AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Fee Policy; Fairgrounds

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Adoption of the attached resolution will combine all of our current Fairgrounds fees into one policy, and it will rescind all outdated documents.

Fiscal Impact: No change

Submitted by: Katherine Haase for Fairgrounds **Submitter's Email Address:** khaase@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:
No concerns, this is very helpful. ln

Reviewed by: Discharge Date: 10/31/2019

County Attorney Review: (●) Required ( ) Not Required

Comments:
ok db 10/30/19

Reveiwed by: Discharge Date: 10/31/2019 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 10/31/2019

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted: 0

Agenda Date: 11/5/2019

Revised April 2015

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO
RESOLUTION NO. 2019-___

A RESOLUTION ADOPTING GUNNISON COUNTY POLICY CONCERNING AUTHORITY AND USE OF THE FRED R. FIELD WESTERN HERITAGE CENTER

WHEREAS, Gunnison County has established a uniform policy format and an adoption and periodic review process to promote consistency and uniformity throughout the organization; and

WHEREAS, Gunnison County currently has many documents and policies related to use of the Fred R. Field Western Heritage Center, which include partial, outdated and/or contradictory information; and

WHEREAS, the attached *Policy Concerning Authority and Use of the Fred R. Field Western Heritage Center* (Policy #5.2.4, Exhibit A) was created to reflect Gunnison County's current practices and fees.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that:

1. The attached *Policy Concerning Authority and Use of the Fred R. Field Western Heritage Center* (Policy #5.2.4, Exhibit A) is adopted;
2. In the event that future modifications to the *Policy Concerning Authority and Use of the Fred R. Field Western Heritage Center* (Policy #5.2.4, Exhibit A) are deemed necessary, the County Manager will decide whether or not to schedule the matter for approval/ratification by the BOCC, in accordance with Gunnison County Policy #1.1.1.
3. The following existing policies and decisions regarding use of the Fred R. Field Western Heritage Center are hereby rescinded, effective immediately:
    a. Resolution #1992-25, *A Resolution Regarding Use of Rodeo Grounds by Equine Activity Sponsor and/or Equine Professional and/or Other Non-Commercial Activity Sponsors* (Exhibit B);
    b. Resolution #1996-24, *A Resolution Establishing User Fees for the Multi-Purpose Building, Outdoor Arena, and Open Air Pavilion at the Gunnison County Fairgrounds* (Exhibit C);
    c. *2016 Fred R. Field Multi-Purpose Building Fee Schedule*, adopted by the BOCC on 2/16/2016 (Exhibit D);
    d. Undated and Unnumbered *Fred R. Field Western Heritage Center General Policies* (Exhibit E); and
    e. Any and all other related policy documents and/or fee schedules related to the Fred R. Field Western Heritage Center previously utilized by the organization.

INTRODUCED by Commissioner _____, seconded by Commissioner _____, and adopted this 5th day of November, 2019.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

_____
Jonathan Houck, Chairperson

_____
John Messner, Commissioner

Attest:

_____
Roland Mason, Commissioner

_____
Deputy County Clerk

EXHIBIT A

Policy Name:	Policy Concerning Authority and Use of the Fred R. Field Western Heritage Center			**Policy Number:**	5.2.4
Approval Authority:	Gunnison County Board of County Commissioners			**Adoption Document**	Resolution #2019-?
Date of Initial Adoption:	11/5/2019	**Effective Date:**	1/1/2020	**Policy Custodian:**	Fairgrounds Manager
Last Review / Revision Date:	N/A	**Review Frequency:**	Every one (1) year.	**Next Review Due:**	1/1/2021

PURPOSE

The Board of County Commissioners of Gunnison County (the "Board") owns and oversees the buildings, improvements, maintenance and use of the Fred R. Field Western Heritage Center (the "Center"). Pursuant to Colorado Revised Statutes, 18-9-117(b), the Board also has the power to control, manage and supervise the buildings and property, and to adopt such orders, rules or regulations as are reasonably necessary for the administration, protection and maintenance of such buildings and property.

