

AUGUST 24, 2011

CALL TO ORDER

At 8:07 a.m., David Frankel called to order the formation meeting of the Mesa County Federal Mineral Lease District at the Home Loan Building, 205 North 4th Street, Community Room on the Basement Level, Grand Junction, CO. The Board of Directors present included: Craig J. Meis, Mesa County Commissioner; Craig Springer and David Ludlam; Lyle Dechant, Mesa County Attorney; David Frankel, Chief Assistant Mesa County Attorney; and Roberta Raley, Mesa County Clerk to the Board. (Minutes transcribed by Roberta Raley, Mesa County Clerk to the Board.)

David Frankel stated the notice of this meeting was posted on Friday afternoon, August 19, 2011, at both the Grand Junction City Hall and the Mesa County Courthouse.

The Mesa County Federal Mineral Lease District was established on June 20, 2011, by the Board of Mesa County Commissioners resolution MCM 2011-050. On June 27, 2011, the Mesa County Board of Commissioners appointed the initial Federal Mineral Lease (FML) Board of Directors with resolution MCM 2011-058; naming Craig Meis, Commissioner, Craig Springer and David Ludlam. David asked each Board member if they accepted their appointments to serve, as they did.

ELECTION OF OFFICERS

Per statute, the Board of Directors must elect from its members a President and Secretary.

CRAIG J. MEIS MOVED TO NOMINATE CRAIG SPRINGER AS PRESIDENT OF THE BOARD OF DIRECTORS; DAVID LUDLAM SECONDED, MOTION UNANIMOUSLY CARRIED.

CRAIG SPRINGER MOVED TO NOMINATE DAVID LUDLAM AS SECRETARY OF THE BOARD, CRAIG J. MEIS SECONDED, MOTION UNANIMOUSLY CARRIED. (Resolution on file at the Mesa County Finance Division, Resolution No. MCFML 2011-001.)

ADOPTION OF BYLAWS

David Frankel reviewed the Bylaws, which he amended after the initial workshop in collaboration with Garfield, Routt, Rio Blanco, and Moffat County Attorneys. The statute states the Board is to distribute, as its function, on an annual basis all the funding that it receives from the State Department of Local Affairs. That funding is designed to be distributed to address energy impacts.

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Commissioner Meis asked for clarity on the "Board" if is the FML Board or the BOCC. David Frankel stated with direction from the District Board he would look for scrivener's errors and correct them, clarifying which Board.

DAVID LUDLAM MOVED TO APPROVE THE BYLAWS AS DRAFTED WITH COMMISSIONER MEIS' RECOMMENDED CHANGES AND THE ABILITY TO COME BACK AND DO A BYLAWS REVIEW AT THE BEGINNING OF NEXT YEAR, MOTION UNANIMOUSLY CARRIED. (Resolution on file at the Mesa County Finance Division, Resolution No. MCFML 2011-002.)

ADOPTION OF SERVICE PLAN

David Frankel stated the FML District has a statutory obligation to propose a Service Plan to the Board of County Commissioners for their review and approval. He reviewed the Service Plan. Commissioner Meis requested for an amendment "including but not limited to" to the provision of bookkeeping and administrative support services.

Craig Springer stated the draft Service Plan said unincorporated areas of Mesa County; this simply states all of Mesa County. David Frankel stated this would allow municipalities not joining to still be able to receive their funding.

DAVID LUDLUM MOVED TO SUBMIT THE MESA COUNTY FEDERAL MINERAL LEASE DISTRICT SERVICE PLAN TO THE MESA COUNTY BOARD OF COMMISSIONERS AS AMENDED, CRAIG J. MEIS SECONDED, AND MOTION UNANIMOUSLY CARRIED. Resolution on file at the Mesa County Finance Division, Resolution No. MCFML 2011-003.)

Craig Springer asked if there is any additional information or indication that there will be any moneys to be distributed this year. David Frankel stated DOLA officials have indicated that this years' disbursement will be mailed out as a check next week.

ADOPTION OF IGA WITH MESA COUNTY

David Frankel reviewed the proposed IGA between the District and the Mesa County Finance Department. The IGA would have Finance preparing a proposed budget for the District's consideration, after approval Finance would submit a copy of the budget to the State. There was discussion on budget, timing, disbursements, and delineating the District from the County, and consideration of whether or not the Feds could challenge the structure of the District and what that might look like.

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Also discussed was an option of creating an agreement that could be renegotiated each year.

DAVID LUDLAM MOVED TO APPROVE, AS AMENDED, THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE MESA COUNTY FEDERAL MINERAL LEASE DISTRICT AND THE MESA COUNTY FINANCE DEPARTMENT AS AMENDED BY COMMISSIONER MEIS;

David Frankel reviewed the amendment as a paragraph describing "this is an annual agreement after which the costs would be reviewed and the agreement renegotiated. There will not be costs the first year, future costs will be determined. The Board of County Commissioners will ratify the agreement."

CRAIG J. MEIS SECONDED, AND MOTION UNANIMOUSLY CARRIED. (Resolution on file at the Mesa County Finance Division, Resolution No. MCFML 2011-004.)

UNSCHEDULED BUSINESS

Lyle Dechant requested the District Board discuss how the minutes are to be kept; the Clerk and Recorder is assisting. For future meetings the FML District will need to keep minutes and a recording. Craig Springer stated he would have his assistant record the minutes and do a draft of the minutes. The Board decided they wanted summary minutes of the meetings. At this time, the County Attorney's Office will receive a copy of the recording. Lyle stated the meetings have to be posted; that can be coordinated with the City Clerk and the County Administration.

Craig Springer asked for some discussion regarding e-mails as to whether they would be open to the public. David Frankel stated this District is subject to the "Open Records Act". It was agreed that this Board would not create an e-mail policy.

David Ludlam stated for the next meeting he would like to contact a person for help in drafting a communication plan or RFP to distribute to the community that would establish scoring process for the grants; so this can to be incorporated in to the proposed budget.

Commissioner Meis stated he was happy to have the discussion but wants to keep costs low. Craig Springer was in agreement with Commissioner Meis.

David Frankel stated per statute 10% of the funds can be used for overhead and operating; he asked if the Board would like the budget to use that amount as a placeholder; and 90% for the grants. This was agreed on.

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Craig Springer suggested an RFP for banking services. It was suggested to pole Alpine, US Bank, Vectra, and American National for what services they could provide. Deferring judgment to the Finance Director on the best bank to handle the funds.

The next agenda items will be Finance to discuss the budget, update on the funds and banks; the RFP process for grants and communications plan; and Unscheduled Business.

ADJOURN

DAVID LUDLAM MOVED TO ADJOURN THE MEETING 9:20 A.M., CRAIG J. MEIS SECONDED, AND MOTION UNANIMOUSLY CARRIED.

David Ludlam,

Craig Springer,

(Verbatim digital files of the Federal Mineral Lease District of August 24, 2011, are on file at the Mesa County Attorney's Office.)