

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
February 21, 2023**

The February 21, 2023 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present, either in person or via Zoom, were:

Jonathan Houck, Chairperson
Liz Smith, Vice-Chairperson
Laura Puckett Daniels, Commissioner

Matthew Birnie, County Manager
Melanie Bollig, Deputy County Clerk
Others Present as Listed in Text

GUNNISON/HINSDALE BOARD OF HUMAN SERVICES REGULAR MEETING: This separate meeting was held from 8:30 am to 9:05 am. Please refer to separate meeting minutes on record for the Gunnison/Hinsdale Board of Human Services.

GUNNISON COUNTY LOCAL LIQUOR LICENSING AUTHORITY:

CALL TO ORDER: Chairperson Houck called the meeting to order at 9:05 am.

ALCOHOL BEVERAGE LICENSE #03-13185; SKYHIGHCOLORADO LLC DBA NUGGET CAFE; EFFECTIVE DATE 4/06/2023 - 4/06/2024: With no questions or concerns from the Board, it was **moved** by Commissioner Smith to approve the Alcohol Beverage License for SkyHighColorado LLC dba Nugget Cafe. Commissioner Puckett Daniels seconded. Motion carried unanimously.

ADJOURN: Chairperson Houck adjourned the meeting of the Local Liquor Licensing Authority at 9:06 am.

GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT:

CALL TO ORDER: Chairperson Houck called the meeting to order at 9:06 am.

CONSENT AGENDA: With no questions from the Board, it was **moved** by Commissioner Puckett Daniels to approve the consent agenda for the Gunnison River Valley Local Marketing District. Commissioner Smith seconded. Motion carried unanimously.

1. Approval for Professional Services Agreement; Tourism and Prosperity Partnership; Annual marketing agreement; Date of signing to 12/31/2023; \$3,390,000.00
2. Approval for Gunnison River Valley LMD Agreement; Marble Crystal River Chamber of Commerce; Annual marketing agreement; 1/01/2023 – 12/31/2023; \$41,395

ADJOURN: Chairperson Houck adjourned the meeting of the Gunnison River Valley Local Marketing District at 9:07 am.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Chairperson Houck called the meeting to order at 9:07 am.

AGENDA REVIEW: No changes were needed to the agenda.

SCHEDULING: Commissioner Houck noted that the Board should plan to be there all day on March 21st for their regular BOCC meeting in the morning, followed by a joint work session in the afternoon with the County and City of Gunnison Planning Commissions, and a Public Open House at the Library from 6 pm to 8 pm. He also noted that everyone's spring break plans will be needed. County Manager Matthew Birnie advised the Board that he would be out from February 28th through March 9th; Assistant County Manager for Operations & Sustainability John Cattles would be acting manager in his absence.

MINUTES APPROVAL: **Moved** by Commissioner Houck, seconded by Commissioner Smith, to approve the December 6, 2022 meeting minutes with the corrections and additions made as noted, and the December 20, 2022 meeting minutes as presented. Commissioner Puckett Daniels abstained from the vote, as she had not seated on the Board at that time. Motion carried.

1. **December 6, 2022 Regular Meeting.** Commissioner Smith had two amendments. On page 2, in the update for September 6th regular meeting minutes: "Rural Welcoming Week events" changed to "the Welcoming Week events"; for page 5, item 3: change from "found the proposal out of touch" to "found the proposed AMI's out of touch."
2. **December 20, 2022 Regular Meeting.** No changes were needed.

CONSENT AGENDA: **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith, to approve the consent agenda. Motion carried unanimously.

1. Approval for Colorado Parks and Wildlife Impact Assistance Grant Application; Assessor’s Office; for payment in lieu of taxes; \$17,223.98
2. Approval for Three Letters of Support for Town of Crested Butte grant applications; A) to the Colorado River District; B) to the Upper Gunnison River Water Conservancy District; C) to the Colorado Water Conservation Board; Funding for the Coal Creek Dam Construction project
3. Approval for Attorney Fee Agreement; Clay, Dodson & Skarka, PLLC; for legal services on water rights; \$225/hour
4. Approval for Contractor Agreement; Gunnison Valley Health; for nurse practitioner and LPN/RN services with Gunnison County Detention Center; 1/01/2023 – 12/31/2023; up to \$13,700
5. Approval for Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Application; Public Works; for Hwy 135 improvements near Whetstone Housing project; \$ 1,150,350

COUNTY MANAGER’S REPORTS: County Manager Matthew Birnie was present in the room for his report.

1. Review of GVH Real Property Housing Purchase; Lots 8-B and 8-C on N. Colorado Street, Gunnison; and

a) **Resolution; Authorizing the County Manager to Purchase Property on North Colorado Street in Gunnison, Colorado on Behalf of the Gunnison Valley Hospital:** Wade Baker, Vice President of Operations for GVH, and GVH CEO Jason Amrich were also present remotely via Zoom to answer any questions the Board might have. CM Birnie noted that they would need to change the authorization to GVH VP Wade Baker, in the event that the purchase took place while he was out of the office from February 28th to March 9th. CM Birnie added that the funds for the purchase would be coming from GVH, and no County funds would be used.

GVH CEO Jason Amrich thanked the Board for their assistance in the property purchase and then turned the briefing over to VP Wade Baker.

VP Baker went over the process that was used for funding the purchase, and shared recommendations from a property and site analysis that had been done for this purchase and for future considerations, including the proposed EMS building site and possible listing of the 231 West Tomichi property (formerly known as The Dollar Store).

The Board asked VP Baker a few questions regarding the process and documents for purchasing; County Attorney Matt Hoyt noted that one contract in their packet was not a final document; they were currently working final language.

Moved by Commissioner Smith to approve Resolution 2023-3, A Resolution Authorizing the County Manager to Purchase Property on North Colorado Street in Gunnison, Colorado on Behalf of the Gunnison Valley Hospital, authorizing the full Board’s signatures and also delegating the Vice President of Operations at GVH to execute and deliver all instruments necessary for the purchase of the County for the use of GVH, as described in the resolution. Commissioner Puckett Daniels seconded. Motion carried unanimously.

2. Traveled with Assistant County Manager for Operations & Sustainability John Cattles and Assistant County Manager for Community and Economic Development Cathie Pagano to view the Fading West manufactured housing facility in Buena Vista last Thursday. CM Birnie stated that it had been excellent to see their facilities as well as have a kick-off meeting with Fading West for Phase 2 of the Sawtooth affordable housing project. He praised the Fading West facilities and noted their quality construction and materials used in the project units.

TREASURER’S REPORT: County Treasurer Debbie Dunbar presented via Zoom, confirming that there was nothing out of the ordinary to report.

With no questions from the Board, it was **moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to accept the Treasurer’s reports and authorize the chair’s signature. Motion carried unanimously.