The Center has several indoor and outdoor areas that can be made available by the Board for public use. Such use incurs costs related to maintenance, improvements, security and management. Usage fees are charged to offset a portion of those costs.

SCOPE

This policy applies to all users of the Fred R. Field Western Heritage Center.

DEFINITIONS

- Fred R. Field Western Heritage Center: Any and all structures and grounds located at 275 S. Spruce Street, Gunnison, CO 81230.
- Smoking: The act of releasing particles into the air from the use of pipes, cigars, cigarettes and/or electronic smoking devices.

POLICY STATEMENTS

Gunnison County reserves the right to control and manage the present and future usage of the facility and to enforce all necessary and proper rules and for its authorized representatives and employees to enforce rules and regulations, maintenance, inspection and repair of the facility. Gunnison County reserves the right, but not the duty, through it duly appointed representative to eject any person(s) from the Center's premises for violation of these rules or of any law or ordinance.

Scheduling.

Indoor and outdoor areas and meeting rooms at the Center may be scheduled for use by contacting Center staff directly at (970) 641-8561. Scheduling will be done on a first-come, first-served basis.

Use:

1. All users will be required to sign a user's contract (see attached) prior to Center use.
2. The Center will be used in a safe and careful manner. Users will comply with all applicable municipal, County, State and Federal laws, rules and regulations as may be in force and effect during their scheduled event.
3. Users must obtain all required permits and licenses, including those required by the City of Gunnison, Gunnison County, State and/or Federal government for the scheduled usage. All taxes must be paid promptly according to the nature of the usage.

4. Users are responsible for clean-up of utilized spaces and parking areas. The person signing the contract will be individually responsible for any damages to the building or for any fees charged for clean-up.
5. Unless otherwise arranged in advance, users will be responsible for setting up and taking down chairs and tables.
6. Any special equipment requirements must be stated on the contract.
7. Gunnison County will not be responsible for losses due to theft, fire or vandalism during contracted use of the Center. Any special equipment furnished by the user will be the responsibility of the user.
8. Nails or other objects will not be placed in any of the Center's walls. Masking tape or painter's tape may be used on walls.
9. Smoking (see definition) is not allowed within 30 feet of any Center building.
10. All animals, domestic or otherwise, are restricted to the outdoor arena and pavilion, stalls, pens and trailers when not physically being moved from one location to another by a qualified animal handler. No animals will be allowed in Center facilities or on Center grounds, unless specifically allowed by Gunnison County Policy #5.2.3.
11. Only designated Center staff and other staff-trained persons may operate the PA systems.
12. Parking shall be in designated areas only. Users are responsible for parking control and ensuring that fire lanes and access lanes are kept clear of obstruction.
13. General Center hours are from 7:00 am to 11:00 pm. Exceptions may be granted with prior approval from the Fairgrounds Manager. Use lasting later than 11:00 pm will result in an additional charge of $25 per night.
14. If any event will require extra costs (such as increased staffing, insurance, etc.), the Fairgrounds Manager will charge the user for the anticipated costs related to the event in advance.
15. Gunnison County is not responsible for providing AV equipment unless agreed to in the use contract. Gunnison County is not responsible for providing technical assistance.
16. It is the responsibility of the user to make arrangements to pick up and return any and all building/room keys. Lost keys will result in a fine of $100, per key, and possible loss of the privilege to use the Center.
17. Users must be respectful of users in other rooms at the Center, including maintaining appropriate noise levels and not allowing children/youth to roam around the Center.

Equine Activity Sponsor and/or Equine Professional and/or Other Non-Commercial Activity Sponsors:

Equine activity sponsors and/or equine professionals, as defined by C.R.S. 13-21-119 and may be amended, are not obligated to obtain insurance covering injury to spectators at equine activities as a condition of Center use.

A sponsor of an activity at the Center that does not charge an admission to such activity is not obligated to obtain insurance covering injury to spectators at such non-commercial activity as a condition of Center use.

