate from other County activities.

b. Describe the funding plan in place to address the new operating and maintenance expenses generated from the project?

This project will replace the vast majority of an outdated facility. Utility costs are projected to decrease upon completion of the project, thus the costs are within the County's budget capacity. We anticipate that maintenance costs will remain within the maintenance budget for the current facility. Staffing will remain the same so these costs are within the current budget.

c. Describe the technical and professional experience/expertise of the person(s) and/or professional firms responsible to manage this project.

- MJM Project Consulting, LLC. This company has been contracted to assist the County with all phases of this

project. The company is owned by Mike Mismash (formerly of Project One Integrated Services). Mr. Mismash owns a home in Gunnison County, and he worked closely with the County on all aspects of the design and creation of the Public Works facility and the Gunnison County Public Safety Center in 2011. Mr. Mismash previously worked as a Senior Project Manager for POIS, whose project portfolio includes the World Port at Denver International Airport, the Non-Potable Reuse Project for the Board of Denver Water Commissioners, CEAVCO Audio Visual Company, Inc. in Lakewood, the Jackpot Springs Casino and parking structure in Blackhawk, the Piggly Wiggly Lofts in Denver, and the Fiddler's Green II and the II Campanile Residential Lofts in Greenwood Village.

- Roth Sheppard Architects, LLP & Humphries Poli Architects. These two architectural firms have been contracted to provide a collaborative effort on the needs assessment portion of the project. More information about these two companies can be found online at http://www.rothsheppard.com and http://www.hparch.com.
    1. Roth Sheppard was honored as the 2012 AIA Western Mountain Region Firm of the Year, and received the 2011 AIA Justice Facilities Review Award for both the Windsor Police Station as well as the Milliken Police Station and Meeting House. Roth Sheppard's portfolio of civic and justice projects completed within the State of Colorado just since 2000 include facilities for the Windsor Police Station, Town of Milliken Police Department and Municipal Court, Boulder Regional Fire Training Facilities, Colorado Bureau of Investigations (Grand Junction, Denver and Montrose), Colorado State Patrol (Castle Rock, Commerce City, Frisco, Fruita and Grand Junction), Adams County Communications Center (Commerce City), Brighton Police Department and Municipal Courts Building (Brighton), Arapahoe County Sheriff's Administration and Coroner's Facility (Centennial), Aurora Municipal Courts (Aurora), Broomfield Detention and Police Training Center (Broomfield), Broomfield Police Department and Combined Courts (Broomfield), Colorado Regional Public Safety Training Academy Needs Assessment, Grand Junction Public Safety Building Program (Grand Junction), South Metro 911 Center (Lone Tree), and State of Colorado Emergency Operations Center (Denver).
    2. Humphries Poli's portfolio of civic and justice projects completed within the State of Colorado include the facilities for Westminster Public Safety (Westminster), Fort Collins Police (Fort Collins), Civic Center (Denver), Denver Museum of Nature and Science North Loading Dock (Denver), Skyline Park (Denver), Grand Junction Public Safety Complex (Grand Junction), Traffic Operations and Training (Denver), Garfield County Justice Center (Rifle), Broomfield Police and Courts (Broomfield), Bayfield Town Hall (Bayfield), and Westwood Opportunity Center (Denver).

d. Does the project duplicate service capacity already established? Is the service inadequate? Has consolidation of services with another provider been considered?

This project will replace the inadequate and non-compliant services being provided by the current facility.

E. HIGH PERFORMANCE CERTIFICATION (HPCP) PROGRAM COMPLIANCE.

Colorado Revised Statutes (C.R.S. 24-30-1301 to 1307) require all new facilities, additions, and renovation projects funded with 25% or more of state funds to conform with the High Performance Certification Program (HPCP) policy adopted by the Office of the State Architect (OSA) if:

- The new facility, addition, or renovation project contains 5,000 or more building square feet; **and**
- The project includes an HVAC system; **and**
- In the case of a renovation project, the cost of the renovation exceeds 25% of the current value of the property; **and**
- The project has NOT entered the design phase prior to January 1, 2008.

