

**ANNUAL ADMINISTRATIVE RESOLUTION OF  
PARACHUTE/BATTELEMENT MESA PARK AND RECREATION DISTRICT (2024)**

STATE OF COLORADO    )  
  ) ss.  
COUNTY OF GARFIELD    )

At the Regular Meeting of the Board of Directors of the Parachute/Battlement Mesa Park and Recreation District, Garfield County, Colorado held on December 11th, 2023 at 5:30 p.m. at the Grand Valley Recreation Center, 398 Arroyo Drive, Battlement Mesa, Colorado, 81635, there were present:

| <u>Board of Directors:</u> | <u>Office</u>  | <u>Term/Expires</u> |
|----------------------------|----------------|---------------------|
| Adam L. Ford               | President      | 2025                |
| Amber Palcer               | Vice President | 2027                |
| Karen Hamick               | Treasurer      | 2025                |
| Vincent Tomasulo           | Secretary      | 2025                |
| Wendell Goad               | Asst VP        | 2027                |

Also present were Douglas Choate, District Manager, Director and Superintendent of Battlement Mesa Golf Club and Parks; Steve Matzl, Director of Grand Valley Rec Center and Programs and Mary Ochs, Director and Golf Pro, Battlement Mesa Golf Club.

When the following proceedings were had and done, to wit:

It was moved by Director Palcer to adopt the following Resolution and ratify actions taken in connection herewith:

WHEREAS, the Parachute/Battlement Mesa Park and Recreation District (the "District") was organized as a special district pursuant to an Order of the District Court in and for Garfield County, Colorado, and is located in said County; and

WHEREAS, the Board of Directors of the District (the "Board") has a duty to perform certain obligations in order to assure the efficient operation of the District; and

WHEREAS, the Board of Directors may receive compensation for their services and for their services subject to the limitations imposed by § 32-1-902(3)(a)(I) and (II), C.R.S.; and

WHEREAS, § 32-1-103(15), C.R.S., requires the Board to publish certain legal notices in a newspaper of general circulation in the District; and

WHEREAS, § 32-1-903(1), C.R.S., requires that the Board shall meet regularly at a time and in a place to be designated by the Board; and

WHEREAS, in accordance with the Colorado Governmental Immunity Act, the Board is given authority to obtain insurance against liability for injuries for which the District may be liable under the Governmental Immunity Act, pursuant to § 24-10-115, C.R.S.; and

WHEREAS, §§ 32-1-901(2) and 32-1-902(2), C.R.S., requires the District to obtain an individual, schedule or blanket surety bond in an amount of no less than \$1,000 per director and \$5,000 for the Board Treasurer, and to file such bond with the District Court and the Division of Local Government; and

WHEREAS, § 32-1-306, C.R.S. requires the District to file a current, accurate map of its boundaries with the Division of Local Government, County Assessor, County Clerk and Recorder on or before January 1 of each year; and

WHEREAS, § 32-1-104(2), C.R.S., requires that the District, on or before January 15, notify the Board of County Commissioners, Assessor, Treasurer, Clerk and Recorder, the governing body of any municipality in which the District is located, and the Division of Local Government, of the name of the Chairman/President of the Board, the contact person, the telephone number, and the business address of the District; and

WHEREAS, § 32-1-809, C.R.S., requires that the District, between November 16 and January 15 of the subsequent year to provide notice to the eligible electors of the District (“Transparency Notice”), which notice shall contain the following information:

- The address and telephone number of the principal business office;
- The name and business telephone number of the manager or other primary contact person;
- The names of the members of the board, indicating each member whose office will be on the ballot at the next regular special district election;
- The times and places designated for regularly scheduled meetings of the board during the year, and the place where notice of board meetings is posted pursuant to § 24-6-402(2)(c) C.R.S.;
- The current mill levy, and total ad valorem tax revenue received during the last year;
- The date of the next regular special district election of board members;
- The procedure and time to submit a self-nomination form for election to the board;
- A statement that an application to request permanent mail-in voter status can be obtained from the County Clerk, or on-line from the Secretary of State, and can be returned to the County Clerk and Recorder of the county or counties in which the district is wholly or partially located;
- The address of any web site on which the special district’s election will be posted.