This policy shall not be construed to be a waiver of limits of or exemptions from liability by the Board of County Commissioners, including its elected or appointed officers, employees or agents, under C.R.S. 13-21-119 and/or C.R.S. 24-10-101 *et seq*.

This policy is not and shall not be construed to be an acceptance, either partially or wholly, by the Board of County Commissioners, and/or its elected or appointed officers, employees and agents, of any risk or liability of any equine activity sponsor, equine professional, sponsor of non-commercial activity or spectator at the Center.

This policy is not and shall not be construed to be advice or counsel, legal or otherwise, to equine activity sponsors or equine professionals or sponsors of non-commercial activity who may use the Center whether to obtain insurance for spectators of equine activities or non-commercial activities.

The Center will post and maintain signage containing the warning language specifically required by and in the manner outlined by C.R.S. 13-21-119, as it may be amended.

Fees:

The fees below will be charged and collected by Center staff for use of the Center, and fees must be paid in advance of the scheduled use. Stated fees are for daily use unless otherwise stated, and fees will

not be prorated for portions of a day. No fee listed below may be reduced or waived without pre-approval from the Board. However, if time constraints are an issue, such pre-approval may be provided by the County Manager so long as that decision is acknowledged by the Board during the next available regular meeting. Use of the Center for official County and 4H activities will not incur fees.

Area/Room	Description	Daily Fee (unless noted)	Additional Information
McDonough Room	Small conference room downstairs, 24′ x 24′, seats 35.	$30	Reservations may be made no more than 30 days prior to use. Users are responsible for arranging the room for use and leaving the room as they found it.
Hartman Room	Upstairs conference room, 34′ x 57′, seats 50.	$70	Food and drink are not allowed in this carpeted area.
Van Tuyl Room	Concrete-floored multi-purpose room, 50′ x 80′, seats 220.	$80 for up to 150 people. $110 for up 151-220 people.	
Esty Room	Rubber-floored multi-purpose room, 125′ x 80′, seats 400.	$70 for up to 40 people. $150 for 51-150 people. $190 for 151-400 people.	
Kitchen	Refrigerator, sinks, sanitizer, ice-maker, two ovens, four-burner stove, commercial microwave oven, and food preparation surfaces.	$38	
Outside Arena and Pavilion		$100 (arena will be watered before event and worked with drag each morning), plus $50 for midday working and $46/hour if tractor and driver are requested to be available for dragging between barrel racers.	Use for clinics, horse shows, circuses, lessons, and motor sports.
		$1,000	Mud races
		$1,000 per Season	Use by local team-roping and barrel-racing clubs that use the Center for weekly events from May through September annually.
Arena Only		$25 annually	Use by individuals.
Pavilion Only	50′ x 80′	$50	
Vehicle Parking Only	Approximately 10 acres.	$20 per vehicle if camping with access to electric; $25 per vehicle if camping with access to water and electric; there is no charge for dry camping if meeting space, pavilion and/or arena are rented concurrently.	RV conventions and Jeep Jamborees. Groups must provide additional dumpsters and portable toilets.
Covered Stalls & Outside Pens	Stalls hold one animal, pens hold more than one animal.	$15 per stall or pen	Stalls are to be left clean. Locations are identified in each barn for manure and shavings.
Alcohol	Serving and/or selling alcohol anywhere on Center property.	$80	Users provide their own alcohol. Serving and/or selling alcohol at the Center

			requires prior approval. See below for more information.
Dance Floor	Up to 450 square feet.	$100	
Portable Stage	Up to six sections (each are 4' x 8') are available for various configurations.	$10	
LCD Projector		$5	
Sound Equipment	Amplifier, speakers, corded/wireless mics.	$10	
Podium	Standing and table-top options.	$4	

Serving Alcohol:

Alcoholic beverages may be served, but NOT SOLD, at the Center when the Center is rented for a private function and the event is by invitation only. If there is any doubt as to whether your function is considered private, please call the City Clerk's Office at 970-641-8080. A written request describing the event must be submitted for approval at least 72 hours prior to the event to Gunnison County Deputy County Manager Marlene Crosby or designated staff member at 195 Basin Park Drive, Gunnison Colorado 81230. The request must include the following information or it will not be processed:

1. Name of Person/Organization renting the facility
2. Address of contact person responsible for ensuring compliance with the conditions imposed
3. Phone number (if available) of contact person
4. Date of the Event
5. Time of the Event
6. Type of Event (wedding reception, birthday party, etc.)