VOUCHERS AND TRANSFERS:

1. **January 2023 Accounts Payable Report. Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the voucher report in the amount of \$3,728,890.05. Motion carried unanimously.
2. **November 2022 Purchase Card Report.**
3. **January 2023 Cash Transfer Report. Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the January 2023 Cash Transfer report in the amount of \$5,130,662.90. Motion carried unanimously.
4. **Sales Tax - LMD Reports.** Commissioner Puckett Daniels commented that she found this reporting a very helpful breakdown across municipalities and across the community. Commissioner Smith noted the change in the taxes identified and collected for online sales – the difference in LMD revenues for 2022 over 2021. The Board briefly discussed possible reasons for these changes with CFO Perry Solheim. He stated that he would be working with the state to gain further insight on what the actual sales trend really is – whether the revenues are cooling or remaining stable.

RESOLUTION; UPDATING GUNNISON COUNTY PROCUREMENT POLICY: Chief Financial Officer Perry Solheim was present for discussion and to answer any questions the Board might have. CFO Solheim

briefly explained that this resolution was mostly wording changes required for grant procurement, brought to their attention during an audit. He asserted that most of the changes were not substantive, basically memorializing practices already taking place.

RESOLUTION; ADOPTING GUNNISON COUNTY GRANT POLICIES: CFO Solheim also went ahead with explaining this resolution as well, noting that these grant policies were actually already in place and documented, but hadn't yet gone before the Commissioners for formal approval. He wished to make sure this was put before the Board for approval now, for future grant management, again memorializing what was already in practice.

Moved by Commissioner Houck, seconded by Commissioner Smith to approve Resolution 2023-4, A Resolution Updating the Gunnison County Procurement Policy, as presented that morning. Motion carried unanimously.

Moved by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve Resolution 2023-5, A Resolution Adopting Gunnison County Grant Policies. Motion carried unanimously.

LOT CLUSTER; LOTS 73 & 75, MARBLE SKI AREA FILING NO. 3; KARI DUAME AND JOEL RAYES; LUC-23-00004: Community Development Administrative Services Manager Beth Baker was present in the room for discussion and to answer any questions the Board might have.

ASM Baker briefly went over the application with the Board, stating that the applicant wanted to cluster two adjacent lots 73 and 75 in the Marble Ski Area Filing No. 3. She noted that the application had been reviewed and determined legally sufficient by the County Attorney's Office, taxes were current, there was no HOA, mortgage lender and utility company approvals had been included in the file.

Moved by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve the lot cluster of Lots 73 & 73 in the Marble Ski Area Filing No. 3 for LUC-23-00004. Motion carried unanimously.

RESOLUTION; AUTHORIZING THE SHERIFF TO COLLECT FEES FOR VEHICLE IDENTIFICATION NUMBER (VIN) INSPECTIONS: Sheriff Adam Murdie was present in the room for discussion and to answer any questions the Board might have.

Sheriff Murdie explained that three entities can do inspections. Most are charging a minimal fee, but Sheriff Murdie had noted that many were being sent to or opted to come to the Sheriff's Office to have the inspection done because they are not charging anything. He requested that they now be able to charge \$5 for inspections at the office, and \$10 if they are required to go somewhere to inspect a vehicle.

The Board then briefly discussed fee amounts. Sheriff Murdie stated that this was comparable to what others were charging in the county and also in surrounding counties. Further discussion of fees and low charge for traveling to someone's residence, as well as the necessity for doing so was explored. They also looked at all in the county who would be able to do a VIN inspection.

With no further questions from the Board, Commissioner Houck **moved** to approve Resolution 2023-6, A Resolution Authorizing the Sheriff to Collect Fees for VIN Inspections, as presented that morning, and to authorize the signature of the full board. Commissioner Smith seconded. Motion carried unanimously.

GUNNISON COUNTY BOARDS AND COMMISSIONS; APPOINTMENTS: Chairperson Houck began by briefly going over the boards and commission appointment process, and added that the BOCC would be holding interviews the rest of that day.

The commissioners then went over the applicants for each of the Boards or Commissions needing appointments that day. These included: Gunnison Valley Hospital (GVH) Board of Trustees, Tourism and Prosperity Partnership (TAPP) Board, and the Library Board of Trustees.

After several minutes of discussion regarding the background and qualifications of each applicant for the GVH Board of Trustees, it was **moved** by Commissioner Smith to appoint Marla Crockett and Stephens Mundy to the GVH Board of Trustees. Commissioner Houck seconded. Motion carried unanimously.

The Board wished also to acknowledge Bob Schutt for all he has done in his five years' time on the board, his "heavy lift" contribution to all that has been accomplished. As well, they wished to acknowledge Polly Oberosler for her knowledge of the area and her creative contributions to healthy culture and community, and both for their willing service and all that they had been able to do in their time on the Board.

CHANGE OF AGENDA: Chairperson Houck elected to take a short break in the meeting, from 10:05 am to 10:10 am.

The Board returned and continued with their discussion, this time regarding background and qualifications for the applicants to the TAPP Board. As they went over the applications, it was noted that the CBMR and WCU representatives for TAPP would need to be present for appointments, and the Board would need to convene as the LMD Board to make appointments. Therefore, Chairperson Houck elected to move the appointments for the TAPP Board to a special meeting on February 28th.

The Board then turned their consideration to the Library Board of Trustees applicants. After several minutes of looking over the qualifications for each applicant, it was **moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to re-appoint Sally Hays and appoint Matthew Feier to the Library Board of Trustees. Motion carried unanimously.

UNSCHEDULED CITIZENS: There was no one present in the room or via Zoom who wished to make a comment.

COMMISSIONER ITEMS:

Commissioner Smith

1. Continued work with the Rural Welcoming Initiative site team / City of Gunnison Welcoming America Initiative. Commissioner Smith reported that, as part of the County's Equity, Diversity and Inclusion (EDI) strategic planning efforts, they would be sending a small team to the Welcoming Interactive in San Jose, California April 26-28, 2023. She highlighted that it would be good to see what other communities are doing and what ideas might be appropriate to bring back to Gunnison County.
2. Attended the City of Gunnison's Local Government 101 night held Thursday February 16th at the Fred R. Field Western Heritage Center. Commissioner Smith stated that there had been good attendance from both the general and Spanish-speaking population. The purpose had been for citizens to be able to meet local elected officials and to learn more about city and county local government and the types of services each provides. Commissioner Smith explained that there had been a brief overview and presentation given, after which people went to breakout tables to engage in questions and answers on a more personal level. Overall, Commissioner Smith felt that the event had been very productive for area residents, helping them understand basic differences in what can be expected from either City or County departments.
3. Cheatgrass Mitigation and Habitat Restoration update. Commissioner Smith shared that Cheatgrass Mitigation Coordinator Petar Simic has really picked up steam and been doing a lot of work in piecing together mitigation and restoration efforts. She informed the Board that they had recently hosted their second monthly Cheatgrass Subcommittee of the Gunnison Basin Sage-grouse Strategic Committee, and were starting to piece together the complexities of different projects for both mitigation and restoration, scheduled to begin in Summer 2023. Commissioner Smith also noted that they were starting to work through grant funding as well as outreach to private landowners who might be eligible for free treatments on their properties. She expressed the hope that these landowners could help facilitate efforts by becoming ambassadors for the project as it moves forward, and further noted that she was also working with Coordinator Simic on outreach, social media, and overall branding efforts.
4. Attended a Recovery Implementation Strategy (RIS) meeting. Commissioner Smith highlighted that this had been a productive meeting in terms of getting different agencies together on the same page, and for getting help on understanding the habitat assessment tool. She requested that she and Commissioner Houck work together later to reach out to people who weren't able to attend the meeting.
5. Bringing chili on Thursday February 23 for the County employees' chili cookoff. Commissioner Smith invited everyone to come with an appetite and sample the entries.
6. Club 20 meeting conflicts. Commissioner Smith let the Board know that she was the Chair for Gunnison County for Club 20, and that their meeting set for March 2nd would conflict with a One Valley Resiliency Roadmap leadership meeting. She advised that she would be touching base later with the other commissioners regarding some of the policies to be discussed at the leadership meeting; Commissioner Houck confirmed that he did plan to attend the full leadership meeting on March 2nd.

