PROWERS COUNTY, COLORADO BOARD OF COMMISSIONERS
APRIL 23, 2024
(Revised 4/19/2024)

COMMISSIONERS' BOARD ROOM, 2nd FLOOR OF COURTHOUSE
301 S. MAIN STREET, LAMAR, CO 81052

8:00 a.m. Board of Human Services, Lanie Meyers-Mireles CANCELED FOR APRIL
8:30 a.m. Board of Health, Meagan Hillman

WORK SESSION

8:00 a.m. Sam Zordel, Prowers County Sheriff
- Grant Updates and Request

9:00 a.m. Judy Wittman, Prowers County Treasurer
- Updates

9:15 a.m. Kathy Scranton, Big Timbers Museum Curator
- Museum Update

9:30 a.m. Staffon Warn, PC OEM/Rural Fire Chief
- Update

10:00 a.m. Rosana Reyes, Ph.D., Lamar Community College President
- LCC Update and Prowers County EMT Scholarship Update

10:30 a.m. - U.S. Senator John W. Hickenlooper's Office
- Update

10:45 BREAK

11:00 a.m. Jack Goble, General Manager, Lower Arkansas Valley Water Conservancy District and Leroy Mauch, Vice -Chairman, LAVWCD Board of Directors
- Update

11:30 a.m. Karen Bryant, Prowers Medical Center CEO
- Update

12:00 p.m. Keely Campell, Ayres Associates
Anne-Marie Crampton, City of Lamar
- Presentation and Visioning Workshop for Redevelopment Plan at 207 East Elm Street, Lamar

MEETING AGENDA

1:00 p.m. Invocation

Pledge of Allegiance

Call Meeting to Order

Roll Call

CONSENT AGENDA ACTION ITEMS:

1. Consider approval of Adoption of Agenda
2. Consider approval of Payment of Bills Presented and of Voiding Checks, if any
3. Consider approval of April 2, 2024 Special Meeting Minutes
4. Consider approval of April 9, 2024 Meeting Minutes

PUBLIC APPEARANCES

- Anyone wishing to address the BOCC may do so at the discretion of the Board and subject to a three-minute limitation.

PUBLIC HEARING

1:15 p.m. Stephanie Gonzales and Zoe Colvin, SECED

- Public Hearing Re: Closing out State DOH, BLF, and Plainsview Apt Contracts

DISCUSSION

Michelle Nelson, AgriTech Consulting, Michelle Hiigel, Land Use Administrator, Darla Scranton Specht, 1041 Attorney

- Report - Idler Farms, City of Lamar 1041 Site Visit
- Discuss setting public hearing for GP Irrigated Farms and S-D Investments 1041 Amendments

Mark Westhoff

- Website Upgrade Committee Recommendations
- County Administrator Update

Rose Pugliese, Esq.

- County Attorney Update

EXECUTIVE SESSION

- Executive Session pursuant to C.R.S. §24-6-402(4)(b) Conference with the attorney for the purposes of receiving legal advice on specific legal questions.

- Executive Session pursuant to C.R.S. §24-6-402(4)(b) Conference with the attorney for the purposes of receiving legal advice on specific legal questions related to **Part I**-CIC, **Part II**-County Investment, and **Part III**-Coroner.

ACTION ITEMS:

1. Consider approval of Stephanie Gonzales, SECED Executive Director to commence the close out of CDBG 20-117 Plainsview Apartments.

2. Consider approval of Stephanie Gonzales, SECED Executive Director to commence the close out of CDBG 20-007 Prowers County/SECED SFOO Rehabilitation Project.

3. Consider approval of Setting a Public Hearing to consider approval of a request by GP Irrigated Farms, LLC and S-D Investments, LLC to amend their current Amendments to the Guidelines and Regulations for Areas and Activities of State Interest County of Prowers State of Colorado Permit (1041 Permit).

4. Consider approval of Final Subdivision Exemption Plat Map Tri-State Generation and Transmission Association, Inc. The application request was approved on September 13, 2023 by the Planning Commission and September 26, 2023 by the BOCC. Minor Subdivision for a First Subdivision in the S½SW¼SW ¼ of Section 17, Township 22 West, Range 42 South, 6th P.M,. subdividing 9.84 acres, and to be recorded in the County Clerk's Office.

5. Consider approval of Subdivision Exemption Application by Ethel Tempel Intervivos Trust, dece'd by Michael Tempel, Representative in the NE¼NW¼ Section 31, Township 21, Range 47. The request is to subdivide .35 acres from the existing 206.22 acres. The property is located in an A-1 Irrigated Agriculture zoning district. This will be a First Subdivision. The application was approved by the Planning Commission on April 10, 2024.

6. Consider approval of appointing three (3) Members to the Sand & Sage Round Up Fairboard to fill three terms to expire February 2027.

7. Consider approval of appointing one (1) Member to the Prowers County Lodging Tax Board for positions on the Board to fill one term to expire December 2025.

8. Consider approval of appointing one (1) Member to the Deadman Drainage District Board to fill one term to expire January 2030.

9. Consider ratifying 4-4-2024 email poll approval for the Purchase of TANF funds from Las Animas County in the amount of $70,000.

10. Consider ratifying 4/9/2024 email poll approval of Grant Amendment #01 2023-LE-23-31 between the Colorado Department of Public Safety, Division of Criminal Justice and Prowers County effective through December 31, 2025 totaling $190,632, and authorizing BOCC Chair Ron Cook to execute the document electronically.

11. Consider ratifying 4/12/2024 email poll approval of Prowers County Court Security Grant submitted to the Colorado Judicial Department 2024/25 Court Security Cash Fund totaling $165,280.79 and authorizing County Administrator Mark Westhoff to submit the application electronically.

12. Consider ratifying 4/3/2024 email poll approval of 2024 Certifications and Assurances from Colorado Department of Transportation required in order to apply for future grants, and authorizing County Attorney Rose Pugliese and PAT Director Darren Glover to execute the document.

13. Consider ratifying 4/16/2024 email poll approval of Consulting Services Agreement between Prowers County, Prowers Economic Prosperity (PEP), and Research Consultants International FDI Inc (ResearchFDI), for ResearchFDI to complete a lead generation training totaling $28,500, in connection with DOLA grant REDI 22-288 with Prowers County as fiscal agent, and authorizing BOCC Chairman Ron Cook to execute the document.

14. Consider approval of Southeast Region Tactical Interoperable Communications Plan (TICP) updated version, April 2024 v3.7, and authorizing BOCC Chairman Ron Cook to execute the document.

PREVIOUSLY TABLED ACTION ITEMS:

1. Consider approval of Proposal submitted for Prowers County Website Redesign Project.

NOTE: This Agenda is provided for informational purposes only. Action may be taken on any or all of the items. All times are approximate. If any given item is finished earlier than anticipated, the Commissioners may move on to the next item. The only exceptions are public hearings on items which have had published notices of a specific hearing time; those items will not begin until the specific time or after.

If you need assistance in participating in this meeting due to a disability as defined under the Americans with Disabilities Act, please call 719-336-8030 at least three days prior to the scheduled meeting to request an accommodation.

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 4-23-2024

Submitter: Stephanie Gonzales, SECED

Submitted to the County Administration Office on:

Return Originals to: N/A

Number of originals to return to Submitter: N/A

Contract Due Date:
Consider approval of Stephanie Gonzales, SECED Executive Director to commence the close out of CDBG 20-117 Plainsview Apartments.

Item Title/Recommended Board Action:

Justification or Background:
The purpose of this hearing is to allow citizens to review and comment on the performance of the TransEquity, LLC / Plainsview Apartment project, in Lamar, CO, an affordable housing development, which is financed with Federal Community Development Block Grant funds provided by the State of Colorado. The project provides affordable housing and benefits to persons with low and moderate incomes.

Fiscal Impact: This item is budgeted in the following account code:

County: $_____
Federal: $_____
State: $_____
Other: $_____

Approved by the County Attorney on:

Additional Approvals (if required):

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 4-23-2024

Submitter: Stephanie Gonzales, SECED

Submitted to the County Administration Office on:

Return Originals to: N/A

Number of originals to return to Submitter: N/A

Contract Due Date:
Consider approval of Stephanie Gonzales, SECED Executive Director to commence the close out of CDBG 20-007 Prowers County/SECED SFOO Rehabilitation Project.

Item Title/Recommended Board Action:

Justification or Background:
The purpose of this hearing is to allow citizens to review and comment on the performance of the Owner Occupied Rehabilitation Program which is financed with Federal Community Development Block Grant funds provided by the State of Colorado.

Fiscal Impact: This item is budgeted in the following account code:

County: $_____
Federal: $_____
State: $_____
Other: $_____

Approved by the County Attorney on:

Additional Approvals (if required):

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 04/23/2024

Submitter: Michelle Hiigel, Land Use

Submitted to the County Administration Office on: 4/15/2024

Return Originals to: Michelle Hiigel, Land Use

Number of originals to return to Submitter: N/A

Contract Due Date: N/A

Item Title/Recommended Board Action:
Consider Setting a Public Hearing to consider approval of a request by GP Irrigated Farms, LLC and S-D Investments, LLC to amend their current Amendments to the Guidelines and Regulations for Areas and Activities of State Interest County of Prowers State of Colorado Permit (1041 Permit).

Justification or Background: Public Hearing to consider approval of an request to amend the current Guidelines and Regulations for Areas and Activities of State Interest County of Prowers State of Colorado Permit (1041 Permit). Applicant is requesting exempted corners be removed and the current financial security be reduced to reflect the decrease in number of acres in current permit.

Fiscal Impact: N/A

Approved by the County Attorney on:

Additional Approvals (if required):

PLEASE ATTACH THIS SHEET TO ALL AGENDA ITEMS WHEN SUBMITTING TO COUNTY ADMINISTRATION.

THANK YOU!