Gunnison County reserves the right to approve, deny or place conditions on any request to serve alcoholic beverages at the Center.

Selling Alcohol:

Alcoholic beverages MAY BE SOLD, but only with prior approval of the City of Gunnison and the State of Colorado in compliance with the Special Events Liquor Permit application that must be submitted to the City of Gunnison no later than 30 (thirty) days prior to the event.

A written request describing the event must also be submitted for approval at least 72 hours prior to the event to Gunnison County Deputy County Manager Marlene Crosby or designated staff member at 195 Basin Park Drive, Gunnison Colorado 81230. Gunnison County reserves the right to approve, deny or place conditions on any request to sell alcoholic beverages at the facility. The request must include the following information or it will not be processed:

1. Name of Person/Organization renting the facility
2. Address of contact person responsible for ensuring compliance with the conditions imposed
3. Phone number (if available) of contact person
4. Date of the Event
5. Time of the Event
6. Type of Event (wedding reception, birthday party, etc.)

COMPLIANCE

This policy shall be complied with in all respects. Revisions to this policy may occur. However, when deemed necessary in order to fully protect the County's interests, the interest of the public, and to more fully protect the safety of the public, including employees governed by this policy, this policy may be changed without notice.

APPLICABLE LEGISLATION AND/OR RELATED REGULATIONS, POLICIES AND FORMS

1. C.R.S. 13-21-119. Equine activities – llama activities – legislative declaration – exemption from civil liability.
2. C.R.S. 18-9-117. Unlawful conduct on public property.
3. C.R.S. 24-10-101, *et seq*. Governmental immunity.
4. Gunnison County Policy #5.2.3. Allowances, Restrictions and Responsibilities Regarding Animals in County Facilities and on County Grounds.

EXHIBIT B

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY
RESOLUTION NO. 92-25

A RESOLUTION REGARDING USE OF RODEO GROUNDS BY EQUINE ACTIVITY SPONSOR AND/OR EQUINE PROFESSIONAL AND/OR OTHER NON-COMMERCIAL ACTIVITY SPONSORS

WHEREAS, the Board of County Commissioners recognizes that C.R.S. 13-21-119 limits the civil liability of those involved in equine activities; and

WHEREAS, the Board of County Commissioners recognizes that C.R.S. 24-10-101 *et seq.,* limits the liability of public entities and public employees;

WHEREAS, the Board of County Commissioners makes available use of the Gunnison County Rodeo Grounds to the public;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Gunnison County that:

1. An "equine activity sponsor" and/or and "equine professional" as such terms are defined in C.R.S. 13-21-119, as it may be amended, are not obligated to obtain insurance covering injury to "spectators" at "equine activities" as such terms are defined in C.R.S. 13-21-119, as it may be amended, as a condition of use of the Gunnison County Rodeo Grounds.

2. A sponsor of an activity at the Rodeo Grounds that does not charge an admission to such activity is not obligated to obtain insurance covering injury to spectators at such non-commercial activity as a condition of use of the Gunnison County Rodeo Grounds.

3. This Resolution is to and shall not be construed to be a waiver of limits of or exemptions from liability by the Board of County Commissioners, including its elected or appointed officers, employees and agents, under C.R.S. 13-21-119 and/or C.R.S. 24-10-101 *et seq.*

4. This Resolution is not and shall not be construed to be an acceptance, either partially or wholly, by the Board, and/or its elected or appointed officers, employees and agents, of any risk or liability of any equine activity sponsor, equine professional, sponsor of non-commercial activity or spectator at the Gunnison County Rodeo Grounds.