Commissioner Puckett Daniels

1. Out of office Thursday February 23rd through Monday February 27th. Commissioner Puckett Daniels let the Board know that she would be going to see family and to participate in a Nordic ski race. She further advised that she would miss her first Region 10 meeting on Thursday March 23rd.
2. Meeting conflict with Sustainable Tourism and Outdoor Recreation (STOR) Committee and Region 10. Commissioner Puckett Daniels advised that these two committees she had been appointed to were meeting on the same days every month. She did not know yet if an appointment adjustment needed to be made; currently, she was reaching out to Region 10 to see how long their meetings usually lasted, as she might be able to attend the STOR meeting afterwards. Commissioner Puckett Daniels noted that she would keep them posted on the issue.
3. Attended her first Gunnison Valley Regional Housing Authority (GVRHA) meeting last week. Commissioner Puckett Daniels informed the Board that she had been appointed Chair at this meeting, and that GVRHA would be having a board and staff retreat on Wednesday, February 22nd. Commissioner Puckett Daniels also stated that the Regional Housing Authority voted to give its Executive Director Andy Kadlec the authority to explore the possible purchase of Frontier Land Mobile Home Park, a small park in the City of Gunnison. Commissioner Puckett Daniels clarified that this was not really contract negotiation, but rather the giving of authority to work with the park owner on what a contract might look like and to look at what sort of grant opportunities might be available; she added that Director Kadlec was also working with the City of Gunnison on this.
4. Attended her first RTA board meeting last Friday, February 17th with Commissioner Smith. Commissioner Puckett Daniels highlighted that RTA Executive Director Scott Truex has done a great job calculating vehicle emissions and of estimating how much we are saving on greenhouse gas emissions by increased RTA ridership. She further reported that RTA had purchased two new buses and would have an expanded Summer 2023 schedule, with up to 28 routes per day. Also,

Commissioner Puckett Daniels noted that RTA had decided to get their deposit back from Fading West for affordable housing units, and will instead be purchasing two additional units that were not able to be sold through the lottery in the Lazy K affordable housing development.

- 5. Met with a group looking at further protection for the Crystal River. Commissioner Puckett Daniels stated that this was a first organizational meeting for a consortium looking at not just the Wild & Scenic designation, but also looking at the health of the Crystal River as a whole – wanting to build community engagement and explore what kind of protections are available. Among those attending were residents of Marble, representatives from Pitkin County, Gunnison County, and the Colorado River District, as well as a facilitator group already chosen by the consortium. Commissioner Puckett Daniels noted that she would be keeping the Board in the loop as this develops.

Commissioner Smith (additional comments)

- 7. Attended the RTA meeting last Friday with Commissioner Puckett Daniels. Commissioner Smith added to the RTA report by Commissioner Puckett Daniels, stating that they had also discussed their contract with air planners, and were exploring what a public RFP (Request for Proposal) process would look like and whether RTA would want to pursue this process. She also let the other commissioners know that she had been appointed as the Gunnison County representative on Air Command, taking over Roland Mason’s seat. Further, she stated that American Airlines would not be expanding regional service to Gunnison for now, but United that Airlines flights have been performing very well.

Commissioner Houck

- 1. Several meetings of note while in Washington DC. Among the numerous meetings he had attended while in DC, Commissioner Houck noted significant meetings with Senator Bennet, Senator Hickenlooper, Chief of Staff for Representative Boebert, Director of the Forest Service, Director of the BLM, Deputy Directors of the BLM, and Bureau of Reclamation representatives. Some community topics discussed with the senators and the representative’s office included post office issues; Gunnison Sage-grouse and wildlife corridor RMPAs were addressed with the BLM, as well as housing issues in regards to impacts on local BLM permitting and staffing. Commissioner Houck also discussed with the Bureau of Reclamation pressing water issues, such as the need for coordination and communication with other agencies and local government, for timing of their water draws. Senator Hickenlooper, who sits on the directing board for the Bureau of Reclamation, acknowledged the impacts of this lack of communication and stated that he would be working on closing the gap. Commissioner Houck reported he would be meeting with Sen. Hickenlooper’s staff next week on this.
- 2. Public Lands initiatives focused on fire – fire mitigation and fire safe communities. Commissioner Houck reported that, among all the pieces this year concerned with fire, none addressed the impacts and restoration needed for a community and wildlife after the fire. He added that he would be looking to use the Western Region group from CCI to expand on this overlooked area.
- 3. Looking at more opportunities for infrastructure funding. Commissioner Houck briefly reported that he was involved in looking at funding and what could be available for the County, within the 2023 infrastructure bill.