The HPCP requires projects achieve the highest possible LEED certification with the goal being LEED Gold. Projects are strongly encouraged to meet the Office of the State Architect's (OSA) Sustainable Priorities in addition to the LEED prerequisites. Projects funded through DOLA are required to participate in the OSA's registration and tracking process. See DOLA's HPCP web page for more information or contact your DOLA regional manager.

In instances where achievement of LEED Gold certification is not practicable, an applicant may request a modification of the HPCP policy or a waiver if certain conditions exist.

Please answer the following questions:

1. What is the total building square footage of the new facility, addition, or renovation?	38,400			
2. Does the project include an HVAC system?	Yes	X	No	
3. Is the project a renovation? (If no, please skip to Question 6 below.)	Yes	X(part)	No	
4. What is the current property value*?	$10,579,360			
5. What is the total project cost for the renovation?	$15,166,978 (construction			

and renovation combined)

6. Will you need assistance locating resources, third party consultants, or technical assistance for LEED requirements, preparing cost estimates, or otherwise complying with the HPCP?

Yes ____ No ____ X Explain Resource Engineering Group, located in Gunnison County, provided technical assistance to the County during both the Public Works and Public Safety Center construction projects. The County will likely use this company again for the courthouse renovation project.

F. TABOR COMPLIANCE.

1. Does the applicant jurisdiction have the ability to receive and spend state grant funds under TABOR spending limitations? Explain:

Yes (see Attachment A).

2. If the applicant jurisdiction receives a grant with State Severance funds, will the local government exceed the TABOR limit and force a citizen property tax rebate?

No.

3. Has the applicant jurisdiction been subject to any refund under TABOR or statutory tax limitations? Explain.

Yes. Gunnison County does a temporary tax credit on the annual mill levy certification.

4. Has the applicant sought voter approval to keep revenues above fiscal spending limits? Explain.

Yes (see Attachment A).

5. Are there any limitations to the voter approved revenues? (e.g., Can revenues only be spent on law enforcement or roads?)

Use of sales tax was approved for capital expenditures.

6. If the applicant jurisdiction is classified as an enterprise under TABOR, will acceptance of a state grant affect this status? Explain.

N/A.

G. ENVIRONMENTAL REVIEW.

Indicate below whether any of the proposed project activities:

1. Will be undertaken in flood hazard areas. Yes ____ No X

List flood plain maps/studies reviewed in reaching this conclusion. Describe alternatives considered and mitigation proposed.

2. Will affect historical, archeological or cultural resources, or be undertaken in geological hazard area? Yes X No ____

Describe alternatives considered and mitigation proposed.

This project will positively impact the historical nature of the original 1881 structure as we intend to reveal some of the historical aspects of the building that are still intact, and to reinforce and stabilize the structure.

3. Address any other related public health or safety concerns? Describe. Yes X No

As described within the application, the current layout does not provide adequate safety for victims and their families, as well as the accused; the new facility should eradicate this issue. As well, general safety and working conditions will improve by drastically limiting the possibility for altercations between users of the court system (including Probation) via redesign of work spaces, secure access points and traffic flow.

As described earlier, while the courthouse is compliant with the Americans with Disabilities Act, current provisions have been difficult to utilize for both staff members and the public. While the courthouse does have a wheelchair lift, it can be difficult and time-consuming to use. Often, members of the public have been seen carrying wheelchairs down the stairs in order to avoid using the lift. Improved accessibility is a primary goal of this project.

APPLICATION SUBMISSION INSTRUCTIONS AND OFFICIAL BOARD ACTION DATE (REQUIRED)

Application and attachments must be submitted electronically in

WORD .DOC (Preferred) or .PDF Format (Unsecured) to:

ImpactGrants@state.co.us

Please Cc your Regional Field Manager all documents as well to ensure receipt.