Said notice shall be mailed, posted on the official web site of the District, or mailed to the Special District Association of Colorado (“SDA”) or filed with the Division of Local Affairs; and

WHEREAS, the Local Government Budget Law of Colorado, §§ 29-1-101, *et seq.*, C.R.S., requires the Board to hold a public hearing on proposed budgets and amendments thereto, to adopt budgets, and to file copies of the budgets and amendments thereto; and

WHEREAS, § 32-1-104.8, C.R.S., requires the District to record a Special District Disclosure Document and a map of the boundaries of the District with the County Clerk and Recorder on or before December 31; and

WHEREAS, elections may be held pursuant to the Special District Act and the Uniform Election Code of 1992 for the purpose of 1) electing members of the District's Board of Directors, 2) to present certain ballot issues to the eligible electors of the District as required by Article X, § 20 of the Colorado Constitution, and 3) to present certain ballot questions to the eligible electors of the District; and

WHEREAS, § 1-1-111(2), C.R.S., states that all powers and authority granted to the governing body of a political subdivision may be exercised by the appointed Designated Election Official; and

WHEREAS, §§ 1-11-103 and 32-1-104(1), C.R.S., require the District to notify the Division of Local Government of the results of any elections held by the District, including business address, telephone number and the contact person; and

WHEREAS, § 32-1-1101.5, C.R.S., requires the District to certify results of any election to incur general obligation indebtedness to the Board of County Commissioners of each county in which the special district is located or to the governing body of the municipality that has adopted a resolution of approval of the District; and

WHEREAS, § 32-1-1604, C.R.S., requires within 30 days of incurring or authorizing general obligation debt that the District shall record a notice of such debt with the County Clerk and Recorder, on a form prescribed by the Division of Local Government; and

WHEREAS, in accordance with §§ 32-1-1101.5(1.5) and (2), C.R.S., either the Board of County Commissioners of each county in which the special district is located, or the governing body of the municipality that has adopted a resolution of approval of the District, may require the District to file an application for quinquennial finding of reasonable diligence; and

WHEREAS, special district directors are governed by § 32-1-902(3), C.R.S., which requires such director to disqualify himself or herself from voting on an issue in which he or she has a conflict of interest unless the director has properly disclosed such conflict in compliance with law; and

WHEREAS, § 32-1-902, C.R.S., requires the Board to elect officers, including a Chairman of the Board and President of the District, a Treasurer of the Board and District, and a Secretary, who may be a member of the Board; and

WHEREAS, the Board of Directors desires to engage a firm for the District to assist with providing financial services and to assist with the financial operations of the District, and who shall also be designated as the budget officer required to prepare and submit to the Board a proposed District budget by October 15, pursuant to §§ 29-1-104 and 105(3)(d), C.R.S.; and

WHEREAS, the Board of Directors desires to appoint an Executive District Manager to manage the operations and affairs of the District; and

WHEREAS, concerning the public records of the District, § 24-72-202(2), C.R.S. defines “Official Custodian” to mean and include any officer, contractor or employee of any political subdivision of the state who is responsible for the maintenance, care, and keeping of public records, regardless of whether the records are in his or her actual personal custody and control. The maintenance, care and keeping of public records shall be in accordance with the Colorado Special District Records Management Schedule; and

WHEREAS, § 24-33.5-707(6), C.R.S., requires the Board of Directors to appoint an elected official to act as liaison officer to facilitate the cooperation and protection of the District in the work of disaster prevention, preparedness, response and recovery because the District does not have its own disaster agency and has not made arrangements to secure or participate in the services of another local disaster agency.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF PARACHUTE/BATTLEMENT MESA PARKS AND RECREATION DISTRICT, GARFIELD COUNTY, COLORADO AS FOLLOWS:

1. The Board of the District determines that each director may receive compensation in the amount of \$100.00 per meeting attended up to \$2,400 per annum for their service on the Board, based on available funds. Each Director shall elect whether or not to take compensation for the year at the first meeting of the year. Director’s fees will be paid monthly to those Directors who chose to receive director compensation. Director’s fees shall not be deferred.

2. The Board designates the *Rifle Citizen Telegram* or *Glenwood Springs Post Independent* as the newspaper of general circulation within the boundaries of the District, or in the vicinity of the District if none is circulated within the District and directs that all legal notices shall be published in accordance with applicable statutes.