ADJOURN: Chairperson Houck adjourned the Gunnison County Board of County Commissioners regular meeting at 10:57 am

Jonathan Houck, Chairperson

Liz Smith, Vice-Chairperson

Laura Puckett Daniels, Commissioner

Minutes Prepared By:

Melanie Bollig, Deputy County Clerk

Attest:

Kathy Simillion, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 2023-3**

A RESOLUTION AUTHORIZING THE COUNTY MANAGER TO PURCHASE PROPERTY ON
NORTH COLORADO STREET IN GUNNISON, COLORADO
ON BEHALF OF THE GUNNISON VALLEY HOSPITAL

WHEREAS, the County, for the use of the Gunnison Valley Hospital, desires to purchase certain real property, described as Lot 8-B and Lot 8-C, Re-Subdivision of Lot 8 The Gunnison Center, Phase 1-C, according to the Plat recorded May 24, 2007 as Reception No. 575533 and Affidavit of Correction recorded July 8, 2008 as Reception No. 584971, City of Gunnison, County of Gunnison, State of Colorado. commonly known as property located on North Colorado Street in Gunnison, Colorado and as the Gunnison Center; and

WHEREAS, pursuant to Colorado law, particularly C.R.S. § 25-3-304, title to lands acquired and held by Gunnison Valley Hospital must be in the name of Gunnison County; and

WHEREAS, on May 17, 2022, the Board of County Commissioners, by resolution 22-22, delegated authority to the County Manager to negotiate and execute contracts and other documents for the purchase of real property; and

WHEREAS, the Gunnison County Board of County Commissioners of Gunnison County hereby approves the purchase of the aforementioned property for use by and benefit of the Gunnison Valley Hospital; and;

WHEREAS, the County Manager is unavailable to execute such contracts and documents in relation to Gunnison Valley Hospital’s desired purchase of the property that is the subject of this Resolution;

WHEREAS, in the absence of the County Manager, the Gunnison County Board of County Commissioners of Gunnison County has historically delegated its authority to purchase real property for the use and benefit of the Gunnison Valley Hospital to the Hospital’s Vice President of Operations.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Vice President of Operations of the Gunnison Valley Hospital is authorized to execute and deliver all instruments necessary for the purchase of the County, for the use of the Gunnison Valley Hospital, desires to purchase certain real property, described as Lot 8-B and Lot 8-C, Re-Subdivision of Lot 8 The Gunnison Center, Phase 1-C, according to the Plat recorded May 24, 2007 as Reception No. 575533 and Affidavit of Correction recorded July 8, 2008 as Reception No. 584971, City of Gunnison, County of Gunnison, State of Colorado. commonly known as property located on North Colorado Street in Gunnison, Colorado and as the Gunnison Center.
2. For the avoidance of doubt, this delegation of authority is expressly limited to the property transaction that is the subject of this Resolution and the Vice President of Operations of the Gunnison Valley Hospital is not authorized to bind or act on behalf of Gunnison County with regard to any other matter(s) unless the Board of County Commissioners of Gunnison County expressly indicates otherwise through another Resolution or formal action by the Board.

INTRODUCED by Commissioner Smith, seconded by Commissioner Puckett Daniels, and adopted this 21st day of February 2023.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

Houck – yes; Smith – yes; Puckett Daniels – yes

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 2023-4**

A RESOLUTION UPDATING GUNNISON COUNTY PROCUREMENT POLICY

WHEREAS, Gunnison County is a statutory county with an elected Board of Commissioners that is responsible for setting policy, appointing administrative personnel and the adoption of an annual budget in accordance with state statutes; and

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’s current Procurement Policy has undergone an annual review by the Finance Department; and

WHEREAS, Gunnison County’s current Procurement Policy required minor changes to more clearly document policy best practices already followed by Gunnison County personnel; and

WHEREAS, the attached Procurement Policy (Policy 1.2.10: Exhibit A) was updated to document Gunnison County’s current practices related to procurement.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the attached Procurement Policy (Policy 1.2.10: Exhibit A) is adopted;

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 21st day of February 2023.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

Houck – yes; Smith – yes; Puckett Daniels – yes

Exhibit A



Policy Name:	Gunnison County Procurement Policy		Policy Number:	1.2.10
Approval Authority:	Gunnison County Board of County Commissioners		Adoption Document	Resolution #2023-?
Date of Initial Adoption:	2/18/2020	Effective Date:	2/18/2020	Policy Custodian: Finance & Human Resources Department
Last Review / Revision Date:	2/21/2023	Review Frequency:	Every one (1) year.	Next Review Due: 2/21/2024

PURPOSE

The purpose of Gunnison County’s procurement Policy is to:

- Provide for the fair and equitable treatment by the County of all persons involved in public procurement.
- Maximize the purchasing value of public funds.
- Codify and standardize the County’s procurement rules and regulations for orderly and efficient administration.
- Provide safeguards for maintaining a procurement system of quality and integrity.
- Foster effective, broad-based competition within the free enterprise system.

SCOPE

This policy applies to the entire Gunnison County organization, including all departments and offices, and to the procurement of all goods and services required by the County, irrespective of the source of the County funds.

DEFINITIONS

- **Award** is the acceptance of a quote or proposal by the execution of a written agreement.
- **Bidder** is a business, individual, committee, club, organization or group of individuals that provide a competitive price offer and has the capability in all respects to perform fully the contract requirements.
- **BOCC** is the Gunnison County Board of County Commissioners.
- **Brand Name or Equal Specification** is a bid specification that identifies a particular manufacturer’s product by name, trademark, or other identifying numbers to describe the standard of quality, performance, and other salient characteristics needed to meet County requirements and allow vendors to submit equivalent products.
- **Brand Name Specifications** means a bid specification limited to a particular manufacturer’s brand name product or trademarked item whereby vendors may only submit bids for the brand name product identified. In certain instances, County efforts to gain efficiencies through standardizing on certain brand of products may justify the use of a brand name specification in a bid solicitation.
- **Contract** includes contracts for Professional Services, Professional Services Agreements, Capital Construction Contracts, and any other contract executed by Gunnison County or Procurement Card (P-Card) transaction in which County funds are used to acquire goods or services.
- **Contractor** is any person or company having a contract with Gunnison County.
- **County Manager** is the person serving in the position of County Manager, except that the County Manager may delegate authority for specific purchases to another employee.
- **Direct or Indirect Participation** is the involvement through decision, approval, disapproval, recommendation, preparation of any part of the purchase request, influencing the content of a specification or standard, rendering of advice, investigation, auditing, or in any other advisory capacity.
- **Financial Interest** is any monetary involvement in a business, employment or prospective employment for which negotiations have begun, an ownership interest in real or personal property, a loan or any other debtor interest, or being an officer in a business. Employees who may serve as a voting member on a non-profit board or commission that receives funding from Gunnison County must recuse themselves from any monetary decisions involving the County.
- **Gratuity** is a payment, loan subscription, advance, deposit of money, service, or anything of more than nominal value, present or promised.
- **Immediate Family** is the spouse, domestic partner, parent, grandparent, child, grandchild, brother, sister, either through blood, adoption or marriage, which includes in-law and step relationships.
- **Invitation for Bid (IFB)** is the process used to solicit bids from qualified vendors for goods or services when complete specifications or specific purchase descriptions are available. The specifications for the items to be procured are not subject to negotiation.