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 04/23/2024

Submitter: Michelle Hiigel, Land Use

Submitted to the County Administration Office on: 04/12/2024

Return Originals to: Michelle Hiigel, Land Use

Number of originals to return to Submitter: 1

Contract Due Date: N/A

Item Title/Recommended Board Action:
Consider approval of Final Subdivision Exemption Plat Map Tri-State Generation and Transmission Association, Inc. The application request was approved on September 13, 2023 by the Planning Commission and September 26, 2023 by the BOCC. Minor Subdivision for a First Subdivision in the S½SW¼SW ¼ of Section 17, Township 22 West, Range 42 South, 6th P.M,. subdividing 9.84 acres, and to be recorded in the County Clerk's Office.

Justification or Background:
Applicant wants to subdivide off 9.84 acres to sell to Amity Mutual Irrigation Company for a rock quarry to mine rock that will be used by the Amity Mutual Irrigation Company.

Fiscal Impact: N/A

Approved by the County Attorney on:

Additional Approvals (if required):

PLEASE ATTACH THIS SHEET TO ALL AGENDA ITEMS WHEN SUBMITTING TO COUNTY ADMINISTRATION.

THANK YOU!

SUBDIVISION PLAT

1"=60'

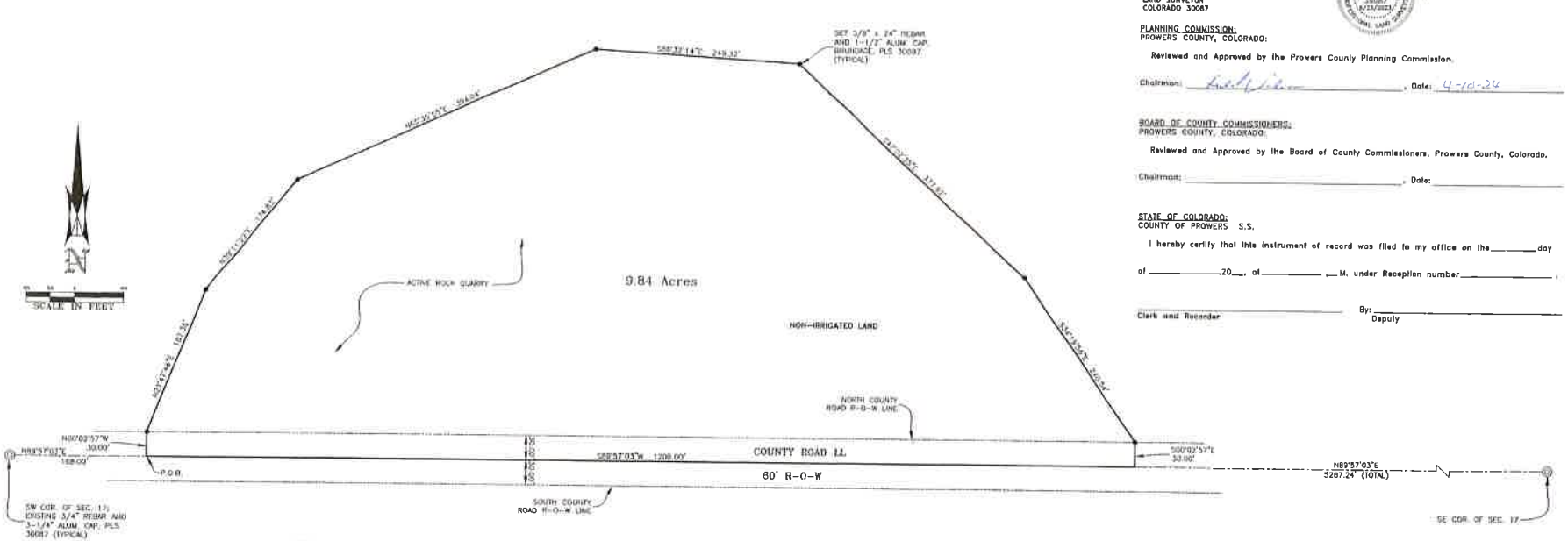
THE FIRST SUBDIVISION OF THE SW1/4, SEC. 17, T.22S., R.42W., 6th P.M., COUNTY OF PROWERS, STATE OF COLORADO.

DESCRIPTION OF TRACT

A tract of land lying in the SW1/4 of Sec. 17, T.22S., R.42W. of the 6th P.M. being more particularly described as follows:

Beginning at the Southwest corner of said Sec. 17 as monumented by a 3/4" rebar and 3-1/4" aluminum cap marked PLS 30087 and considering the South line of said Sec. 17, (as monumented by a similar rebar and cap at its East end), bearing N.89°57'03"E. with all other bearings contained herein being relative thereto; thence N.89°57'03"E., along the South line of said Sec. 17, a distance of 168.00 feet to the TRUE POINT OF BEGINNING; thence N.0°02'57"W., 30.00 feet; thence N.21°47'46"E., 187.36 feet; thence N.39°11'22"E., 174.83 feet; thence N.65°35'55"E., 394.04 feet; thence S.86°32'14"E., 249.32 feet; thence S.47°02'35"E., 377.92 feet; thence S.34°19'56"E., 240.54 feet; thence S.0°02'57"E., 30.00 feet to a point on the South line of said Sec. 17; thence S.89°57'03"W., 1200.00 feet to the True Point of Beginning. SUBJECT TO the South 30.00 feet of said tract for County Road LL Right-of-Way purposes. In the County of Prowers, State of Colorado. The Tract contains 9.84 Acres.

VICINITY MAP
N.T.S



NOTICE: THIS SURVEY MADE WITHOUT BENEFIT OF AN UPDATED ABSTRACT OR TITLE POLICY AND MAY BE SUBJECT TO OTHER EASEMENTS, CONDITIONS, RIGHTS ETC. WHICH MAY HAVE DEVELOPED SINCE THE DATA REFERENCED IN THE SURVEYOR'S STATEMENT.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THE SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

COLORADO Call: B 1 1

FIRST SUBDIVISION

APPLICANT'S CERTIFICATE:

I/We hereby apply for a Standard Exemption from the Prowers County Subdivision Regulations as provided for therein for the tract of land as shown and described hereon. I/We are legal owner(s) of the tract as shown hereon, and that the information as shown hereon is true and correct to the best of my/our knowledge and belief.

Tri-State Generation and Transmission Association, Inc.

Amity Mutual Irrigation Company

Carl Light, Jr. Permitting

SURVEYOR'S STATEMENT June 23, 2023

I LANCE W. BRUNDAGE, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE TO TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC. AND THE AMITY MUTUAL IRRIGATION COMPANY ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF AND TO THE NORMAL STANDARDS OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN COLORADO; THAT ON JUNE 21, 2023, AS RESULT OF A SURVEY MADE ON THE GROUND AND MONUMENTED BY ME; THAT THIS LAND SURVEY PLAT WAS PREPARED BY ME AND REPRESENTS THE SURVEY MADE; THAT THE SURVEY WAS BASED UPON INFORMATION AND INSTRUCTIONS SUPPLIED BY CLIENT WITH CLIENT DESIRING NO FURTHER RESEARCH INTO EASEMENTS OR RIGHTS-OF-WAY BY THE UNDERSIGNED.

LANCE W. BRUNDAGE
REGISTERED PROFESSIONAL
LAND SURVEYOR
COLORADO 30087

COLORADO REGISTERED PROFESSIONAL LANDSURVEYOR 30087 (6/23/2023)

PLANNING COMMISSION:
PROWERS COUNTY, COLORADO:

Reviewed and Approved by the Prowers County Planning Commission.

Chairman: _____, Date: 4-10-24

BOARD OF COUNTY COMMISSIONERS:
PROWERS COUNTY, COLORADO:

Reviewed and Approved by the Board of County Commissioners, Prowers County, Colorado.

Chairman: _____, Date: _____

STATE OF COLORADO:
COUNTY OF PROWERS S.S.

I hereby certify that this instrument of record was filed in my office on the _____ day of _____ 20__, at _____ __ M. under Reception number _____.

Clerk and Recorder _____ By: _____ Deputy

BRUNDAGE LAND SURVEYING, INC. P.O. BOX 447 LA JUNTA, COLORADO 81050-0441 PHONE: 719-383-4887 FAX: 719-383-4889	BLSI	DATE: JUNE 23, 2023	DRAWING NO. 6323.DWG	SUBDIVISION PLAT	PROJECT LOCATION: PART OF THE SW1/4, SEC. 17, T.22S., R.42W. 6th P.M., PROWERS COUNTY, COLORADO	REVISED:
		PROJECT NO. 23AMITY23	SHEET NO. 1 OF 1			

CLIENT: TRI-STATE & AMITY IRRIGATION

HOLLY COLORADO

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 04/23/2024

Submitter: Michelle Hiigel, Land Use

Submitted to the County Administration Office on: 04/12/2024

Return Originals to: Michelle Hiigel, Land Use

Number of originals to return to Submitter: 1

Contract Due Date: N/A

Item Title/Recommended Board Action:
Consider to approve of Subdivision Exemption Application by Ethel Tempel Intervivos Trust, dece'd by Michael Tempel, Representative in the NE¼NW¼ Section 31, Township 21, Range 47. The request is to subdivide **.35** acres from the existing 206.22 acres. The property is located in an A-1 Irrigated Agriculture zoning district. This will be a First Subdivision. The application was approved by the Planning Commission on April 10, 2024.

Justification or Background:
Applicant wants to subdivide off .35 acres to sell to neighboring property owner. The neighbor has a structure and corrals that are encroaching on Tempel's property. The Tempel family felt this would be the cleanest way to mitigate the encroachments.

Fiscal Impact: N/A

Approved by the County Attorney on:

Additional Approvals (if required):

PLEASE ATTACH THIS SHEET TO ALL AGENDA ITEMS WHEN SUBMITTING TO COUNTY ADMINISTRATION.

THANK YOU!

Subdivision Exemption No.