3. The Board determines to hold regular meetings at 5:30 p.m. on the third Monday of the month at the Grand Valley Recreation Center, 398 Arroyo Drive, Battlement Mesa, Parachute, CO 81635. In addition, regular and special meeting notices shall be posted on the District website pursuant to the 72-hour notice requirement found in Title 32, C.R.S.

4. The Board designates the pbmprd.org website as the 24-hour posting place for meeting notices that were not otherwise posted under Title 32, C.R.S.

5. The Board directs management to obtain and maintain insurance for the District, to insure the Directors acting within the scope of employment by the Board against all or any part of such liability for an injury; to insure against the expense of defending a claim for injury against the District or its Board. Additionally, the Board directs management to obtain bonds or equivalent insurance coverage as required by §§ 32-1-901(2) and 32-1-902(2), C.R.S., in an amount of no less than \$1,000 per Director and \$5,000 for the Board Treasurer, and to file the bond or certificate of insurance with the Division of Local Government.

6. The Board directs management to file an accurate boundary map, as specified by the Division of Local Government with the County Assessor, County Clerk and Recorder and the Division of Local Government as may be required by statute.

7. The Board directs management to notify the governing body of the municipality in which the District is located, the County Assessor, Treasurer, Clerk and Recorder and the Division of Local Government, of the name of the Chairman of the Board/President of the District, the contact person, telephone number and business address of the District.

8. The Board directs management to file a Transparency Notice with the Division of Local Affairs or post on the Special District Association website, between November 16 and no later than January 15 of the subsequent year.

9. The Board designates the Executive District Manager to serve as the Budget Officer, and to submit a proposed budget to the Board by October 15<sup>th</sup> for the following year, to schedule a public hearing on the proposed budget; to prepare a final budget, budget resolutions and amendments to the budget, if necessary; to certify the mill levies on or before December 15; and to file the approved budgets and amendments thereto with the proper governmental entities in accordance with the Local Government Budget Law of Colorado.

10. The Board directs management to prepare and file the annual public securities report for nonrated public securities issued by the District, with the Department of Local Affairs on or before March 1. Note: N/A at this time.

11. The Board authorizes the Executive District Manager to update and/or revise the Employee Personnel Manual when appropriate.

12. The Board directs the Executive District Manager to prepare or cause to be prepared for filing with the State Auditor an audit of the financial statements by June 30 of the subsequent year; further, the Board directs that the Audit be filed with the State Auditor by July 31 in accordance with its Bond Covenants.

13. The Board hereby appoints Douglas Choate as the "Designated Election Official" of the District for any elections to be held during 2024. The Board hereby grants all powers and authority for the proper conduct of the election to the Designated Election Official, including but not limited to appointing election judges, appointing a canvass board and cancellation, if applicable, of the election.

14. The Board deems it expedient for the convenience of the electors that it shall conduct all regular and special elections of the District via a mail ballot election unless a polling place election is deemed necessary and expressed in a separate election resolution.

15. The District directs the Designated Election Official to notify the Division of Local Government of the results of any elections held by the District, including business address, telephone number and the contact person.

16. The District directs the Designated Election Official to certify results of any election to incur general obligation indebtedness to the Garfield County Board of County Commissioners. Note: N/A at this time.

17. The Board authorizes the Executive District Manager to approve expenditures for out-of-scope expenditures which are not normally a part of day-to-day operations; with the stipulation that these expenditures be approved at the next Regular Board meeting.

18. The Board authorizes the Executive District Manager to manage all employees, direct their work assignments, monitor their performance and have hiring and firing authority; such authority can be assigned to Directors at the District Executive Manager's discretion.

19. The Board directs the Executive District Manger to establish bank accounts for all entities and ensure that any payments or transfers required to be made outside of Board meetings be presented at the next Regular Board meeting.

20. The Board authorizes Douglas Choate, Executive District Manager to have check signing rights on all bank accounts, provided that a listing of checks or payments made outside of Board meetings be presented at the next Board meeting.

21. The Board authorizes Douglas Choate, Executive District Manager to make transfers between Parachute/Battlement Mesa Parks and Recreation bank accounts. These transfers must be reflected in the financial statements at the next Board meeting.

22. The Board authorizes Douglas Choate, Executive District Manager to make transfers/payments to employee bank accounts for direct deposit payments of wages; or to delegate the payments to the Finance Manager.