- **Procurement** is the buying, purchasing, renting, leasing, or other acquisition of supplies/services that involve the expenditure of funds or the rendering of any consideration on the part of the County. Though the terms "Procurement" and "Purchasing" are often used interchangeably, "Purchasing" is only one phase of the procurement cycle. Procurement consists of:
 - Planning and scheduling including defining the need, source selection, risk assessment and allocation of resources.
 - Source selection (purchasing) is the process through which qualified providers are identified, solicited, evaluated and selected.
 - Contract administration includes finalization of terms and conditions, payment of invoices, and adherence to identified insurance requirements through contract completion.
- **Procurement Process** is the series of acts of defining requirements, solicitation of sources, issuing bid documents, source selection, preparation and award of contract, and administration of the contract.
- **Request for Information (RFI)** is a written request for contractors to provide non-proprietary product and/or service information. An RFI is issued by the County for the purposes of allowing contractors an opportunity to make representations concerning products they sell or services they render; without any obligation on the part of the County to purchase such goods or services.
- **Request for Proposal (RFP)** is all written documents, whether attached or incorporated by reference, utilized for the solicitation of proposals. An RFP requires a contractor to propose a solution to Gunnison County based on the contractor's interpretation of the RFP specifications and statement of work. The terms of the proposals upon submission are open to negotiation.
- **Request for Qualifications (RFQ)** is the formal process for the County to solicit statements of qualifications of potential service providers allowing potential service providers an opportunity to make representations concerning services they render; without any obligation on the part of the County to purchase such services.
- **Scope of Work (SOW)** describes the specific service requirements and expectations applicable to a contractor concerning particular goods and/or services being procured by the County. The SOW identifies responsibilities of both the County and the Contractor.
- **Services** are the furnishing of labor, time, materials, tools and/or equipment by a contractor which involves the delivery of a specific end result related to the performance criteria in the contract.
- **Specification** is any description of the physical or functional characteristics or description of the unique nature of a product or service.
- **Surplus Property** is any County-owned property that is no longer functional (and is beyond repair), has been utilized for a period of time equal to its useful life, and/or is no longer of any use to any County department.

POLICY STATEMENTS

General

When the procurement involves the expenditure of State or Federal assistance, grants or contract funds, the procurement shall be conducted in accordance with any applicable local, State or Federal laws/regulations as they pertain to the State or Federal assistance, grant or contract funds.

The County is responsible for purchasing high-quality goods and services, at a reasonable cost and in a timely manner, through a full and open competitive selection process.

The County is responsible for ensuring fair and equitable treatment of all persons involved in providing goods, services and/or construction to the County.

The County is responsible for maintaining an open and competitive environment for all qualified vendors where sellers have access to County business and where all procurement actions are conducted fairly and impartially in the best interest of Gunnison County.

Competitive sealed bids or competitive proposals shall be used to facilitate contracts with nongovernmental contractors for the purchase or lease of goods and services in accordance with the limitations described herein.

Ethical Standards

All Gunnison County officials and employees must comply with the Standards of Conduct and the Code of Ethics contained in C.R.S. §24-18-101, et seq., the rules concerning interests in contracts contained in C.R.S. §24-18-201, and the ethics in government provisions applicable to County officials and employees contained in Article XXIX of the Colorado State Constitution. The Ethical Standards stated in this section are summaries of the statutory and constitutional requirements, and do not supersede the statutory and constitutional requirements. Any official or employee who has a question about whether a specific action is a violation of the Ethical Standards should review the applicable statutes and constitutional provisions cited in this section and/or consult with the County Attorney.

A Gunnison County official or employee shall not:

- Disclose or use confidential information acquired in the course of his or her official duties in order to further substantially his or her personal financial interests; or
- Accept a gift of substantial value or a substantial economic benefit tantamount to a gift of substantial value, as described in C.R.S. §24-18-104, including, without limitation, any gift with a value in excess of the amount of \$65.00, as such amount limitation may be adjusted for inflation pursuant to Section 3 of Article XXIX of the Colorado State Constitution.

A Gunnison County official or employee should not, within six months following the termination of his or her office or employment with Gunnison County, obtain employment in which he or she will take direct

financial advantage, unavailable to others, of matters with which he or she was directly involved during his or her term of employment. These matters include rules, other than rules of general application, which he or she actively helped to formulate and applications, claims or contested cases in the consideration of which he or she was an active participant.

A Gunnison County official or employee should not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when he or she has a substantial financial interest in a competing firm or undertaking.

A Gunnison County official or employee is prohibited from assisting or enabling members of his or her immediate family in obtaining employment, a gift of substantial value, or an economic benefit tantamount to a gift or substantial value from a person whom the official or employee is in a position to reward with official action or has rewarded with official action in the past.

To the extent that violations of ethical standards of conduct constitute violations of State or Federal laws, sanctions shall be imposed as provided by law.

Vendor Requirements

No bidder, vendor, potential supplier, contractor or subcontractor shall confer upon any public official or employee, participating in a procurement transaction, any payment, loan, subscription, advance, deposit of money, or service, either presented or promised.

All bidders, vendors, potential suppliers, contractors or subcontractors shall complete a disclosure of interest form to inform of any County Employees’ personal interest in the respective procurement. Failure to make the required disclosure may result in disqualification, disbarment, suspension from bidding, rescission of contracts and/or other sanctions as appropriate.

No contractor or subcontractor shall give, demand or receive from any suppliers, subcontractors or competitors any bribe or kickback or anything of value in return for participation in a procurement transaction or agreeing not to compete in a transaction.

Architects or engineers contracted by the County may not directly or indirectly furnish building materials, supplies or equipment for any structure on which they are providing professional services, unless the provision has been formally included in the service contract.

Contemporaneous Employment Prohibited

No County employee directly or indirectly involved in the County’s procurement process shall engage in any outside employment or other activity that is a conflict of interest with the proper discharge of the employee’s County office or position.

Conflict of Interest Waiver

The County Manager, in consultation with the County Attorney, may grant a waiver from the above Employee Requirements provisions upon making a determination that:

- The conflict or financial interest has been disclosed;
- The employee will be able to perform their procurement function without actual or apparent bias or favoritism, and without a violation of State or Federal law; and
- The award will be in the best interests of Gunnison County.

Remedies and Consequences of Breach

The value of anything transferred or received in a breach of ethical standards will be recoverable by the County from the recipient in accordance with due process requirements and existing law. Any employee involved in a breach of ethical standards may also be disciplined in accordance with Section 6 of the Gunnison County Employee Handbook.

Authority

- **Board of County Commissioners** – The Board of County Commissioners shall establish the policy for all procurement conducted by Gunnison County government.
- **The County Manger** – The County Manager is responsible for ensuring compliance with this Procurement Policy. Also, the Gunnison County Manager has contract execution authority as governed by Policy #1.2.1.2, Gunnison County Manager Contract-Execution Authority Policy.
- **Department Directors** – Department directors shall be delegated purchasing authority and responsibility as set forth, and department directors may delegate purchasing authority to department staff as required.

Expenditure Approval and Source Selection Requirements

The following table reflects expenditure approval and source selection requirements:

Expenditure Amount	Expenditure Approval Level	Source Selection
Up to \$9,999 ¹	Department Director	No competitive IFB, RFI, RFP and/or RFQ required.
\$10,000 - \$144,000 ²	County Manager	Documented, competitive bid from at least three (3) sources. Exceptions may be individually considered.

