

RECEPTION #: 2583167, BK 5193  
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Sheila Reiner, Mesa County, CO  
CLERK AND RECORDER

RESOLUTION MCM-2011- 077

RESOLUTION APPROVING THE MESA COUNTY FEDERAL MINERAL LEASE  
DISTRICT SERVICE PLAN

WHEREAS, the Mesa County Federal Mineral Lease District (the "District") was established on June 20, 2011 by the Mesa County Board of County Commissioners (the "BOCC") through Resolution MCM 2011-050; and

WHEREAS the Initial Board of Directors for the District (the "District Board") was appointed by Resolution MCM-2011-058 on June 27, 2011; and

WHEREAS, pursuant to § 30-20-1305(2)(a) C.R.S., no later than ninety (90) days after the date of the resolution creating the District, the District Board shall submit its Service Plan to the BOCC for approval; and


WHEREAS, the District Board met on August 24, 2011 and has proposed the attached Service Plan to the BOCC.

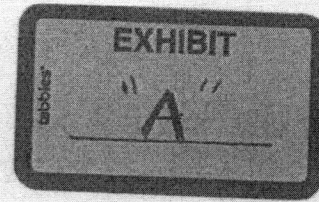
NOW THEREFORE, be it resolved by the BOCC that the Service Plan attached hereto as Exhibit "A" is hereby adopted and approved without condition or modification as the Service Plan for the District.

Dated this 29th day of August, 2011.

Clerk to the Board



  
Chair, Mesa County Board of County Commissioners



Resolution MCFML-2011-3

**MESA COUNTY  
FEDERAL MINERAL LEASE DISTRICT  
SERVICE PLAN**

The Mesa County Federal Mineral Lease District (the "District") was established on June 20, 2011 by the Mesa County Board of County Commissioners (the "BOCC") through Resolution MCM 2011-050. The Initial Board of Directors for the District (the "District Board") was appointed by Resolution MCM-2011-058 on June 27, 2011.

Having met on August 24<sup>th</sup>, 2011, and pursuant to C.R.S. § 30-20-1305, the District Board timely submits this Mesa County Federal Mineral Lease District Service Plan (the "Service Plan") to the BOCC for approval:

1. The District Board proposes to distribute, on an annual basis, all of the funding that the District receives from the Colorado Department of Local Affairs ("DOLA"), except such funds as expended or reserved for administrative expenses as permitted by C.R.S. § 30-20-1307 (1)(b), to areas within the District's Service Area that are socially or economically impacted by the development, processing, or energy conversion of fuels and minerals leased under the Federal "Mineral Lands Leasing Act" of February 1920, as amended. In doing so, the District Board may review any reports or studies made or may seek any additional reports or studies it deems necessary regarding the distribution of funding in the District.

2. After the annual receipt of Federal Mineral Lease funds the District Board shall solicit projects to fund from eligible entities which fit the above criteria.

3. The District Board may cooperate or contract with any individuals or entities, and any governmental entity, and other districts formed under the Act, through the intergovernmental agreement ("IGA") process authorized by C.R.S. § 29-1-201 *et seq.*, and the Colorado Constitution, to provide any function or service including, without limitation, administrative or treasury functions lawfully authorized to each of the cooperating or contracting districts, including the sharing of costs, as long as the cooperation or contracts are authorized by each district with the approval of each district's board of directors. Any such contract shall set forth fully the purposes, powers, rights, obligations and responsibilities, financial or otherwise, of the contracting parties. Where other provisions of law provide requirements for special types of intergovernmental contracting or cooperation, those special provisions shall control.

4. The District Board shall, as required by C.R.S. § 30-20-1307, annually cause an independent audit of its annual financial activity to be produced, and copies of all audits shall be

sent annually to the State Treasurer. The District Board shall also, as required by C.R.S. 29-1-103, prepare and adopt an annual budget in compliance with Colorado's Governmental Budget laws.

5. The boundaries of the District are the boundaries of Mesa County. The Service Area of the District shall be the boundaries of the District and, potentially, other FML Districts in Western Colorado through an IGA with district boards.

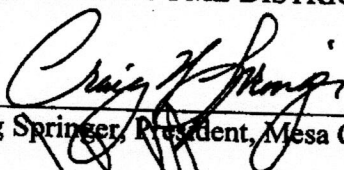
6. The District Board may from time to time contract with other entities for services, including, but not limited to, the provision of bookkeeping, accounting and administrative support services.

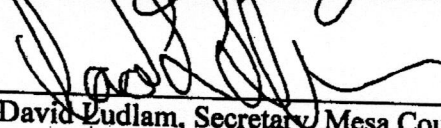
7. Should any portion of this Service Plan for any reason be held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of the Service Plan.

8. The District Board may submit an amended service plan for approval by the BOCC as allowed by law.

Approved by the District Board and recommended for approval by the Board of County Commissioners this 24<sup>th</sup> day of August, 2011.

**MESA COUNTY FML DISTRICT**

  
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Craig Springer, President, Mesa County FML District

  
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David Ludlam, Secretary, Mesa County FML District

  
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Craig Meis, Director, Mesa County FML District