

January 11, 2012

## **Mesa County FML District Board Meeting**

Present: Craig Springer  
Craig Meis  
David Frankel  
Chris Reddin

Public Comment: Tim Foster  
Derek Wagner

Absent: David Ludlam

Meeting was called to order by Craig Springer.

1. Changes to agenda- none. Craig S. motioned to approve and Craig M. seconded, motion carried.
2. Approval of meeting minutes from December meeting- Craig S. and Craig M. agrees to wait until David L. is back to approve them.
3. Public Comments- none.
4. Discussion of Proposed Grant Endowment Agreement Terms: David F.- Chris and I have been working towards a draft of terms and we were hoping to have a full board to discuss the donor intent provisions that we would like to put into the agreement. Because of David Ludlam's absence today we would like to convene a special meeting of the board so that we could all discuss the terms.

Craig M.- I would agree but would still like to have a discussion today about some of the expectations. We have President Foster and Derrick here so we might as well move the process forward. Then at the next meeting we can be looking at a draft document. I spoke to David L. last night and we are all on the same page with the things we want included in the agreement.

Craig S. -I agree, we need to work this out with CMU and the fact that these gentlemen are here I think warrants moving our discussion forward.

Discussions then moved forward on how to rewrite the agreement to fit the endowment, restating what was in the grant application and also to include provisions for a recording timeline.

President Foster discussed what they would like to see in the agreement and the type of agreement that they have used in the past

It was agreed to use a current CMU grant agreement and tweak it to fit this specific FML Districts grant process and agreement for CMU.

Further discussions included the 5% per year disbursement and how that will make the agreement that much stronger.

Everyone agreed that they were on the same page. David F. and Chris will get together and complete the agreement for approval at the next meeting. Discussions continued on when to meet next.

Craig S. - We will meet next Wednesday January 18<sup>th</sup>, 2012 at 9:15, with the intent of finalizing and executing this agreement.

Craig M. asked that if it was possible to get the agreement to the board a day or two in advance for review.

Craig S. asked if the funds would be disbursed on the 18<sup>th</sup>? David F. said of the agreement is approved and everyone signs, it should be ok. Craig M. said he would bring the checkbook.

Derek stated the FML District would be mentioned in all of the documents on their end and wanted to know how the board wanted to handle the publicity. It was agreed that Derek get with David L. and that they both take care of it.

President Foster and Derek left.

5. Additional Business- Craig S. asked David F. what his opinion was on the proposed legislation- David F. -it is a lot better in terms of establishing the independence of the district. The letter that we had received from the Department of Interior faulting the current statutory framework included a wish list of traits that they would have liked to see in these districts. So what we did was we went through that list and we found ways to implement

many (not all) of those changes in the statute so that we could have a more independent FML District. We have also proposed language that would change some of the challenges that we faced with having to spend all of the money every year, that's out. Having to spend all of the money within the district, now there are provisions for spending it outside the district, which would allow for future multi-county regional planning efforts. There is a bunch of improvements there and I am optimistic that the districts will be viewed more favorably by the Federal Government in terms of being independent from the county. The board members of the district, though originally appointed from the county commissioner level would only be removable for cause and a public hearing. They would have staggered terms and there is a provision for some counties that want to pull the plug they can do so within 90 days of the statute going into effect. But from that point forward the only way that a district could dissolve would be by its own decision. The FML District board members could vote to dissolve the board but they would have to wrap up the affairs of the district (spend the money, distribute it etc...). So it is better and definitely an improvement over the current framework.

Craig S. - David do you see this board closing down and a new one formed potentially or do we just amend our bylaws and operating agreements to comply with the new legislation? David F. -I don't know that we would have to start over. I think that the statute contemplates that the county commissioners establishing the staggered terms for the FML board. It doesn't explicitly say that you have to start over so I think we could probably have the bylaws amended to reflect the new framework or powers that are explicitly granted to the district.

Craig M. to David F. -could you get us an invoice for your services? David -yes, I have gotten with finance to find out what my hourly rate might be but what they pay me is with benefits. Would you like me to come up with a round figure? It was agreed for him to round it to about \$100.00 per hour. David to get the board an invoice.

David and Chris to get busy working on the new draft and will attach the CMU grant application. There will be two agreements. One for \$1mm and the other for \$600 thousand.

The next meeting will be at 9:15 on January 18<sup>th</sup>, 2012.

Meeting Adjourned