Greater than \$144,000 ²	BOCC	Formal, advertised bid (IFB or RFP).
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1. Department Director purchasing/selection authority does not give them contracting/signatory authority. All normal contracting processes must be followed.
2. Policy 1.2.1.2 outlines the County Manager’s contract-execution authority, which includes an automatic annual CPI adjustment. Therefore, the authority granted in Policy 1.2.1.2 will prevail in any conflict between the above maximum expenditure amount shown for the County Manager and the corresponding threshold for requiring BOCC approval.

Additional Table Notes:

- County staff will exercise due diligence to ensure competitive pricing for all purchases and seek to avoid acquisition of unnecessary or duplicative items.
- All thresholds above are per total transaction cost not per item.
- Adequate current year budget appropriation required for all purchases.
- Expenditures involving County facilities including leases, rentals, maintenance, furniture, or vehicles must be coordinated with Facilities and/or, Fleet.
- Expenditures involving computer or phone equipment, hardware, software, peripherals, subscriptions, or professional services must be coordinated with IT Department.
- Expenditures involving insurance claim purchases or services must be coordinated with Finance, County Attorney and Facilities or Fleet Managers.
- Expenditures involving legal purchases or services require approval from the County Attorney.
- In all purchases, the bid or contract shall be awarded to the most responsive, responsible and best-value bidder, which may not necessarily be the lowest-price bidder being selected.

Documented Competitive Bids or Competitive Source Selection

In competitive bidding, the following may be required, as applicable:

- Instructions and information to bidders concerning the bid submission requirements, including the time and closing date, and the address of the office to which bids are to be delivered;
- The project description that includes the Specifications and/or Scope of Work (SOW) and all drawings;
- The basis of award, delivery, or performance schedule, and inspection and acceptance requirements;
- The proposed contract and all standard clauses, conditions, and attachments, as may be amended upon consultation with the County Attorney;
- Cost-plus percentage contracts should be avoided unless no other options are available;
- Geographic preferences in vendors should be avoided;
- All requests for solicitations must incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not contain features which unduly restrict competition.
- A schedule of all applicable deadlines and key dates; and
- C.R.S. §43-2-209 requires that proposed work on highways be advertised and that a formal competitive source selection process be conducted, for work requiring a contractor’s bond.

Sole Source Procurements

If a competitive process is required, a department director may recommend and the County Manager may approve the award of a contract without competition after conducting a good faith review of available sources. The department director of the requesting department, with the assistance from the Finance Director, if requested, may conduct negotiations, as appropriate, as to price, delivery, and other terms and conditions.

Invitation for Bid (IFB) Requirements

The responsible department will prepare and publish an IFB solicitation package that shall, at minimum, include:

- Instructions and information to bidders concerning the bid submission requirements, including the time and closing date and the address of the office to which bids are to be delivered; and
- Accurate and thorough description of the Specifications and/or Scope of Work (SOW) and any drawings.

All bids shall be unconditionally accepted without alteration or corrections, except as specifically authorized elsewhere in these procedures. Bids shall be evaluated based on the requirements set forth in the IFB document which may include consideration for such factors as: inspection, standardization, testing, references, quality, price, workmanship, delivery, functionality, and suitability for a particular purpose. Potential suppliers responding to an IFB may be contacted by the department director or designee prior to award, for the purposes of obtaining clarification to assure a full understanding of, and conformance to, all IFB requirements.

Request for Proposal (RFP) Requirements

The responsible department will prepare and publish an RFP solicitation package that shall, at minimum, include:

- Instructions and information to the proposer concerning proposal submission requirements, including the time and closing date and the address of the office to which proposals are to be delivered;
- Accurate and thorough description of the Specifications and/or Scope of Work (SOW), any drawings, and any insurance/bonding requirements;
- The evaluation factors and their relevant importance, and
- A schedule of all deadlines and key dates.

The source selection process for RFP's is the same as identified for IFB's and RFQ's with two (2) exceptions:

- The record that is prepared, containing information on the proposals received and other associated information, may or may not be disclosed until after award of the contract, depending on the County's best interests.
- The identity of competing suppliers, and the associated information derived from their RFP responses, may or may not be disclosed to any competing RFP respondent prior to award of the contract, depending on the County's best interests. After award of a contract, all information (with the exception of proprietary business and financial information) received from all vendors who responded to the RFP shall be considered public information and shall be available for public review upon request.

Request for Qualification (RFQ) Requirements

The responsible department will prepare and publish an RFQ solicitation package that shall, at minimum, include:

- Instructions and information to the potential supplier concerning submission requirements, including the time and closing date and the address of the office to which responses are to be delivered.

Public Notice of RFP or RFQ

In cases where an RFP or RFQ is used, adequate public notice of at least seven (7) days will be provided on the Gunnison County website to allow potential suppliers an opportunity to respond to the respective RFP or RFQ document. Public notices for construction work must be published fourteen (14) days prior to the RFP or RFQ closing date. Advertisement in additional publications or locations is optional.

Exceptions to Competitive Selection Requirements

The following are exempt from competitive source selection:

- Notwithstanding any other provisions of this Gunnison County Procurement Policy, the County Manager may make, or authorize others to make, emergency procurements of goods or services up to the expenditure limit outlined in Policy #1.2.4.3.1, currently \$250,000, when there exists a threat to public health, welfare or safety, and/or the expenditure limit outlined in Policy #1.2.1.2, currently \$124,000, when there exists an urgent need to support the County's delivery of essential services and limit interruption of operations, and:
 - o The emergency procurement is made with as much competition as is practical under the circumstances;
 - o Sufficient budgeted and appropriated funds are available; and
 - o The emergency purchase is placed on the next regularly scheduled BOCC meeting for ratification.
- Advertisements placed in newspapers to meet obligations under Colorado Statutes concerning legal and/or public notices; or, for purposes of increasing public awareness of services.
- Governmental agency agreements that facilitate payments (or reimbursements) between Gunnison County and other agencies for which an appropriation was determined by budget hearings whether conveyed under contract, grant or other means, and whether or not Gunnison County receives goods, services, or other values there under. (i.e., emergency search & rescues, cities, counties, public education institutions, etc.).
- Mileage and personal reimbursements to County officials or employees or individuals for expenses paid out-of-pocket as stated in the Gunnison County Travel Policy.
- Dues, meetings, and miscellaneous travel expenses for seminars or conventions.
- Education and training fees paid for training of Gunnison County officials or employees.
- Expert witness and transcript services for the County Attorney or Sheriff.
- Licensed professionals such as attorneys, specialty engineers, surveyors and medical professionals.
- Intergovernmental Agreements and Memorandums of Understanding to receive specific services from other government entities.
- Goods or services that are available via prior awarded bid to a governmental entity in the State of Colorado.
- Utilization of State bid lists and pricing agreements to procure items already vetted through the State's process.