23. The Board authorizes Douglas Choate, Executive District Manager to establish credit cards for all Directors, not to exceed \$5,000. Douglas Choate is also authorized to cancel credit cards or lower amounts on those credit cards. Douglas Choate will have a credit card with a maximum amount of \$10,000.

24. The Board authorizes Douglas Choate, Executive District Manager to make transfers/payments of lease agreements, dues, and memberships. These transfers must be reflected in the financial statements at the next Board meeting.

25. The Board authorizes Douglas Choate, Executive District Manager to sign any vendor or supplier agreement which ensures day-to-day operations are not disrupted.

26. The Board authorizes Douglas Choate, Executive District Manager to fund the 401a and 457b Employee Retirement Plans as authorized by the Board and to sign and execute all documents necessary to carry out the implementation of the 401a and the 457b plans; which allows for District contribution up to 8% per employee based on salary. The Board has approved

Colorado Retirement Association to perform as the Plan Administrator of the 401a and 457b plans.

27. The Board authorizes Douglas Choate to be the contact for all capital projects and improvements and gives authority to sign agreements, monitor expenditures, and make payments. Douglas Choate will inform the Board of any agreements signed and/or modifications to existing agreements/change orders. No changes or modifications to existing architectural or engineering plans will be made without Board approval.

28. The Board rescinds any authorization given to other persons or employees regarding making out-of-scope expenditures that do not constitute normal day-to-day operations.

29. The Board rescinds any authorization given to other persons or employees to access, control, sign checks or make payments on any bank account currently in use by the Parachute/Battlement Mesa Parks and Recreation District.

30. Whenever the District authorizes or incurs general obligation debt, the Board directs the Designated Election Official to record a notice of such debt with the Garfield County Clerk and Recorder, within 30 days of authorizing or incurring the debt, on a form prescribed by the Division of Local Government. Note: N/A at this time.

31. The Board directs the Executive District Manager to prepare and file with the Board of County Commissioners of each County in which the special district is located, or to the governing body of the municipality that has adopted a resolution of approval of the District, if requested, the quinquennial finding of reasonable diligence in accordance with §§ 32-1-1101.5(1.5) and (2), C.R.S.

32. If required, the Board directs the Executive District Manager to prepare and file the special district annual report with the Garfield County Board of County Commissioners, the Division, the State Auditor and shall further deposit a copy of such report with the County Clerk and Recorder per § 32-1-207(3)(c), C.R.S.

33. The District hereby elects the following officers for the District:

President/Chairman of the Board – Adam Ford  
Treasurer – Karen Hamick  
Secretary – Vincent Tomasulo  
Vice President – Amber Palcer  
Asst. VP – Wendell Goad

34. The Board directs legal counsel or the District Executive Manager to file annual conflict of interest disclosures provided by the Board members with the Secretary of State. At the discretion of legal counsel or the District Executive Manager, transactional conflict of interest disclosures shall be filed seventy-two (72) hours prior to meeting of the Board, when applicable or at a Board member's request. In addition, written disclosures required to be filed

with the governing body in accordance with § 18-8-308, C.R.S., shall be deemed filed with the Board of Directors of the District when filed with the Secretary of State.

35. The Board engages Karen Frye to provide accounting and, financial services (with the exception of the Annual Audit).

36. The Board engages Jason Downie of Susemihl, McDermott & Cowan, P.C. as the District's General Legal Counsel.

37. The Board engages Ryan Jarvis of JVAM Law as the District's Water Attorney.

38. The Board designates Douglas Choate to serve as the official custodian of public records and to follow the Colorado Special District Records Management Schedule.

39. The Board designates the President/Chairman of the Board as the primary liaison with the Executive District Manager. Board members may request information, but additional work assignments and special projects must be approved by the Board. The Board will follow the chain of command with regard to issues related to the District.

40. The Board designates the President/Chairman of the Board as liaison officer responsible for facilitating the work of disaster prevention and emergency management.

WHEREUPON, the motion was seconded by Director Goad and upon vote, unanimously carried. The President declared the motion carried and so ordered.

ADOPTED AND APPROVED THIS 11TH DAY OF DECEMBER 2023.

PARACHUTE/BATTLEMENT MESA PARK  
AND REC DISTRICT

By: Adam Ford  
Adam Ford, President

Attest:

Vincent Tomasulo  
Vincent Tomasulo, Secretary