5. This Resolution is not and shall not be construed to be advice or counsel, legal or otherwise, to equine activity sponsors or equine professionals or sponsors of non-commercial activity who may use the Gunnison County Rodeo Grounds whether to obtain insurance for spectators of equine activities or non-commercial activities.

INTRODUCED by Commissioner Sartarelli, seconded by Commissioner Pitri, and adopted this 5th day of May, 1992.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

By Fred R. Field
Chairman

Attest:
Joanne M. Pentrigan
Clerk

EXHIBIT C

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY

RESOLUTION NO. 96 - 24

A RESOLUTION ESTABLISHING USER FEES FOR THE MULTI-PURPOSE BUILDING, OUTDOOR ARENA, AND OPEN AIR PAVILION AT THE GUNNISON COUNTY FAIRGROUNDS

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado owns and operates the multi-purpose building, outdoor arena and open air pavilion at the Gunnison County Fairgrounds; and

WHEREAS, the Board desires to establish fees for such use to off-set actual expense;

NOW, THEREFORE, BE IT RESOLVED that there shall be fees for use of the facilities at the Gunnison County Fairgrounds as set forth, on the single page attached hereto and incorporated herein.

INTRODUCED by Commissioner Santarelli, seconded by Commissioner Zanetell, and adopted this June 18, 1996.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

/s/ Fred R. Fulton
Chairperson

ATTEST: Jeanne Kerlinger
Clerk

Multi - Purpose Building Fees

	Private	Youth Activity	Governmental Rate
Small Conference Room			
Day	Free	Free	Free
Night	$5.00 (hr)	$5.00 (hr)	$5.00 (hr)
Upstairs Conference Room			
Day	$25.00 (day)	Free	Free
Night	$25.00	$25.00	$25.00
Multi-Purpose Room (Concrete Floor)			
Day	$25.00 (day)	Free	Free
Night	$25.00	$25.00	$25.00
Large Multi-Purpose Room (Rubber Floor)		(Basic Mtg)	(Basic Mtg)
Day	$100.00	$25.00	$25.00
Night	$100.00	$25.00	$25.00
		(Set-up Required)	(Set-up Required)
Day		$50.00	$50.00
Night		$50.00	$50.00
Kitchen			
Day	$25.00	$25.00	$25.00
Night	$25.00	$25.00	$25.00

Outdoor Arena & Pavilion - Rate to be determined by Fairgrounds Manager based on activity.

GENERAL RULES FOR ALL ROOMS:

1. Activities lasting later than 10:00 p.m. will be charged an additional $25.00 per night.

2. Any event in any room serving alcoholic beverages will be charged an additional $50.00 and must have the prior approval of the County Manager.

3. If event will require extra direct costs (such as extra staff, insurance, etc.) the Fairgrounds Manager can charge the anticipated costs related to the event in advance.

EXHIBIT D

FRED R. FIELD
MULTI-PURPOSE BUILDING

FEE SCHEDULE
2016

Room Name	Description	Fee	
McDonough Room	Small Conference Room	$25.00	
Hartman Room	Upstairs Conference Room	$60.00	50 people max.
Van Tuyl Room	Concrete Floored Multi-Purpose Room	$60.00 Up to 150 people	$85.00 150-220 people
Esty Room	Rubber Floored Multi-Purpose Room	$125.00 Up to 150 people	$150.00 150-400 people
Kitchen	Kitchen	$38.00	
Outside Arena & Pavilions		To be Determined by Fairgrounds Manager based on activity	
Alcohol at Party	Requires prior approval	$75.00	75.00

RULES AND REGULATIONS

McDonough Room:

- Reservations for this room can be made no more than 30 days prior to the event.
- Groups using this room are responsible for arranging the room for their event. If the group using this room rearranges the room it is their responsibility to leave the room as they found it.
- Gunnison County is not responsible for providing AV equipment or technical assistance.
- It is the responsibility of the nonprofit to make arrangements to pick up and return the key. Lost keys will result in a fine and possible loss of the privilege to use the facility.
- Any nonprofit using the facility needs to be respectful of renters using other rooms in the multi-purpose building and are responsible for not letting youth roam through the building.