SUBDIVISION APPLICATION AND SUMMARY FORM

PLEASE READ NOTE AND SIGN BELOW:

THE SUBMITTED APPLICATION PACKAGE REQUIRES SPECIFIC REPORTS/INFORMATION WHICH MAY NOT BE ADEQUATE AS DETERMINED THROUGH THE REVIEW PROCESS. ADDITIONAL INFORMATION MAY BE REQUIRED. ALSO, THE ACCEPTANCE OF THE APPLICATION PACKAGE DOES NOT MEAN THE SPECIFIC INFORMATION HAS BEEN APPROVED AND IN FINAL FORM. REVISIONS TO THE INFORMATION AND/OR REPORTS MAY BE REQUIRED. REQUESTS FOR WAIVERS OF ANY OF THESE REQUIREMENTS MUST BE ACCOMPANIED BY A LETTER OF JUSTIFICATION. THE PROWERS COUNTY PLANNING COMMISSIONERS WILL HEAR THE WAIVER REQUEST CONCURRENTLY WITH THE APPLICATION. DENIAL OF THE WAIVER REQUEST SHALL RENDER THIS APPLICATION INCOMPLETE AND RESULT IN THE REQUIREMENT FOR A NEW SUBMITTAL ACCEPTANCE DATE AND REVIEW PERIOD. YOUR SIGNATURE BELOW INDICATES ACCEPTANCE OF THESE CONDITIONS.

Ethel Tempel Intervivos Trust by Michael Tempel Representative

Date: 3-25-2024 Representative

Applicant's / Representative's Signature

If other than owner's signature, a letter of consent authorizing the applicant/representative to act in the owner's behalf must be included.

Property Owner: Ethel Tempel Intervivos Trust

Address: c/o Kathy Ransdell 4301 S. Pierce St 6B Littleton, CO 80123

Telephone Number: 303-596-2278 **Email:** kdransdell@yahoo.com

Applicant's Representative: Michael Chad Tempel

Address: 312 Quito Place Castle Rock, CO 80108

Telephone Numbers: 303-570-5055 **Email:** m_tempel@msn.com

Surveyor or Engineer: Cardinal Points Surveying, Inc. **Telephone:** 719-253-0874

Location of Subdivision: Portion of NE 1/4

Subdivision (1st, 2nd, etc.) 1st Subdivision

Quarter _____

Section 31 **Township** 21S **Range** 47W of Sixth Principal Meridian **or**

Lot _____ **Block** _____ **Subdivision** _____

>>>>>>>>>>Attach Copy of Deed<<<<<<<<<<

Tax parcel number of property (County Assessor's Records) 800016851

Current land classification as per Assessor's Records Farmland

If irrigated, will water shares be allocated to the subdivided parcel? _____ **Yes** X **No**

Is there a Deed of Conservation Easement attached to this property? _____ **Yes** X **No**

If YES, attach copy

Proposed Use of Land Residential

Proposed Water Source N/A

Proposed Means of Sewage Disposal N/A

Proposed Road Access Existing

Proposed Lot Size .35 Acres

- **The Prowers County Planning Commission recommends approval of this request for subdivision exemption.**

Prowers County Planning Commission, Chair

_____

Dated this 10 **day of** April **, 20**24

- **The Prowers County Board of County Commissioners grants approval of this request for subdivision exemption.**

Prowers County Board of County Commissioners, Chair

_____

Dated this _____ **day of** _____**, 20** __

REC # 546530 07/05/2018 10:40:46 AM
DEED Page: 1 of 4 R:28.00 D:0.00
Prowers County, CO

546530

8000-16-851
+ drainage
# 8713-22-020
+ drainage

TRUSTEES DEED

THIS INDENTURE, Made the 5th day of July, 2018, A.D., by and between **ETHEL M. TEMPEL, a single person,** of the County of Prowers, State of Colorado, party of the first part, and **ETHEL M. TEMPEL, trustee of the Ethel Tempel Intervivos Trust Agreement,** of Prowers County, in the State of Colorado, party of the second part,

(Mailing address of named grantee is 2022 County Road RR, Wiley Colorado, 81092)

WITNESSETH: THAT SAID PARTIES OF THE FIRST PART, in consideration of the sum of TEN ($10.00) DOLLARS, to them paid by said parties of the second part (the receipt of which is hereby acknowledged), do by these presents, Grant, Bargain and Sell, Convey and Confirm unto the said party of the second part, its heirs and assigns, all the following described lots, tracts or parcels of land lying, being and situate in the **County of Prowers and State of Colorado,** to-wit:

ALL PROPERTY LISTED IN EXHIBIT A

TO HAVE AND TO HOLD The premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said party of the second part unto its heirs and assigns forever; the said first parties hereby covenanting that they are lawfully seized of an indefeasible estate in fee simple, of and in the premises herein conveyed; that they have good right to convey the same; that the said premises are free and clear from any incumbrance done or suffered by them or those under whom they claim; and that they will warrant and defend the title to the said premises unto the said party of the second part and unto its heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set their hands and seals the day and year above written.

No documentary fee required. Consideration less than $500.

Prepared by: Timothy C. Barker, Attorney-at Law
Barker Law, LLP
307 S. Main Street
Pratt, KS 67124

STATE DOCUMENTARY FEE
Date JUL 05 2018
$ Ø

There is no consideration.

SIGNATURE PAGES TO FOLLOW

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

TOWNSHIP 21 SOUTH. RANGE 47 WEST OF THE 6rn P.M.

(9) Section 30: ~~SE¼~~ SE1/4 of SE1/4 lying south and west of the center line of the Atchison, Topeka and Santa Fe Railroad; First Subdivision of the SE¼ (undivided interest in all oil, gas and other minerals)

8713-22-650 (8) Section 31: ~~N½~~ NE1/4 ex 2.78 AC, W1/2NE1/4 & E1/2NW1/4 Ex 206 AC & 1 AC east of the center line of the Atchison, Topeka and Santa Fe Railroad W1/2NW1/4 N & E of RR 206.22 acres

(7) Section 32: Tract of land containing 4.0~~1~~ acres more particularly described in Deed recorded at Reception No. 412581
Less 1st Sub NW4 of .1004 ac to Hay

TOWNSHIP 22 SOUTH. RANGE 47 WEST OF THE 6rn P.M.

(6) Section 9: 1/8 NE¼ (undivided interest in all oil, gas and other mineral rights) Prowers County, Colorado

TOWNSHIP 21 SOUTH, RANGE 48 WEST OF THE 6rn P.M.

(5) Section 14: SW¼ (undivided interest in all oil, gas and other mineral rights)

(3) Section 24: ~~SE¼~~ NE1/4 160 acres
(4) Section 24 SE1/4 138.24 acres
Split from Sched # 31000800 & 31000801

TOWNSHIP 22 SOUTH. RANGE 48 WEST OF THE 6TH P.M.

(1) Section 12: SW¼ (undivided interest in all oil, gas and other mineral rights)

(2) Section 13: N½NW¼ (undivided interest in all oil, gas and other mineral rights)

TOWNSHIP 24 SOUTH. RANGE 48 WEST OF THE 6rn P.M.

(5) Section 11: S½ (undivided interest in all coal, oil, gas and other minerals) Bent County, Colorado
160 acres

Together with any and all water and water rights, ditch and ditch rights

appurtenant thereto including but not limited to 360 shares of the capital stock of the Fort Lyon Canal Company

ETHEL TEMPEL, Individually

STATE OF Colorado)
) ss.
COUNTY OF Prowers)

BE IT REMEMBERED, That on this 5th day of July, 20 18, before me, the undersigned, a Notary Public in end for said County and State, came **ETHEL TEMPEL** who is personally known to me to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

Notary Public

Notary Commission Expires: July 9, 2018

JAILEEN BARROW
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144027059
MY COMMISSION EXPIRES JULY 9, 2018

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

561096 04/10/2024 08:50:09 AM Page 1 of 1
Jana Coen, Prowers County, Colorado
SOA Rec Fee: $13.00 Doc Fee: $0.00 eRecorded

STATEMENT OF AUTHORITY
(38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity named Ethel Tempel Intervivos Trust

   And is executed on behalf of the entity pursuant to the provisions of Section 38-30-172 C.R.S.

2. The type of entity is a Trust

3. The mailing address for the entity is: c/o Kathy Ranedell
   4301 S. Pierce St 6B
   Littleton, CO 80123

4. The entity is formed under the laws of Colorado

5. The name of the person(s) authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:
   Michael Chad Tempel

6. The authority of the foregoing person(s) to bind the entity is ☒ Not limited OR ☐ Limited as follows:

7. Other matters concerning the manner in which the entity deals with interest in real property: N/A

Dated this 3/25/2024.

Michael Chad Tempel

State of Colorado
County of Douglas

The foregoing instrument was acknowledged before me this 25th day of March, 2024 by.