In email subject line include: Applicant Local Government name and Tier for which you are applying
-example- **Subject:** Springfield County EIAF Grant Request, Tier 1

NOTE: Please do not submit a scanned application (scanned attachments ok).
(If you are unable to submit electronically please contact your DOLA regional manager)

For any questions related to the electronic submittal please call Bret Hillberry @ 303.866.4058

Attachments List (Check and submit the following documents, if applicable):

- Preliminary Engineering Reports _____
- Architectural Drawings _____
- Cost Estimates _____
- Detailed Budget X
- Map showing location of the project _____
- Attorney's TABOR decision X
- Letters of Support (5) X
- Needs Assessment X

****

Official Board Action taken on

September 4, 2012

Date

Submission of this form indicates official action by the applicant's governing board authorizing application for these funds.

Gunnison County Courthouse
Construction Project Summary

COST CODE	DESCRIPTION		BUDGET
	SOURCES TOTAL		$ 15,166,978
100	Funding Sources		$ 15,166,978

	USES TOTAL		$ 15,166,978
200	LAND TOTAL		$ -
300	PRE-DEVELOPMENT TOTAL		$ 137,348
400	OWNER MANAGEMENT EXPENSES		$ 1,000
500	COMMUNICATIONS / MARKETING TOTAL		$ 5,000
600	PLAN REVIEW / PERMIT FEE TOTAL		$ 68,000
700	OTHER GOVERNMENT FEES		$ -
800	WET UTILITY CONNECTION FEE TOTAL		$ 2,000
900	DRY UTILITY CONNECTION FEE TOTAL		$ 76,300
1000	TAX TOTAL		$ -
1100	GL & BUILDERS RISK INSURANCE TOTAL		$ 15,149
1200	ARCHITECTURAL / ENGINEERING TOTAL		$ 1,436,480
1300	TESTING & INSPECTION TOTAL		$ -
1400	OWNER REP / CONSULTANT		$ 210,000
1500	HARD CONSTRUCTION COST TOTAL		$ 12,021,805
1600	FURNITURE FIXTURE & EQUIPMENT TOTAL		$ -
1700	MOVING COST TOTAL		$ 111,317
1800	SPECIAL PROJECT COSTS TOTAL		$ -
1900	CONSTRUCTION CONTINGENCIES TOTAL		$ 927,431
2000	FINANCE TOTAL		$ 155,148

$	15,166,978
$	-

DISTRICT ATTORNEY
SEVENTH JUDICIAL DISTRICT

July 30, 2013

Colorado Department of Local Affairs
1313 Sherman Street, Room 518
Denver, CO 518

Re: Energy and Mineral Impact Assistance Program Application, Tier II
Gunnison County Courthouse Construction Project

Dear Sirs and Madams:

I am writing to express my support for Gunnison County's grant application for Energy and Mineral Impact Assistance funds for the Gunnison County Courthouse construction project.
The current facility does not meet modern court facility standards, and the layout is both inadequate and unsafe for all State and County users.

By reconstructing the majority of the building, a desperately needed third courtroom will provide space for more timely court proceedings and the new layout will greatly increase the safety of judges, clerks, victims, witnesses, District Attorney staff and all court users and visitors. The addition of dedicated entrances and secure pathways will allow officers to separate victims and their families from the accused or incarcerated. Physical separation and barriers between inmates and innocent parties are vital to ensuring the personal safety and rights of victims and testifying witnesses, as well as the security of inmates. In the present courthouse building, threats, emotional distress, retaliation and intimidation are extremely difficult to prevent. Access for all persons, including inmates, is currently limited to one public hallway.

In addition to protecting victims and witnesses, this project will help to ensure the personal safety of all staff working in the courthouse. In the existing building, the District Attorney's Office suite is on the first floor with several ground level windows that directly expose my attorneys and staff to any external threat. Due to the inadequate ventilation system, these windows are often open presenting the increased risk of easy entry by an intruder. There exist no barriers to direct public access to our offices, and there is no security screening of the public when they enter the existing courthouse and reach the outer doors to our offices. In light of the existing layout of the building, achieving the necessary level of security would be prohibitively expensive. The current situation places District Attorney employees, victims, witnesses and all visitors to our office at risk.