General Rules for all Rooms:

- Activities lasting later than 10:00p.m. will be charged an additional $25.00 per night.
- Any event in any room serving alcoholic beverages will be charged an additional $75.00 and must have the prior approval of the Gunnison County Assistant County Manager.
- If the event will require extra costs (such as extra staff, insurance, etc.) the Fairgrounds Manager can charge the anticipated costs related to the event in advance.
- The above mentioned fees may be adjusted according to the number of persons attending a function. These fees would be reflected in extended set-up, clean up and wear and tear on the facility.

EXHIBIT E

Fred R. Field Western Heritage Center GENERAL POLICIES

1. General hours of facility use are from 7:00 a.m. to 10:00 p.m. Exceptions will be granted with prior arrangements.

2. Scheduling of the Multi-Purpose Building will be done on a first come first serve basis.

3. Usage fees must be paid in advance of events.

4. All users will be required to sign user's contract prior to facility use. The person signing the contract will be individually responsible for any damages to the building or for any fees charged for clean up.

5. Unless otherwise arranged in advance user will be responsible for setting up and taking down chairs and tables. Any special equipment requirements must be stated on user form.

6. Gunnison County will not be responsible for losses due to theft, fire or vandalism during activities held on the premises. Any special equipment, furnished by the user will be the responsibility of the user.

7. Nails or other objects will **not** be placed in the walls of the facility. Masking tape may be used on the walls.

8. No smoking will be allowed in any part of the building.

9. All animals are restricted to the arena.

10. The user is responsible for clean up of the facility including outside and parking areas.

11. Only designated facility staff may operate the P. A. system.

12. For public events the user is responsible for parking control and for insuring that fire lanes and access lanes are kept clear of obstruction. Parking shall be in designated areas only.

13. The facility will be used in a safe and careful manner. User will comply with all applicable municipal, counties, state and federal laws, rules and regulations as may be in force and effect during the scheduled event.

14. User must have all permits and licenses including city, county, state and federal required for the scheduled usage. All taxes must be paid promptly according to the nature of the usage.

15. Any activity will be charged according to the designated fee schedule.

16. The county reserves the right to control and manage the present and future usage of the facility and to enforce all necessary and proper rules and for its authorized representatives and employees to enforce rules and regulations, maintenance, inspection and repair of the facility.

17. The County reserves the right, but not the duty, through it duly appointed representative to eject any person(s) from the premises for violation of these rules or of any law or ordinance.

Please read section 18 <u>very carefully</u> if you are considering having alcohol at your event. If you have any questions call the Fairgrounds at 970-641-8561.

18. **Alcoholic** beverages may be served, but **<u>NOT SOLD,</u>** at the facility when the facility is rented for a private function and the event is by invitation only. If there is any doubt as to whether your function is considered private, please call the City Clerk's Office at 970-641-8140.

    a. A written request describing the event must be submitted to the Gunnison County Deputy County Manager/Marlene Crosby, 195 Basin Park Drive, Gunnison Colorado 81230, and fifteen days prior to the event for final approval. The request should include the following; following information or it will not be processed:
    b. Name of Person/Organization renting the facility
    c. Address of contact person
    d. Phone number (if available) of contact person
    e. Date of the Event
    f. Time of the Event
    g. Type of Event (wedding reception, birthday party, etc.)

    Alcoholic beverages **<u>MAY BE SOLD</u> only with prior approval** of the City of Gunnison and the State of Colorado in compliance with the Special Events Permit; this permit must be applied for **NO LATER THAN 30 DAYS PRIOR** to your event.

    a. A written request describing the event must also be submitted to the Gunnison County Assistant County Manager/Marlene Crosby at the address given in the section above. Gunnison County reserves the right to approve, deny or place conditions on any request to serve alcoholic beverages at the facility.