Waiver of Competitive Source Selection Requirements

Requirements outlined in these procedures may be waived by the County Manager when the same or similar supply or service has been put out to bid by Gunnison County (or other Government entities) within the last six (6) months.

The competitive source selection process may be waived by the County Manager upon a determination that the IFB or RFP requirements would cause undue delay or hardship for a County department, a delay that contributes to a public safety hazard, and/or such waiver is deemed to be in the best interest of Gunnison County.

Cancellation of IFB, RFP or RFQ

An IFB, RFP, RFQ or other type of solicitation initiated by Gunnison County may be cancelled, or a solicitation response by a vendor may be rejected in whole or in part as specifically identified in the solicitation document or when it is in the best interest of Gunnison County. Each solicitation issued by Gunnison County shall state that the solicitation may be cancelled and that any response to a solicitation issued by Gunnison County may be rejected in whole or in part when in the best interest of Gunnison County.

Withdrawal of Bid

Withdrawal of a bid by a supplier may be permitted (up to the time of award) if the supplier provides a written request to withdraw a bid or if the supplier submits written proof that clearly and convincingly demonstrates that an error was made within their bid.

Award of Contract

Any contract or purchase order shall be awarded with reasonable promptness by appropriate notice to the most responsive, responsible and best-value bidder, which may not necessarily be the lowest-price bidder being selected. In the event that all bids received exceed available funds, the department director is authorized, in situations where time or economic considerations preclude the re-solicitation of bids, to attempt to negotiate an adjustment of the price and/or the Scope of Work with one or more of the bidders.

Bid Protests, Claims, Remedies, and Non-responsibility

Any bidder, submitter of a proposal, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest. Protestors shall initially seek resolution of their complaints with Gunnison County. A protest with respect to an IFB, RFP or RFQ shall be submitted in writing prior to the opening of solicitations or the closing date of solicitations, unless the aggrieved person did not know and should not have known of the facts giving rise to such protest prior to bid opening or the closing date of proposals.

The protest shall be submitted in writing to Gunnison County within seven (7) business days after such aggrieved person knows or should have known of the facts giving rise thereto. In the event of a timely protest, Gunnison County shall call the matter to the County Manager's attention immediately and ask for a determination of whether it is necessary to delay or to go forward on the project despite the objection.

If prior to or after the bid opening or the closing date for receipt of proposals, it is determined that a solicitation is in violation of State or Federal law, the solicitation or proposed award shall be cancelled or revised to comply with applicable law.

Brand Name or Equal Specification

Because the use of a brand name specification is restrictive, it may only be used when the brand name will satisfy the County's needs, and:

- No other design, performance specification or qualified product list is available;
- Time does not permit the preparation of another form of product description;
- The nature of the product or the nature of Gunnison County's requirements makes use of brand name or equal specification suitable for the procurement; or
- It is in Gunnison County's best interest due to compatibility with existing products.

Non-restrictive Use of Brand Name or Equal Specification

When a brand name or equal specification is used in a bid document, the bid document shall include language that the use of a brand name is for the purpose of describing the standard of quality, performance and characteristics desired and is not intended to limit or restrict competition.

Segregation of Duties

Procurement decisions and ordering must be made by an individual not directly involved with processing payments to vendors. Finance staff in the accounts payable function responsible for processing payments to vendors will not make decisions nor place orders for material, goods or services.

Contract Administration

All contracts and agreements must include the County's standard contractual terms as approved by the County Attorney. Contracts or agreements that incur liability for the County must include evidence of insurance and be approved by the County Attorney.

Annual contracts may include extensions. Multi-year contracts may also be approved, but they are subject to annual appropriation.

Professional Service Contracts

Professional Services Contracts, including the initial term and all available extension options, may be approved by the County Manager. Exceptions to Professional Services Contract terms:

- Long-term agreements with other government entities
- Licensing agreements
- As agreed to by the County Manager

Change Orders to Professional Services and Capital Construction Contracts

Professional Services and construction contracts shall contain a defined procedure to document any change to the Scope of Work. The Gunnison County Contract Administrator identified in the contract shall be responsible for documenting the change and any resulting changes in the contract value. Contracts shall contain instructions which define the manner in which changes are documented.

The contract's identified Gunnison County Contract Administrator shall have full authority to initiate and approve changes that decrease the scope of work and/or the contract price.

The contract's identified Gunnison County Contract Administrator may incorporate changes that increase the scope of work and/or the contract price if the proposed change results in a total contract value of no more than \$49,999. Changes that increase the total contract value to \$50,000 or more must be preapproved by either the County Manager or, if the change exceeds the County Manager's contracting authority, the BOCC.

Contract Claims

All claims by a contractor against Gunnison County relating to a supply contract, except bid protests, shall be submitted in writing to the County Manager for a decision. The contractor may request a conference with the County Manager on the claim. Claims include, without limitation, disputes arising under a supply contract and those based upon breach of contract, mistake, misrepresentation, or other cause for contract modification or cancellation.

Authority to Settle Bid Protests and Contract Claims

The Gunnison County Manager is authorized to settle any protest regarding the solicitation or award of a Gunnison County supply contract, or any claim arising out of the performance of a Gunnison County supply contract.

The Gunnison County Manager will review the contract claim and a written decision shall be promptly issued. The decision shall state the basis for the decision reached.

If the Gunnison County Manager does not issue a written decision regarding any controversy within twenty (20) business days after written request for a final decision, or within a longer period as may be agreed upon between the parties, then the aggrieved party may proceed as if an adverse decision had been received.

Disposal of Surplus Property

Policy #5.1.3, the Gunnison County Surplus Disposition Policy, outlines the final step in the procurement cycle, which is the disposal of personal or real property that exceeds Gunnison County's needs and is not required for Gunnison County's foreseeable needs.

COMPLIANCE

This policy shall be complied with in all respects. Revisions to this policy may occur and every attempt will be made to provide prior notice of any such change. 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.

E-PROCUREMENT

Utilization of eProcurement and Automated Technology to improve efficiencies and vendor data management should be part of the purchasing operation if the technology is available for the County to use.

TRANSPARENCY

Purchasing policy/manual, to include the Procurement Ethics, must be published on the County's website.