I urge you to give Gunnison County's grant application your full consideration.

Respectfully,

DAN W. HOTSENPILLER, DISTRICT ATTORNEY

DWH/dwh

Promoting Justice by providing the highest quality legal services for the People of the State of Colorado.
Promoting Public Safety by supporting strong communities.

200 E. Virginia Ave., Gunnison, CO 81230 *(970)641.5138* *www.co7da.org* dan.hotsenpiller @co7da.org

Office of the
Chief Judge

Gunnison Combined Courts
Gunnison County Courthouse
200 East Virginia Avenue
Gunnison, Colorado 81230

Telephone - (970) 641-3500
FAX - (970) 641-6876
e-mail –
steven.patrick@judicial.state.co.us

Seventh Judicial District
State of Colorado

J. Steven Patrick
Chief Judge

August 1, 2013

Colorado Department of Local Affairs
1313 Sherman Street, Room 518
Denver, CO 80203

RE: Energy and Mineral Impact Assistance Program Application, Tier II
Gunnison County Courthouse Construction Project

Dear Sirs,

I am writing to express my support for Gunnison County's grant application for Energy and Mineral Impact Assistance funds for the Gunnison County courthouse construction project. The current facility does not meet modern court facility standards, and the layout is both inadequate and unsafe for all State and County users.

In particular, defendants, jail personnel, victims, supporters of defendants, attorneys and court personnel (including jurors) all share one hall way from the courtrooms. Based on the number of cases, three courtrooms are necessary and there are presently only two. We have two district judges and one county judge hearing matters, often on the same days. We have been forced to use jury rooms as hearing rooms, the Commissioners meeting room as a court room and even a conference room on the first floor as a court room. Finally, there is effectively no security and no ability to maintain a secured space with the current configuration of the courts and courthouse. We also need public space for the family court facilitator, self represented litigant coordinator and the protective person monitor to meet with public.

By reconstructing the majority of the building, a desperately needed third courtroom will be made available for use by the public and the State Court system (Judges, Probation, Deputy District Attorney and all related staff), which will provide the necessary space for more timely and safe court processes and greatly increased safety of judges and other court staff. As well, the addition of dedicated courtroom entrances and secure pathways will allow officers of the court to adequately separate victims and their families from the accused or incarcerated. Without creating a physical barrier between inmates and innocent parties to ensure that the personal safety and rights of victims and testifying witnesses are preserved, threats, emotional distress, retaliation and intimidation will continue to occur commonly within the courthouse building as they are extremely difficult to prevent. Access for all persons is currently limited to one public hallway.

In addition to protecting victims and witnesses, this project will help to ensure the personal safety of all County and State staff and community members either working in or visiting the courthouse for any reason. Unlike modern courthouse facilities in larger metropolitan areas, Gunnison County's courthouse security measures are limited to video cameras in the rear parking lot, selected hallways and courtrooms. The County has not had the means to employ metal detection, personal search and electronic scanning protections at any entry points of the courthouse; metal detection is available only upon entering a courtroom.

I urge you to give Gunnison County's grant application your full consideration.

Respectfully,

J. Steven Patrick
Chief Judge
Seventh Judicial District

Jim Miller
General Manager

Jmiller2@archcoal.com

August 1, 2013

Colorado Department of Local Affairs
1313 Sherman Street, Room 518
Denver, CO 80203

RE: Energy and Mineral Impact Assistance Program Application, Tier II
Gunnison County Courthouse Construction Project

Dear Sirs,

I am writing to express my support for Gunnison County's grant application for Energy and Mineral Impact Assistance funds for the Gunnison County courthouse construction project. The current facility does not meet modern court facility standards, and the layout is both inadequate and unsafe for all State and County users.

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I urge you to give Gunnison County's grant application your full consideration.