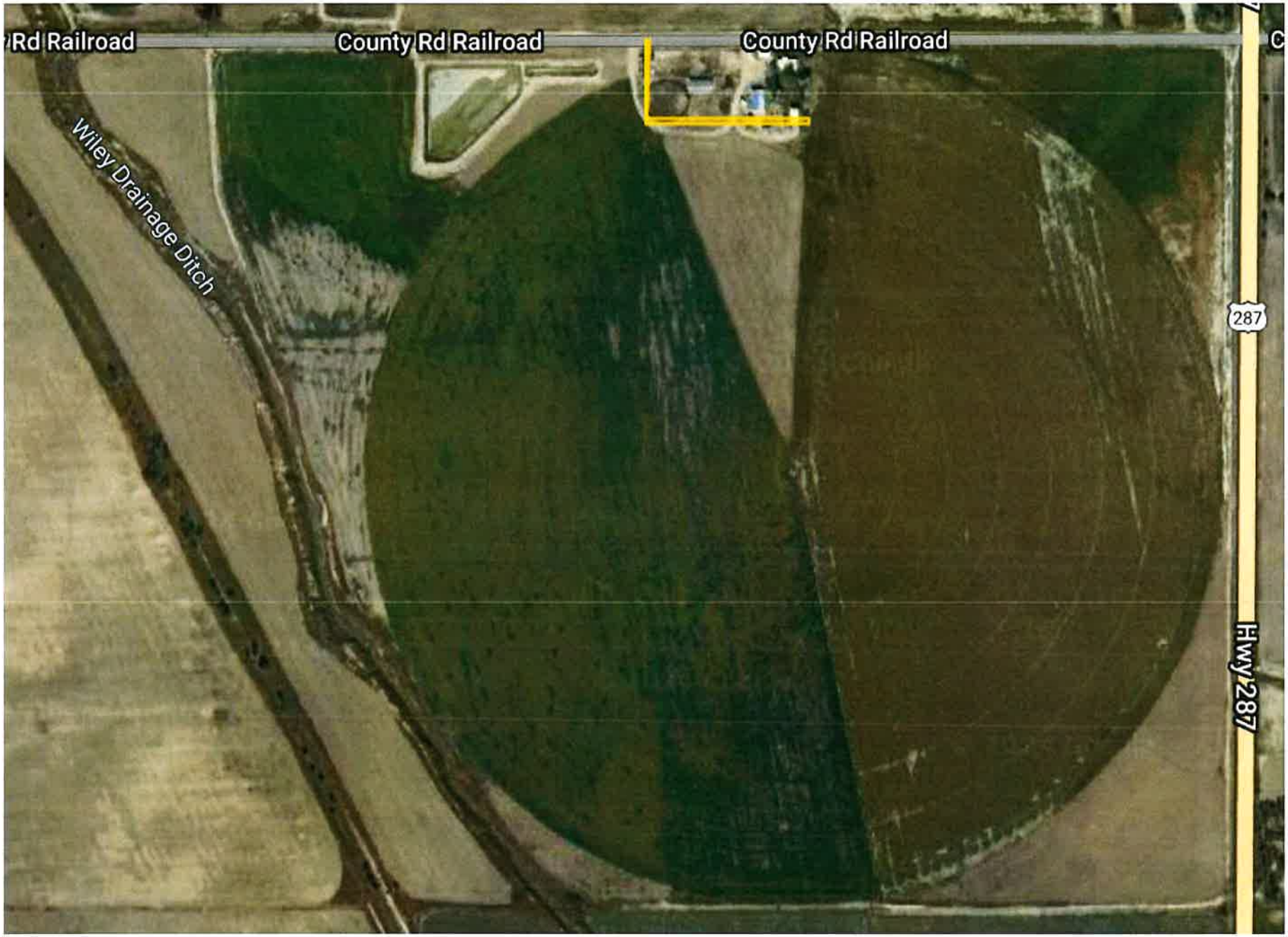
Witness my hand and official seal.

Michael Chad Tempel
Notary Public: Kirk Mikel
My commission expires: 05/29/2024

KIRK MIKEL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20164016950
MY COMMISSION EXPIRES MAY 29, 2024

File No.:
CO Statement of Authority Buyer Full

Proposed Subdivision – Highlighted



Proposed Subdivision – Highlighted

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 4-23-2024

Submitter: Administration Office

Submitted to the County Administration Office on: 4-8-2024

Return Originals to: N/A

Number of originals to return to Submitter: N/A

Contract Due Date:

Item Title/Recommended Board Action:
Consider approval of appointing three (3) Members to the Sand & Sage Round Up Fairboard to fill three terms to expire February 2027.

Justification or Background:

Fiscal Impact: This item is budgeted in the following account code:

County: $_____
Federal: $_____
State: $_____
Other: $_____

Approved by the County Attorney on:

Additional Approvals (if required):

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 4-23-2024

Submitter: Administration Office

Submitted to the County Administration Office on: 4-8-2024

Return Originals to: N/A

Number of originals to return to Submitter: N/A

Contract Due Date:

Item Title/Recommended Board Action:
Consider approval of appointing one (1) Member to the Prowers County Lodging Tax Board for positions on the Board to fill one term to expire December 2025.

Justification or Background:

Fiscal Impact: This item is budgeted in the following account code:

County: $_____
Federal: $_____
State: $_____
Other: $_____

Approved by the County Attorney on:

Additional Approvals (if required):

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 4-23-2024

Submitter: Administration Office

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Number of originals to return to Submitter: N/A

Contract Due Date:

Item Title/Recommended Board Action:
Consider approval of appointing one (1) Member to the Deadman Drainage District Board to fill one term to expire January 2030.

Justification or Background:

Fiscal Impact: This item is budgeted in the following account code:

County: $_____
Federal: $_____
State: $_____
Other: $_____

Approved by the County Attorney on:

Additional Approvals (if required):

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 4/23/24

Submitter: Department of Human Services

Submitted to the County Administration Office on: 4/15/24

Return Originals to: Department of Human Services

Number of originals to return to Submitter: 1

Contract Due Date: ASAP

Item Title/Recommended Board Action:
"Consider Ratifying Email Approval on April 4, 2024 for the Purchase of TANF funds from Las Animas County in the Amount of $70,000."

Justification or Background:

Fiscal Impact: This item is budgeted in the following account code:

County: _____

Federal: $_____

State:

Other: $_____

Approved by the County Attorney on:

Additional Approvals (if required):

PLEASE ATTACH THIS SHEET TO ALL AGENDA ITEMS WHEN SUBMITTING TO COUNTY ADMINISTRATION.

THANK YOU!

Board of County Commissioners

Prowers County
301 South Main, Suite 215
Lamar, Colorado 81052-2857
(719) 336-8025 FAX: (719) 336-2255

THOMAS GRASMICK, GRANADA
FIRST DISTRICT

RON S. COOK, LAMAR
SECOND DISTRICT

WENDY BUXTON-ANDRADE, LAMAR
THIRD DISTRICT

JANA COEN
CLERK TO THE BOARD

ROSE F. PUGLIESE ESQ.
COUNTY ATTORNEY

April 4, 2024

Works Allocation Committee Co-Chairs Janet Rowland and Richard Elsner
Colorado Counties, Inc.
800 Grant Street, Suite 500
Denver, CO 80203

Dear Commissioners Rowland and Elsner,

The Prowers County Department of Human Services and the Las Animas County Department of Human Services have reached a mutual agreement whereby Las Animas County would like to transfer $70,000.00 of TANF funds to Prowers County. Pending approval by the Works Allocation Committee, Prowers County will assume responsibility for the corresponding Maintenance of Effort.

Should you have any questions regarding this matter, please feel free to contact Lanie Meyers-Mireles, Prowers County Director of Human Services, or Michael Aragon, Montrose County Department of Human Services. Thank you for your time and support in this manner.

Sincerely,

Chair of the Board of County Commissioners

Ron Cook, Chairman

cc: Las Animas County Board of County Commissioners
Michael Aragon, Las Animas County Department of Human Services

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 04/23/2024

Submitter: Mark Westhoff

Submitted to the County Administration Office on: 04/16/2024

Return Originals to: Mark Westhoff

Number of originals to return to Submitter: 1

Contract Due Date: N/A

Item Title/Recommended Board Action: Consider ratifying 4/9/2024 email poll approval of Grant Amendment #01 2023-LE-23-31 between the Colorado Department of Public Safety, Division of Criminal Justice and Prowers County effective through December 31, 2025 totaling $190,632, and authorizing BOCC Chair Ron Cook to execute the document electronically.

Justification or Background:

Fiscal Impact: This item is budgeted in the following account code: _____

County: $_____ Federal: $_____ State: $_____ Other: $_____

Approved by the County Attorney on:

Additional Approvals (if required):

PLEASE ATTACH THIS SHEET TO ALL AGENDA ITEMS WHEN SUBMITTING TO COUNTY ADMINISTRATION.

THANK YOU!

GRANT AMENDMENT #01

SIGNATURE AND COVER PAGE

State Agency Department of Public Safety, Division of Criminal Justice	**DCJ Grant Number** 2023-LE-23-31
Grantee Prowers County	
Current Grant/Agreement Maximum Amount State Fiscal Year 2022-23: $30,658 State Fiscal Year 2023-24: $159,974	**Grant/Agreement Performance Beginning Date** January 1, 2023 **Current Grant/Agreement Expiration Date** December 31, 2025
Total for All State Fiscal Years $190,632	

THE PARTIES HERETO HAVE EXECUTED THIS AMENDMENT

Each person signing this Amendment represents and warrants that he or she is duly authorized to execute this Amendment and to bind the Party authorizing his or her signature.

GRANTEE Prowers County DocuSigned by: Ron Cook D4E4349F583143A... By: Ron Cook, County Commissioner Chair Date: 04/09/2024 | 6:37:43 PM PDT	**STATE OF COLORADO** Jared S. Polis, Governor Department of Public Safety Stan Hilkey, Executive Director DocuSigned by: Matthew M. Lunn, PhD 8C8341EFA0124C4... By: Division of Criminal Justice Matthew M. Lunn, Ph.D., Director Date: 04/10/2024 | 8:07:05 AM PDT

In accordance with §24-30-202 C.R.S., this Amendment is not valid until signed and dated below by the State Controller or an authorized delegate.

STATE CONTROLLER
Robert Jaros, CPA, MBA, JD

DocuSigned by:
By: Jammy Lichwar
0BE7C705447D4A1...
Lyndsay J. Clelland
Division of Criminal Justice

Amendment Effective Date: 04/11/2024 | 3:53:37 PM MDT

1. PARTIES

This Amendment (the "Amendment") to the Original Grant/Agreement shown on the Signature and Cover Page for this Amendment (the "Contract") is entered into by and between the Grantee, and the State.

2. TERMINOLOGY

Except as specifically modified by this Amendment, all terms used in this Amendment that are defined in the Grant/Agreement shall be construed and interpreted in accordance with the Grant/Agreement.

3. AMENDMENT EFFECTIVE DATE AND TERM

A. Amendment Effective Date

This Amendment shall not be valid or enforceable until the Amendment Effective Date shown on the Signature and Cover Page for this Amendment. The State shall not be bound by any provision of this Amendment before that Amendment Effective Date, and shall have no obligation to pay Grantee for any Work performed or expense incurred under this Amendment either before or after of the Amendment term shown in **§3.B** of this Amendment.