APPLICABLE LEGISLATION AND/OR RELATED REGULATIONS, POLICIES AND FORMS

- C.R.S. §24-18-101; Legislative Direction
- C.R.S. §24-18-104; Rules of Conduct for All Public Officers, Members of the General Assembly, Local Government Officials, and Employees
- C.R.S. §24-18-201; Interests in Contracts
- C.R.S. §24-103-202; Invitation for Bids
- C.R.S. §43-2-209; Contract for Work on Highways – Advertise for Bids
- Article XXIX of the Colorado State Constitution
- Gunnison County Policy #1.2.1.2 – Gunnison County Manager Contract-Execution Authority Policy
- Gunnison County Policy #1.2.4.3.1 – Gunnison County Emergency and Disaster Management Procedures
- Gunnison County Policy #4.3.1 – Gunnison County Employee Handbook
- Gunnison County Policy #5.1.3 – Surplus Property Disposition Policy
- National Procurement Institute - Best Practices & Excellence in Procurement criteria

All policies are subject to amendment. Refer to the Gunnison County website (www.GunnisonCounty.org/Policies) for the official, most recent version of any policy adopted by the Gunnison County Board of County Commissioners.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 2023-5**

A RESOLUTION ADOPTING GUNNISON COUNTY GRANT POLICIES

WHEREAS, Gunnison County is a statutory county with an elected Board of Commissioners that is responsible for setting policy, appointing administrative personnel and the adoption of an annual budget in accordance with state statutes; and

WHEREAS Gunnison County applies for and administers grant funds from other organizations; and

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 no formal, stand-alone grant policy; and

WHEREAS, the attached Grant Policy (Policy 1.2.1.3.2: Exhibit A) was created to reflect Gunnison County’s current policy related to the application, acceptance, execution and reporting of grants for funding from organizations external to Gunnison County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the attached Grant Policy (Policy 1.2.1.3.2: Exhibit A) is adopted;

INTRODUCED by Commissioner Smith, seconded by Commissioner Puckett Daniels, and adopted this 21st day of February 2023.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

Houck – yes; Smith – yes; Puckett Daniels – yes

Exhibit A



Policy Name:	Gunnison County Grant Policy			Policy Number	1.2.1.3.2
Approval Authority:	Gunnison County Board of County Commissioners			Adoption Document	Resolution #2023-?
Date of Initial Adoption:	2/21/2023	Effective Date:	1/1/2023	Policy Custodian:	Finance Department
Last Review / Revision Date:	2/21/2023	Review Frequency:	Every five (5) years.	Next Review Due:	2/21/2028

PURPOSE

- This policy provides standard procedures for grant procurement, coordination, oversight, reporting and record retention.
- A centralized repository will be maintained in the Finance department to identify, catalog and report all grants.
- The implications of Tabor and other implicated laws will be considered when applying or accepting grants.

SCOPE

This policy applies to all County departments.

DEFINITIONS

- Grantor: Provider of funds
- Grantee: Recipient of funds

GUIDELINES

- Grants will follow the requirements of the grant contract.
- The accounting system will capture revenues and expenditures, including supporting documentation, for each individual grant via the general ledger and/or project accounting system.
- Grants will be reconciled and reviewed monthly, to ensure revenues and expenditures are appropriately coded.
- Only allowable costs will be allocated to a grant.

- Grants identified and sufficiently quantifiable but for which a grant award letter has not yet been received can be included in department budgets during the regular annual budgeting cycle.
- Grants applications submitted after the annual budget is approved will only be budgeted when the grant award letter has been received. These mid-year grants received following budget adoption will require submission of a budget amendment to be approved by the CFO and County Manager and then submitted for Board of County Commissioners with all other annual amendments at the close of the year.
- Recipient departments are responsible for all aspects of the grant process including:
 - o Planning for grant acquisition
 - o Preparation and submission of grant proposals
 - o Preparing requests to accept funds
 - o Developing grant implementation plans
 - o Managing grant programs
 - o Managing and adhering to grant reporting deadlines
 - o Working with Finance to meet all reporting requirements
 - o Closing out grant projects and making final reports
- During the grant period of any grant received, the Finance Department and/or Auditors may review the files associated with the grant and the project or program it funds.

PROCEDURES

Applications

- Grant applications for which the total budget (requested funding plus match) is less than the indexed contract-execution authority for the County Manager set forth in Policy 1.2.1.2 may be submitted with approval of the County Manager.
- Grant applications for which the total budget (requested funding plus match) is greater than the indexed contract-execution authority for the County Manager set forth in Policy 1.2.1.2 shall require formal approval by the Board of County Commissioners.

Acceptance/Contracting Authority

- All contract, agreements and final acceptance of grant funding shall require review for legal sufficiency by the County Attorney’s Office and formal approval by the County Manager and/or Board of County Commissioners where appropriate.
- Amendment to such contracts shall also require review for legal sufficiency by the County Attorney’s Office and formal approval by the County Manager and/or Board of county Commissioners where appropriate.
- Should the County Attorney, Deputy County Attorney, or Assistant County Attorney recommend against entering into a contract or agreement for grant funding because of a legal issue or concern, only the County Manager and/or Board of County Commissioners may override this recommendation where appropriate.

Receipt of funds

- The recipient department must identify the type of money transfer: Electronic Funds Transfer or Check, from grantor and coordinate with Finance/Treasurer departments for EFTs.
- The recipient department must obtain and secure private passwords and log-ins for creation of payment requests from grantor unless the grantor authority requires other methods for requests through common requesting systems managed by Finance.

Reporting of Grant

- Recipient departments shall prepare all reports required by grantor.
- Finance department shall ensure the collection of required financial information related to grant reporting and coordinate with recipient departments to assist with timely reporting to grantors.

File Management

- Recipient departments shall maintain files, in a centralized electronic location of the County, grant related documents, including separate sections for:
 - o Copy of grant application
 - o Statistical or other information supporting request for grant
 - o Copy of award letter
 - o Reports to grantor
 - o Copy of payment requests
 - o Copy of closing documents

Record Retention

- Grant records will be maintained for seven years after the end of the fiscal year that includes the date of the grant.
- If any litigation, claim, negotiation, audit or other action involving records has been initiated before the expiration of the seven-year period, or if the County has received a request to preserve records related to actual or potential litigation or criminal investigation, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular seven-year period, whichever is later.
- Grantors may require retention periods in excess of seven years.

All policies are subject to amendment. Refer to the Gunnison County website (www.GunnisonCounty.org/Policies) for the official, most recent version of any policy adopted by the Gunnison County Board of County Commissioners.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 2023-6**

**A RESOLUTION AUTHORIZING THE SHERIFF TO COLLECT FEES FOR
VEHICLE IDENTIFICATION NUMBER (VIN) INSPECTIONS**

WHEREAS, the Gunnison County Sheriff's Office in Gunnison County, Colorado, performs VIN inspections; and

WHEREAS, it is a common practice in Colorado for law enforcement agencies to charge a minimal fee for VIN inspections and currently the Sheriff's Office does not charge for this service; and

WHEREAS, the Sheriff wishes to collect a fee to compensate for the time and cost of administering VIN inspections; and

WHEREAS, C.R.S. §42-5-204 allows fees collected by a law enforcement agency of a local government to be credited to the general fund of the local government.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Sheriff will charge \$5.00 for VIN inspections at the Sheriff's Office and \$10.00 for VIN inspections at other locations.
2. The revenue collected for VIN inspections will be placed in the general fund as fees collected by the Sheriff's Office.

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 21st day of February 2023.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

Houck – yes; Smith – yes; Puckett Daniels – yes