Respectfully,

Jim D. Miller

Jim Miller
General Manager
West Elk Mine

West Elk Mine
5174 Highway 133 – PO Box 591
Somerset, CO 81434

Office: 970-929-2228
Fax: 970-929-5060

GUNNISON COUNTY SHERIFF'S OFFICE

August 1, 2013

Colorado Department of Local Affairs
1313 Sherman Street, Room 518
Denver, CO 80203

RE: Energy and Mineral Impact Assistance Program Application, Tier II
Gunnison County Courthouse Construction Project

To Whom It May Concern,

It is with enthusiasm that I extend my full support in favor of the Gunnison County grant application for Energy and Mineral Impact Assistance funds. This is in relationship to the Gunnison County courthouse construction project. The current facility is quite old, ill designed and, quite frankly, obsolete.

Through reconstructing the nucleus of state and county judicial operations within Gunnison County, a third courtroom will be acquired which will lift a tremendous logistical and agenda burden from civil and criminal due processes. Within our design considerations have been extended to safety narrows where all visitors and judicial participants can be effectively screened. Separate passage ways are incorporated to maintain a sterile barrier between innocent parties such as victims, witnesses and sympathizers, from the accused or convicted. Our current courthouse has several accessible routes from the streets to the courts, probation offices, Boardrooms and Combined court staff. This prohibits effectual security intentions and places screening objectives within the entrance of each courtroom.

Gunnison County is stepping forth with proactive measures which will greatly enhance the safety features of our judicial process. This will instill confidence and quality to delicate courtroom proceedings. Currently, our efforts to maintain excellent security is hampered by building design flaws and reactionary devices such as cameras and recording machines. Both necessary tools of reflection but not noted as preventative measures.

It is with a feeling of urgency that I implore you to give full consideration to the Gunnison County grant application.

Respectfully,

Richard D. Besecker
Sheriff
Gunnison County Sheriff's Office

510 Bidwell Ave. Gunnison, CO 81230 (970) 641-1113 fax (970) 641-7649

GUNNISON ENERGY CORPORATION
An Oxbow Company

July 26, 2013

Colorado Department of Local Affairs
1313 Sherman Street, Room 518
Denver, CO 80203

RE: Energy and Mineral Impact Assistance Program Application, Tier II
Gunnison County Courthouse Construction Project

Dear Sirs:

I am writing to express my support for Gunnison County's grant application for Energy and Mineral Impact Assistance funds for the Gunnison County courthouse construction project. The current facility does not meet modern court facility standards, and the layout is both inadequate and unsafe for all State and County users.

By reconstructing the majority of the building, a desperately needed third courtroom will be made available for use by the public and the State Court system (Judges, Probation, Deputy District Attorney and all related staff), which will provide the necessary space for more timely and safe court processes and greatly increased safety of judges and other court staff. As well, the addition of dedicated courtroom entrances and secure pathways will allow officers of the court to adequately separate victims and their families from the accused or incarcerated. Without creating a physical barrier between inmates and innocent parties to ensure that the personal safety and rights of victims and testifying witnesses are preserved, threats, emotional distress, retaliation and intimidation will continue to occur commonly within the courthouse building as they are extremely difficult to prevent. Access for all persons is currently limited to one public hallway.

In addition to protecting victims and witnesses, this project will help to ensure the personal safety of all County and State staff and community members either working in or visiting the courthouse for any reason. Unlike modern courthouse facilities in larger metropolitan areas, Gunnison County's courthouse security measures are limited to video cameras in the rear parking lot, selected hallways and courtrooms. The County has not had the means to employ metal detection, personal search and electronic

1801 Broadway, Suite 1200
Phone: 303-296-4222

Denver, Colorado 80202
Fax: 303-296-4555

scanning protections at any entry points of the courthouse; metal detection is available only upon entering a courtroom.