B. Amendment Term

The Parties' respective performances under this Amendment and the changes to the Grant/Agreement contained herein shall commence on the Amendment Effective Date shown on the Signature and Cover Page for this Amendment and shall terminate on the termination of the Grant/Agreement.

4. PURPOSE

A. Increase award to fund School Resource Officer salary and benefits through December 2025.
B. Modify the Project End Date to 12/31/2025.
C. Revise Goal 2 by adding Outcome 2.2 to be reflective of activities funded with the increase of award and extended project duration.

5. MODIFICATIONS

The Grant/Agreement and all prior amendments thereto, if any, are modified as follows:

A. The Initial Grant/Agreement Expiration Date on the Grant/Agreement's Signature and Cover Page is hereby deleted and replaced with the Current Grant/Agreement Expiration Date shown on the Signature and Cover Page for this Amendment.

B. The Grant/Agreement Maximum Amount table on the Grant/Agreement's Signature and Cover Page is hereby deleted and replaced with the Current Grant/Agreement Maximum Amount table shown on the Signature and Cover Page for this Amendment.

C. The attached Grant/Agreement Exhibit D, Statement of Work is incorporated herein and replaces all prior iterations of the Exhibit D, Statement of Work.

D. The attached Grant/Agreement Exhibit E, Budget and Budget Narrative is incorporated herein and replaces all prior iterations of the Exhibit E, Budget and Budget Narrative.

6. LIMITS OF EFFECT AND ORDER OF PRECEDENCE

This Amendment is incorporated by reference into the Grant/Agreement, and the Grant/Agreement and all prior amendments or other modifications to the Grant/Agreement, if any, remain in full force and effect except as specifically modified in this Amendment. In the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Grant/Agreement or any prior modification to the Grant/Agreement, the provisions of this Amendment shall in all respects supersede, govern, and control.

EXHIBIT D, STATEMENT OF WORK

Project Summary

Prowers County Sheriff's Office (PCSO) would like to use these funds for two reasons, first with the anticipation of the likelihood of losing nearly half of the Patrol Division staff in the next year as well as two certified deputies in the Detention Division. PCSO would like to hire another Certified Deputy, who will be a designated SRO, to combat the potential shortage for certified officers that they are likely going to experience

2nd, PCSO would like to provide a POST Certified School Resource Officer to the three schools in the county, Holly Jr/Sr High, Wiley Jr/Sr High, and Alta Vista Charter Schools, which will also help improve our community outreach with school aged children and staff faculty. Right now, the schools work directly with whoever the patrol deputy is for that specific day so it frequently changes and it is normally not the same deputy.

Project Description

As it stands, 5 of 9 certified peace officers (3 patrol, 2 Jail) have discussed leaving or are actively looking for other employment. One of the Patrol Sergeants is waiting for a hiring decision with CDOT, the other Sergeant is beginning the process to seek employment elsewhere in law enforcement, and a Patrol Deputy has applied for a Colorado State Patrol Lateral Cadet program last year and again this year. 1 POST certified Detention Sgt is likely getting demoted and is looking for another job, while another POST certified Detention Deputy is discussing leaving for better pay. Currently the patrol staff are making $5 less per hour than the local PD patrol staff. The local PD has 4 openings currently.

PCSO normally does not have a high turnover for Patrol positions. In the last year they have lost two experienced patrol deputies. The funds will be used to create and pay a certified peace officer salary/benefits, for the purposes of community outreach as an SRO and would allow for an extra deputy who would be available to cover road shifts should they lose 5 of 9 current certified deputies.

At the time of application, PCSO does not have a School Resource Officer position and it is not, and has not ever been funded by the county. However, several of the Schools in this county, which we are the responsible law enforcement entity, who would like to have an SRO assigned to work school activities, incidents, and sporting events. This is likely the only way to currently provide a SRO and better prepare for the expected turnover in the Patrol Division.

The Deputy will maintain state mandated training hours as well as in house training hours as required by Prowers County Sheriff's Office.

Goals & Outcomes

GOAL 1	
Goal 1:	Hire a certified peace officer to combat the anticipated and likely upcoming shortages in the Patrol Division in order to prevent a decline in services to the community with the expected shortages
Outcome 1.1	
Outcome:	Hire Certified Peace Officer who will complete a Field Training Program, State required training, and in-house training required by Prowers County Sheriff's Office to aid in the anticipated shortages of patrol staff.
Measurement:	Through successful completion of a field training program, state required training and Prowers County in-house training.
Timeframe:	1st Quarter (January to April) will be the anticipated date we start and hire for this position
GOAL 2	
Goal 2:	Create a successful School Resource Officer Program for Holly Jr/Sr High (Holly, CO), Wiley Jr/Sr High (Wiley, CO), and Alta Vista Charter School (Lamar, CO
Outcome 2.1	
Outcome:	Create an SRO position with the Certified Peace Officer in "Goal 1" to serve in the schools where we are the responsible law enforcement entity. When the anticipated shortages occur on the patrol division, the certified deputy will be able to fill in for patrol duties until we are back to full staff. Bi-lingual in Spanish is preferred as we have a high Hispanic or Latino population who live in our community.
Measurement:	Using data collected through eForce for School related incidents, and surveys from students, staff, and faculty of all three schools that we are responsible for the law enforcement services
Timeframe:	1st Quarter (January to April) will be the anticipated start and hire for this position
Outcome 2.2	
Outcome:	The SRO will continue to build positive relationships with students and school staff by providing training and information to students and to promote activities that will foster positive relationships with Law Enforcement and the youth in our community.
Measurement:	Through continued regular feedback and surveys from School Administrators, Parents, and Students, whom we serve and participate with.
Timeframe:	December, 2025.

Grantee: Prowers County Sheriff's Office
Project: Shorthanded/SRO DCJ Grant #: 2023-LE-23-31

EXHIBIT E - BUDGET

Version 2 - 02/19/2024

BUDGET SUMMARY

Budget Categories	Year 1 FY23 1/1/2023 - 6/30/2023	Year 2 FY24 7/1/2023 - 12/31/2025	Total Award Budget
Personnel	$30,658	$159,974	$190,632
Supplies & Operating	$0	$0	$0
Travel	$0	$0	$0
Equipment	$0	$0	$0
Consultants/Contracts (Professional Services)	$0	$0	$0
Indirect	$0	$0	$0
TOTAL BUDGET	$30,658	$159,974	$190,632
	Year 1 FY23	Year 2 FY24	Grand Total

Grantee: Prowers County Sheriff's Office
Project: SHorthanded/SRO

Personnel: Budget & Budget Narrative Details
Year 1 January 1, 2023 - June 30, 2023

Position Title and Name	Base Salary	Base Salary to be Paid by Grant Funds	% To Be Paid By Grant Funds	Fringe	Fringe to be Paid by Grant Funds	% To Be Paid By Grant Funds	Total Base Salary + Fringe	Tot S Frin P Gra
PERSONNEL Year 1 FY23								
SRO TBD	23,952	23,952	100.00%	6,706	6,706	100.00%	$30,658	
Budget Narrative and Justification:	Base salary of $23,952, and $6,706 fringe, for a total of $30,658 for the first half of the 2nd fiscal y							
TOTAL PERSONNEL YEAR 1	**$23,952**	**$23,952**	**100.00%**	**$6,706**	**$6,706**	**100.00%**	**$30,658**	

Personnel: Budget & Budget Narrative Details
Year 2 July 1, 2023 - December 31, 2025

Position Title and Name	Base Salary	Base Salary to be Paid by Grant Funds	% To Be Paid By Grant Funds	Fringe	Fringe to be Paid by Grant Funds	% To Be Paid By Grant Funds	Total Base Salary + Fringe	Tot S Frin P Gra
PERSONNEL Year 2 FY24								
SRO TBD	121,649	121,649	100%	38,325	38,325	100%	$159,974	$
Budget Narrative and Justification:	1. Base salary of $47,903, and $13,413 fringe for a total of $61,316 for the fiscal year starting July *2. Gross Pay from July 1, through December 31, 2024, at the current gross salary of $24,096.80 w $31, 908.66.* *3. Gross pay from January 1, 2025, to December 31, 2025, at 3% increase for projected raises is a $17,099.78 for a total of $66,749.38.*							

Non-Personnel: Budget & Budget Narrative Details
Year 1 FY23 January 1, 2023 - June 30, 2023

Budget Item	Amount to be Paid by Grant Funds	Budget Narrative and Justification
SUPPLIES & OPERATING		
NA	$0	
Supplies & Operating Total	**$0**	
TRAVEL		
NA	$0	
Travel Total	**$0**	
EQUIPMENT		
NA	$0	
Equipment Total	**$0**	
CONSULTANTS/CONTRACTS (PROFESSIONAL SERVICES)		
NA	$0	
Consultants/Contracts Total	**$0**	
INDIRECT (ADMINISTRATIVE ONLY)		
NA	$0	
Indirect Total	**$0**	
Total Non-Personnel - Year 1 FY23	**$0**	

Non-Personnel: Budget & Budget Narrative Details
Year 2 FY24 July 1, 2023 - June 30, 2024

Budget Item	Amount to be Paid by Grant Funds	Budget Narrative and Justification
SUPPLIES & OPERATING		
NA	$0	
Supplies & Operating Total	**$0**	

Grantee: Prowers County Sheriff's Office
Project: SHorthanded/SRO

DCJ Grant #: 2023-LE-23-31

TRAVEL	
NA	$0
Travel Total	**$0**
EQUIPMENT	
NA	$0
Equipment Total	**$0**
CONSULTANTS/CONTRACTS (PROFESSIONAL SERVICES)	
CONSULTANTS/CONTRACTS	
NA	$0
Consultants/Contracts Total	**$0**
INDIRECT	
NA	$0
Indirect Total	**$0**
Total Non-Personnel - Year 2	**$0**
GRAND TOTAL NON PERSONNEL	**$0**