I urge you to give Gunnison County's grant application your full consideration

Sincerely,

Lee Fyock
Vice President Permitting and Environment
Gunnison Energy Corporation

CC: Katherine Haase
Assistant to the County Manager & Clerk to the BOCC
Gunnison County Administration
200 E. Virginia
Gunnison, CO 81230

OXBOW MINING, LLC

July 26, 2013

Colorado Department of Local Affairs
1313 Sherman Street, Room 518
Denver, CO 80203

RE: Energy and Mineral Impact Assistance Program Application, Tier II
Gunnison County Courthouse Construction Project

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I urge you to give Gunnison County's grant application your full consideration.

Respectfully,

Michael Ludlow
Executive Vice President
Oxbow Mining, LLC

3737 Hwy 133 • P.O. Box 535 • Somerset, Colorado 81434 USA
TEL (970) 929-5122 • FAX (970) 929-5177

COUNTY REFERENDUM SPENDING LIMITATION QUESTION 1A

Ballot Text:

MAY GUNNISON COUNTY, WITHOUT ANY INCREASE IN COUNTY TAX RATES AND WITHOUT EXCEEDING THE PROPERTY TAX REVENUE LIMIT, KEEP AND SPEND FOR COUNTY SERVICES AND CAPITAL EXPENDITURES, IN 1996 AND EACH YEAR THEREAFTER, ANY EXCESS REVENUES FROM GRANTS, FEES, INTEREST, SALES TAX AND ALL OTHER REVENUE SOURCES WITHOUT BEING LIMITED BY THE RESTRICTIONS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION (COMMONLY KNOWN AS "AMENDMENT 1 AND/OR THE "TABOR AMENDMENT")?

Summary of written comments for Referendum No. 1A:

Article X, Section 20 of the Colorado Constitution (Amendment 1) permits the eligible electors of the County to approve changes in the County's revenue and spending limits.

Gunnison County is asking its citizens for authorization to keep and spend for County services and capital expenditures in 1996 and each year thereafter any excess revenues from grants, fees, interest, sales tax and all other revenue sources collected by the County regardless of any limitation contained in Amendment 1 without exceeding, however, the property tax revenue limit.

THIS MEASURE IS NOT A TAX INCREASE. If the Countycitizens grant to the County the authorization to keep and spend all such revenues, there are no changes in the following important Amendment 1 restrictions:

Voter approval of all new taxes and tax rate increases;

All ad valorem property tax limits remain in effect;

All election requirements remain in effect.

Summary of written comments against Referendum No. 1A:
No written comments were received by the Constitutional deadline.

NOTICE OF ELECTION TO INCREASE TAXES AND DEBT ON A REFERRED MEASURE 2A

Ballot Text:

SHALL THE TOWN OF CRESTED BUTTE, COLORADO DEBT BE INCREASED BY NOT MORE THAN $500,000, WITH A REPAYMENT COST OF $672,254 (WHICH IS THE MAXIMUM PRINCIPAL AND INTEREST OVER THE LIFE OF SUCH DEBT), AND TO BEAR INTEREST AT A RATE NOT EXCEEDING 8 PERCENT PER ANNUM, AND SHALL TOWN TAXES BE INCREASED $96,037 ANNUALLY FOR SEVEN YEARS

D

E

F

COUNTY QUESTION 1A

MAY GUNNISON COUNTY BE AUTHORIZED TO COLLECT, KEEP AND EXPEND ALL REVENUES IT RECEIVES FROM ITS PROPERTY TAX LEVY IN 2001 AND EACH YEAR THEREAFTER AS A REVENUE CHANGE PURSUANT TO ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION PROVIDED THAT NOTHING IN THIS QUESTION AUTHORIZES THE COUNTY TO INCREASE ITS PERMANENT RATE OF LEVY WITHOUT PRIOR VOTER APPROVAL?

( ) YES

( ) NO

COUNTY QUESTION 2A

Shall the entire Gunnison County and all local governments within Gunnison County be exempt from all requirements of the citizen management of growth initiative, State Ballot Issue No. 24, if the citizen management of growth initiative, State Ballot Issue No. 24 becomes law, for a period of one year from the effective date of that initiative?

( ) YES

( ) NO