DocuSign

Certificate Of Completion

Envelope Id: 109EB9F825CD44BBB1D7C14AF73EBA17 Status: Sent

Subject: DCJ Grant Amendment - LE Workforce 2023-LE-23-31 Prowers County, Sheriff's Office, Shorthanded/SRO

Source Envelope:

Document Pages: 9 Signatures: 1 Envelope Originator:

Certificate Pages: 5 Initials: 0 OAJJA Grants

AutoNav: Enabled 700 Kipling St

EnvelopeId Stamping: Enabled Lakewood, CO 80215

Time Zone: (UTC-07:00) Mountain Time (US & Canada) cdps_dcj_oajjagrants@state.co.us

IP Address: 165.127.87.1

Record Tracking

Status: Original Holder: OAJJA Grants Location: DocuSign

4/9/2024 7:53:54 AM cdps_dcj_oajjagrants@state.co.us

Security Appliance Status: Connected Pool: FedRamp

Storage Appliance Status: Connected Pool: CDPS Contracts and Grants Location: DocuSign

Signer Events	Signature	Timestamp
Ron Cook rcook@prowerscounty.net BOCC Chairman Prowers County Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Accepted: 4/9/2024 9:37:38 AM ID: b9440323-02fb-4bac-83c7-5f8b0baacd95	DocuSigned by: Ron Cook D4E4349F583143A... Signature Adoption: Drawn on Device Using IP Address: 72.175.15.173 Signed using mobile	Sent: 4/9/2024 8:02:30 AM Viewed: 4/9/2024 9:37:38 AM Signed: 4/9/2024 7:37:43 PM
Matthew M. Lunn, PhD matthew.lunn@state.co.us Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Accepted: 4/9/2024 6:23:40 AM ID: 9f2e5b98-7b48-4466-8201-73f4fb3f82db		Sent: 4/9/2024 7:37:45 PM
Lyndsay Clelland lyndsay.clelland@state.co.us Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign		

In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
Paula Gonzales paula.gonzales@prowerscounty.net Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 4/9/2024 8:02:29 AM
Samuel Fief, Undersheriff sfief@prowerscounty.net Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 4/9/2024 8:02:29 AM Viewed: 4/9/2024 8:08:35 AM

Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	4/9/2024 8:02:29 AM

Payment Events	Status	Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, CDPS Contracts and Grants (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact CDPS Contracts and Grants:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: sarah.white@state.co.us

To advise CDPS Contracts and Grants of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at sarah.white@state.co.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from CDPS Contracts and Grants

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to sarah.white@state.co.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with CDPS Contracts and Grants

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to sarah.white@state.co.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify CDPS Contracts and Grants as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by CDPS Contracts and Grants during the course of your relationship with CDPS Contracts and Grants.

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 04/23/2024

Submitter: Mark Westhoff

Submitted to the County Administration Office on: 04/16/2024

Return Originals to: Mark Westhoff

Number of originals to return to Submitter: 1

Contract Due Date: N/A

Item Title/Recommended Board Action: Consider ratifying 4/12/2024 email poll approval of Prowers County Court Security Grant submitted to the Colorado Judicial Department 2024/25 Court Security Cash Fund totaling $165,280.79 and authorizing County Administrator Mark Westhoff to submit the application electronically.

Justification or Background:

Fiscal Impact: This item is budgeted in the following account code: _____

County: $_____ Federal: $_____ State: $_____ Other: $_____

Approved by the County Attorney on:

Additional Approvals (if required):

PLEASE ATTACH THIS SHEET TO ALL AGENDA ITEMS WHEN SUBMITTING TO COUNTY ADMINISTRATION.

THANK YOU!

Prowers County Court Security

Prepared by Prowers County
for Colorado Judicial Department 2024/25 Court Security Cash Fund Grants

Submitted by Mark Westhoff

Submitted on 04/12/2024 3:42 PM Mountain Standard Time

Opportunity Details

Opportunity Information

Title
2024/25 Court Security Cash Fund Grants

Description
Overview
Grants to Colorado county governments to provide supplemental funding for security staffing in the counties with the most limited financial resources and funding for court security equipment, local security team training, and emergency security needs.

Background
The Court Security Cash Fund Commission, Cash Fund, and grant program were established by Senate Bill 07-118 and codified in Section 13-1-201 to 205, C.R.S. The Commission and the Fund were created to provide Colorado counties with supplemental security funding for facilities containing a state court or probation office. Although county governments are responsible for providing security at state court facilities, the level of funding and services that each county can offer varies throughout the State. The Court Security Cash Fund grant program aims to help counties with the most limited resources meet their security-related responsibilities.

Statutes require grant funding to be used for the following purposes:
1. The provision of court security staffing in counties with the most limited resources.
2. The purchase of security equipment or related structural improvements.
3. The provision of court security training for local security teams.
4. Miscellaneous funding needs associated with court security issues or security equipment.
5. Emergency needs associated with court security issues or court equipment.

The Office of the State Court Administrator issues and administers these grants upon recommendation by the Court Security Cash Fund Commission.

Awarding Agency Name
Office of the State Court Administrator

Agency Contact Name
Jody Whitright

Agency Contact Phone
720-625-5841

Agency Contact Email
CourtSecurityGrants@judicial.state.co.us

Fund Activity Categories
Law, Justice and Legal Services

Opportunity Manager
Jody Whitright

Announcement Type
Initial Announcement

Public Link
https://www.gotomygrants.com/Public/Opportunities/Details/b5bbb868-65dd-4086-ac32-cf02fa9e641d

Is Published
Yes

Funding Information

Funding Sources
State

Funding Source Description
Section 13-1-201 to 205, C.R.S.

Award Information

Award Period
07/01/2024 - 06/30/2025

Indirect Costs Allowed
No

Submission Information

Submission Window
03/15/2024 8:00 AM - 04/12/2024 5:00 PM

Submission Timeline Type
One Time

Allow Multiple Applications
No

Question Submission Information

Question Submission Open Date
03/14/2024 8:00 AM

Question Submission Close Date
04/12/2024 5:00 PM

Question Submission Email Address
CourtSecurityGrants@judicial.state.co.us

Technical Assistance Session

Technical Assistance Session
Yes

Session Date and Time
03/20/2024 10:00 AM

Conference Info / Registration Link
https://judicial.webex.com/judicial/j.php?MTID=mc6bac16b12059ae1b2f196318ef18cbb

Eligibility Information

Eligibility Type
Public

Eligible Applicants

- County Governments

Additional Eligibility Information

Grants are awarded to Colorado counties according to the following priorities:
a. Requests that meet the need-based criteria below shall have the highest priority.
b. Requests for moneys for personnel costs shall be given subsequent priority.

Need-Based Funding Criteria
Counties that meet at least two of the four criteria below are given the highest priority for grants for court security personnel services:
a. Counties in which the total population is below the state median.
b. Counties in which the per capita income is below the state median.
c. Counties in which the property tax revenues are below the state median.
d. Counties in which the county population living below the federal poverty line is above the state median.

Additional Information

Additional Information URL

https://www.courts.state.co.us/Administration/Unit.cfm?Unit=facility

Additional Information URL Description

For full information on this grant, refer to the Grant Rules via the link above.

Award Administration Information

Reporting

Reporting for this grant includes submission of quarterly payment requests and data on court security issues.

Other Information

This is a reimbursement grant for actual approved expenses incurred by the county during the grant period.

Grants funds may not supplant any county funding for state court security needs. Furthermore, grant funds shall not be used for:
1. Architectural services
2. Non-security related construction
3. Firearms
4. POST certification training
5. Computers and computer servers unless they are an integral part of a security system (e.g., surveillance system or access control system)
6. Law enforcement equipment that could not clearly be identified as having a court security purpose
7. Vehicles
8. ADA compliance issues that do not concern security
9. Emergency lighting already required by a Fire Marshal

Project Information

Application Information

Application Name
Prowers County Court Security

Award Requested
$165,280.79

Total Award Budget
$165,280.79

Primary Contact Information

Name
Mark Westhoff

Email Address
mwesthoff@prowerscounty.net

Address
301 South Main Street, Suite 215
Lamar, Colorado 81052

Phone Number
(719) 336-8029

Project Description

Court Security Application

Applicant Information

County's Name
Prowers County

Person entering this application

Applicant - Name
Mark Westhoff

Applicant - Title
County Administrator

Applicant - Email
mwesthoff@prowerscounty.net

Applicant - Phone
7193368025

If awarded, who is the county's representative authorized to sign the grant contract? The person you designate below will receive the final contract from DocuSign via email.

Signatory - Name
Ron Cook

Signatory - Title
Chairman, County Commissioner

Signatory - Email
rcook@prowerscounty.net

Signatory - Phone
7196882681

Judicial District Information

Judicial District Number (must be entered as a number)
15

Chief Judge - Name
Michael Davidson

Court Executive - Name
Diane Crow

Chief Probation Officer - Name

Byron Hall

Acknowledgements

The county acknowledges that the responsibility for providing adequate security for state court facilities rests with county governments and that grant funds may not supplant any county funding.

☒ Yes

Personnel Requests: The county acknowledges that the intent of any approved personnel grant is to provide supplemental court security staffing at a facility containing a state court or probation office. The grant recipient's employees and agents are not employees or agents of the Judicial Department. The recipient shall have no authorization, express or implied, to bind the Judicial Department to any agreements, liability, or understandings except as expressly set forth herein. Each party will be responsible for its acts and those of its employees, agents, and subcontractors, if any, during the term of this grant award. The recipient shall pay, when due, all required employment taxes and income tax withholding on any funds paid to it pursuant to this grant award.

☒ Yes

Personnel Requests: The county acknowledges that personnel grants are not intended to pay for any specific county employee; instead personnel grants are intended to provide supplemental staffing in addition to the county's staffing. This means that grant funds may cover only a portion of a county security employee's salary and benefits. For example, the grant may cover 60 percent of the employee's salary and benefits, while the county may cover 40 percent.

☒ Yes

Narrative

Please describe the county's plan for building security.

The Prowers County Court Security Team continues to meet the criteria for statutory priority status. We have benefited greatly from the prior generous awards of grant monies which have afforded us Courthouse security personnel as we l

as related infrastructure and equipment. Our Court Security Team is comprised of our three Judges, three County Commissioners, Sheriff, Chief Probation Officer, and District Court Administrator. We continue to work together to set

our Courthouse security priorities and greatly appreciate the opportunity to apply for your funding.

We know that our community is safer because of the security investment made in our Courthouse. The public has access to the Courts, Court Administration, Probation, Useful Public Service, Treasurer, Assessor, Clerk & Recorder,

Commissioners and County Administration, a l of which are located in the Courthouse. For FY2024-2025 we are requesting a **total of $165,280.79** in order to maintain our court security efforts. It goes without saying that our

request for on-going, additional funding is imperative. We strive to continue to provide a secure workplace for the state and county employees whose offices are located in the Courthouse, as we l as a safe environment for the citizens who

need access to the services provided by the courts, probation, and local government offices therein.

Please describe how the county will use the requested grant funds.

As a result of the continued Court Security Grant funding, we have been able to sustain our Court Security Personnel at the courthouse entrance, which is our highest priority. We anticipate annual 2080 hours for this position plus around

850 hours of overtime per year. In addition to this security personnel, we have been able to provide additional 2080 hours of security personnel in our courtrooms during trials and hearings. The total FTE for courthouse security

personnel under this model would be 2, costing approximately **$138,880.79**. The extra security personnel was vital over the past year, especially during a few extreme cases where security was needed urgently in the courtrooms and

courthouse entry.

We would also like to continue to contract with Detention Alternative Program (DAP) in Pueblo County at the annual rate of **$26,400.00** to provide staff support to accommodate video detention hearings, saving the County and Courts

time and money each year while offering appropriate legal services to citizens.

We can produce supporting documentation regarding the above-referenced items. We greatly appreciate your past support as we l as the opportunity to apply for additional funding to sustain and improve our security measures. Should

you need any additional information, please feel free to contact us.

County Approval

Background

The statute governing this grant requires applications to be signed by three authorized representatives of the county's local security team. This includes each of the following individuals *or their designee* [Section 13-1-202(3) and 13-1-205(1), C.R.S.]:

1. County Commissioner or Manager
2. Sheriff
3. Chief Judge of the District Court (see note below in red)

To get these approvals, the county should invite these individuals, *or their designees*, in AmpliFund to review and approve the application electronically (they will receive an invitation email with a link to your application in AmpliFund). If the individual already has AmpliFund access, the county should ask the approver to login to their account. See the website for the instructions named **Adding Users and Approvers.**

The authorized approver will complete this form showing their approval for the application. See the website for the instructions named **Approving the Application.**

NOTE: AmpliFund currently prevents a Chief Judge from being able to approve grants in multiple counties due to the background structure of the system. Therefore, if a Chief Judge has more than one county within their district for which AmpliFund approvals are required, a county may need to add the Clerk of Court (or other designee as determined by the Chief Judge) as a user to approve on behalf of the Chief Judge.

https://www.courts.state.co.us/Administration/Unit.cfm?Unit=facility

County Representative - I have reviewed this application and approve the request. By checking "Yes" and typing my name below, I am electronically signing this application.

☒ Yes

County Representative - Name

Ron Cook

County Representative - Title

Chairman, County Commissioner

County Representative - Email

rcook@prowerscounty.net

Sheriff Approval

Background

The statute governing this grant requires applications to be signed by three authorized representatives of the county's local security team. This includes each of the following individuals *or their designee* [Section 13-1-202(3) and 13-1-205(1), C.R.S.]:

1. County Commissioner or Manager
2. Sheriff
3. Chief Judge of the District Court (see note below in red)

To get these approvals, the county should invite these individuals, *or their designees*, in AmpliFund to review and approve the application electronically (they will receive an invitation email with a link to your application in AmpliFund). If the individual already has AmpliFund access, the county should ask the approver to login to their account. See the website for the instructions named **Adding Users and Approvers.**

The authorized approver will complete this form showing their approval for the application. See the website for the instructions named **Approving the Application.**

NOTE: AmpliFund currently prevents a Chief Judge from being able to approve grants in multiple counties due to the background structure of the system. Therefore, if a Chief Judge has more than one county within their district for which AmpliFund approvals are required, a county may need to add the Clerk of Court (or other designee as determined by the Chief Judge) as a user to approve on behalf of the Chief Judge.

https://www.courts.state.co.us/Administration/Unit.cfm?Unit=facility

Sheriff - I have reviewed this application and approve the request. By checking "Yes" and typing my name below, I am electronically signing this application.

☒ Yes

Sheriff - Name

Sam Zordel

Sheriff - Email

szordel@prowerscounty.net

Judicial Department Approval

Background

The statute governing this grant requires applications to be signed by three authorized representatives of the county's local security team. This includes each of the following individuals *or their designee* [Section 13-1-202(3) and 13-1-205(1), C.R.S.]:

1. County Commissioner or Manager
2. Sheriff
3. Chief Judge of the District Court (see note below in red)

To get these approvals, the county should invite these individuals, *or their designees*, in AmpliFund to review and approve the application electronically (they will receive an invitation email with a link to your application in AmpliFund). If the individual already has AmpliFund access, the county should ask the approver to login to their account. See the website for the instructions named **Adding Users and Approvers.**

The authorized approver will complete this form showing their approval for the application. See the website for the instructions named **Approving the Application.**

NOTE: AmpliFund currently prevents a Chief Judge from being able to approve grants in multiple counties due to the background structure of the system. Therefore, if a Chief Judge has more than one county within their district for which AmpliFund approvals are required, a county may need to add the Clerk of Court (or other designee as determined by the Chief Judge) as a user to approve on behalf of the Chief Judge.

https://www.courts.state.co.us/Administration/Unit.cfm?Unit=facility

Judicial Department Approval

The county must receive approval from the Chief Judge for this application. Please select one of the options below:

◉ Upload an email, letter, or other document from the Chief Judge stating their approval.
○ Invite the Clerk of Court to collaborate on the application so they can work with the Chief Judge to obtain their approval.

Upload the Chief Judge's approval:

Judge Davidson Approval 2024-2025 Court Security Grant.pdf

Budget

Proposed Budget Summary

Expense Budget

		Grant Funded	Total Budgeted
Personnel			
	2 FTE Court Security	$138,880.79	$138,880.79
	Subtotal	**$138,880.79**	**$138,880.79**
Other			
	DAP Video Detention Hearing	$26,400.00	$26,400.00
	Subtotal	**$26,400.00**	**$26,400.00**
	Total Proposed Cost	**$165,280.79**	**$165,280.79**

Revenue Budget

		Grant Funded	Total Budgeted
Grant Funding			
	Award Requested	$165,280.79	$165,280.79
	Subtotal	**$165,280.79**	**$165,280.79**
	Total Proposed Revenue	**$165,280.79**	**$165,280.79**

Proposed Budget Detail

See attached spreadsheet.

Proposed Budget Narrative

Personnel

Describe how the amount was calculated, including the anticipated annual hours.

2 FTE Court Security

As a result of the continued Court Security Grant funding, we have been able to sustain our Court Security Personnel at the courthouse entrance, which is our highest priority. We anticipate annual 2080 hours for this position plus around 850 hours of overtime per year. In addition to this security personnel, we have been able to provide additional 2080 hours of security personnel in our courtrooms during trials. The total FTE for courthouse security personnel under this model would be 2, costing approximately $138,880.79.

Other

Describe each item to be purchased, including the quantity and price.

DAP Video Detention Hearing

We would like to continue to contract with Detention Alternative Program (DAP) in Pueblo County at the annual rate of $26,400.00 to provide staff support to accommodate video detention hearings, saving the County and Courts time and money each year while offering appropriate legal services to citizens.

COURT SECURITY PERSONNEL SALARY/FRINGES - 2023/2024

Name	Salary	Med Insurance	Vision Insurance	Life Insurance	FICA/Medi	CO Unemp	Retirement	
Court Security Position	$ 41,600.00	$ 8,052.00	$ 68.40	$ 86.40	$3,190.72	$ -	$ 2,080.00	**$ 55,077.52**
Overtime fill in	$ 25,500.00				$1,950.75	$ -	$ 1,275.00	**$ 28,725.75**
Courtroom Security 1 FTE	$ 41,600.00	$ 8,052.00	$ 68.40	$ 86.40	$3,190.72	$ -	$ 2,080.00	**$ 55,077.52**
Subtotal	$ 108,700.00	$ 16,104.00	$ 136.80	$ 172.80	$8,332.19	$ -	$ 5,435.00	

TOTAL $ 138,880.79

Diane Crow,
District Administrator
State of Colorado, 15th Judicial District

April 03, 2024

Dear Ms. Crow,

Detention Alternative Programs-(DAP) respectfully submits this proposal, to coincide with the fiscal period effective July 1, 2024, to June 30, 2025.

We consider our participation in this ongoing venture to be our privilege, and we value the opportunity to offer video court coordination services for remote in-custody juvenile court hearings for the 9 counties of the 3rd, 15th, and 16th Judicial Districts.

Explanation of services and costs:

DAP will coordinate remote video hearings between the courts in the judicial districts as outlined in the existing memorandum of understanding agreement (MOU) between DAP and Prowers County.

DAP will provide staff, scheduling, office space, supplies, computers, cell phones, etc. In the circumstance a video connection is unavailable, DAP shall provide back-up telephonic communication to conduct court hearings remotely as necessary.

Please be aware that while most restrictions resulting from the COVID-19 pandemic have been lifted, the scope of those restrictions, primarily juvenile quarantines, rise and fall as the Youth Center's protocols dictate. Please be assured that DAP will work in conjunction with the Pueblo Youth Services Center as well as each judicial district, county, and individual courtroom to maintain the best possible practices and outcomes for all concerned parties.

Billing for services will occur within the first 5 business days following the end of each calendar quarter at the rate of $2,200 per calendar month ($6,600.00 per quarterly cycle).

Thank you again for the opportunity to provide these essential juvenile court services. It has been a pleasure to collaborate with Prowers County in this endeavor.

Sincerely,

Dustin D. Montoya

Dustin D. Montoya
Detention Alternative Programs- DAP

Detention Alternative Programs-DAP

1 Altadena Dr. Pueblo, CO 81005 Phone (719) 240-1789

Mark Westhoff <mwesthoff@prowerscounty.net>

TIME SENSITIVE EMAIL POLL: 2024-2025 Court Security Grant

davidson, michael <mike.davidson@judicial.state.co.us> Fri, Apr 12, 2024 at 1:18 PM
To: Mark Westhoff <mwesthoff@prowerscounty.net>

Mark,

I can't access Amplifund. Please submit this with my approval. Thank you.

From: Mark Westhoff <mwesthoff@prowerscounty.net>
Sent: Friday, April 12, 2024 1:09 PM
To: Ron Cook <rcook@prowerscounty.net>; Tom Grasmick <tgrasmick@prowerscounty.net>; Wendy Andrade <wandrade@prowerscounty.net>; davidson, michael <mike.davidson@judicial.state.co.us>; Sarah Zordel <szordel@prowerscounty.net>; fletcher, becky <becky.fletcher@judicial.state.co.us>
Cc: crow, diane <diane.crow@judicial.state.co.us>; hall, byron <byron.hall@judicial.state.co.us>; Paula Gonzales <paula.gonzales@prowerscounty.net>; Jana Coen <jcoen@prowerscounty.net>
Subject: [External] Re: TIME SENSITIVE EMAIL POLL: 2024-2025 Court Security Grant

And just an added note, if everyone approves but someone isn't able to access Amplifund to submit their approval today, please let me know and I can submit it for you (with permission).

Mark Westhoff
Prowers County Administrator
Prowers County Admin Office
301 South Main St, Suite 215
Lamar, CO 81052

mwesthoff@prowerscounty.net
(719) 336-8029
Book an appointment with me at this link

On Fri, Apr 12, 2024 at 1:04 PM Mark Westhoff <mwesthoff@prowerscounty.net> wrote:

> Commissioners, Judge Davidson, and Sheriff Zordel,
>
> Please review the attached completed draft for the FY 2024-2025 Court Security Grant along with some supporting documentation. A reminder: the grant application deadline is **today, April 12th, at 5 pm**.

If anyone would like me to make any changes, please let me know.

Commissioners, if you approve of submitting this grant and having Ron Cook sign the application electronically as Chairman, please respond with your approval.

Last year, I added Sheriff Zordel, Chairman Cook, and a representative from the 15th JD to the grant application on Amplifund in order to approve submission. Last year the representative for 15th JD was Becky Fletcher. But this year the application required me to put Judge Davidson's contact information only. Becky, if you are signing, you may need to proactively log in to Amplifund rather than waiting for a link to your email.

Commissioner Cook, Sheriff Zordel, and Becky will receive an email asking you to login to Amplifund to approve. You will then click the "Applications" header, click the "Prowers County Court Security" link. Click the "Application Forms" progress button. Click the appropriate Approval Form link and complete the online signature. Then click the "Save" button followed by the "Mark as complete" button.

Thank you all!

Mark Westhoff
Prowers County Administrator
Prowers County Admin Office
301 South Main St, Suite 215
Lamar, CO 81052

mwesthoff@prowerscounty.net
(719) 336-8029
Book an appointment with me at this link

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 04/23/2024

Submitter: Mark Westhoff

Submitted to the County Administration Office on: 04/16/2024

Return Originals to: Mark Westhoff

Number of originals to return to Submitter: 1

Contract Due Date: N/A

Item Title/Recommended Board Action: Consider ratifying 4/3/2024 email poll approval of 2024 Certifications and Assurances from Colorado Department of Transportation required in order to apply for future grants, and authorizing County Attorney Rose Pugliese and PAT Director Darren Glover to execute the document.

Justification or Background:

Fiscal Impact: This item is budgeted in the following account code: _____

County: $_____ Federal: $_____ State: $_____ Other: $_____

Approved by the County Attorney on: April 2, 2024

Additional Approvals (if required):

PLEASE ATTACH THIS SHEET TO ALL AGENDA ITEMS WHEN SUBMITTING TO COUNTY ADMINISTRATION.

THANK YOU!

Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision.

Text in italic is guidance to the public. It does not have the force and effect of law, and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.

All applicants must make the certifications in this category.

1.1. Standard Assurances.

The certifications in this subcategory appear as part of the applicant's registration or annual registration renewal in the System for Award Management (SAM.gov) and on the Office of Management and Budget's standard form 424B "Assurances—Non-Construction Programs". This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

(a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

(b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

(c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

(d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

(e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

(f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:

(1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 CFR Part 21;

(2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 CFR Part 25;

(3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.

(4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 CFR Part 27;

(5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;

(6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;

(7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;

(8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;

(9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;

(10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,

(11) the requirements of any other nondiscrimination statute(s) which may apply to the application.

(g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ("Uniform Act") (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 CFR Part 24.

(h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

(i) Will comply, as applicable, with the provisions of the Davis–Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.

(j) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

(k) Will comply with environmental standards which may be prescribed pursuant to the following:

(1) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;

(2) Notification of violating facilities pursuant to EO 11738;

(3) Protection of wetlands pursuant to EO 11990;

(4) Evaluation of flood hazards in floodplains in accordance with EO 11988;

(5) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);

(6) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);

(7) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and

(8) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93–205).

(l) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

(m) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).

(n) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

(o) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded

animals held for research, teaching, or other activities supported by this award of assistance.

(p) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

(q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200, Subpart F, "Audit Requirements", as adopted and implemented by U.S. DOT at 2 CFR Part 1201.

(r) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program under which it is applying for assistance.

(s) Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from:

(1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect;

(2) Procuring a commercial sex act during the period of time that the award is in effect; or

(3) Using forced labor in the performance of the award or subawards under the award.

1.2. Standard Assurances: Additional Assurances for Construction Projects.

This certification appears on the Office of Management and Budget's standard form 424D "Assurances—Construction Programs" and applies specifically to federally assisted projects for construction. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

(a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.

(b) Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.

(c) Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work confirms with the approved plans and specifications, and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

1.3. Procurement.

The Uniform Administrative Requirements, 2 CFR § 200.325, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.

The applicant certifies that its procurement system complies with:

(a) U.S. DOT regulations, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," 2 CFR Part 200, particularly 2 CFR §§ 200.317–200.327 "Procurement Standards;

(b) Federal laws, regulations, and requirements applicable to FTA procurements; and

(c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

1.4. Suspension and Debarment.

Pursuant to Executive Order 12549, as implemented at 2 CFR Parts 180 and 1200, prior to entering into a covered transaction with an applicant, FTA must determine whether the applicant is excluded from participating in covered non-procurement transactions. For this purpose, FTA is authorized to collect a certification from each applicant regarding the applicant's exclusion status. 2 CFR § 180.300. Additionally, each applicant must disclose any information required by 2 CFR § 180.335 about the applicant and the applicant's principals prior to entering into an award agreement with FTA. This certification serves both purposes.

The applicant certifies, to the best of its knowledge and belief, that the applicant and each of its principals:

(a) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily or involuntarily excluded from covered transactions by any Federal department or agency;

(b) Has not, within the preceding three years, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty;

(c) Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any offense described in paragraph (b) of this certification;

(d) Has not, within the preceding three years, had one or more public transactions (Federal, State, or local) terminated for cause or default.

1.5. Coronavirus Response and Relief Supplemental Appropriations Act, 2021, and CARES Act Funding.

The applicant certifies:

(a) To the maximum extent possible, funds made available under title IV of division M of the Consolidated Appropriations Act, 2021 (Public Law 116–260), and in title XII of division B of the CARES Act (Public Law 116–136; 134 Stat. 599) shall be directed to payroll and operations of public transit (including payroll and expenses of private providers of public transportation); or

(b) The applicant certifies that the applicant has not furloughed any employees.

1.6. American Rescue Plan Act Funding.

The applicant certifies:

(a) Funds made available by Section 3401(a)(2)(A) of the American Rescue Plan Act of 2021 (Public Law 117-2) shall be directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation); or

(b) The applicant certifies that the applicant has not furloughed any employees.

CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

This certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA's state safety oversight programs, and each State that is required to draft and certify a Public Transportation Agency Safety Plan on behalf of a Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) pursuant to 49 CFR § 673.11(d).

This certification is required by 49 U.S.C. § 5307(c)(1)(L), 49 U.S.C. § 5329(d)(1), and 49 CFR § 673.13. This certification is a condition of receipt of Urbanized Area Formula Grants Program (49 U.S.C. § 5307) funding.

This certification does not apply to any applicant that only receives financial assistance from FTA under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C.

§ 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs, unless it operates a rail fixed guideway public transportation system.

If the applicant is an operator, the applicant certifies that it has established a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673; including, specifically, that the board of directors (or equivalent entity) of the applicant has approved, or, in the case of an applicant that will apply for assistance under 49 U.S.C. § 5307 that is serving an urbanized area with a population of 200,000 or more, the safety committee of the entity established under 49 U.S.C. § 5329(d)(5), followed by the board of directors (or equivalent entity) of the applicant has approved, the Public Transportation Agency Safety Plan or any updates thereto; and, for each recipient serving an urbanized area with a population of fewer than 200,000, that the Public Transportation Agency Safety Plan has been developed in cooperation with frontline employee representatives.

If the applicant is a State that drafts and certifies a Public Transportation Agency Safety Plan on behalf of a public transportation operator, the applicant certifies that:

(a) It has drafted and certified a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673 for each Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) in the State, unless the Small Public Transportation Provider provided notification to the State that it was opting out of the State-drafted plan and drafting its own Public Transportation Agency Safety Plan; and

(b) Each Small Public Transportation Provider within the State that opts to use a State-drafted Public Transportation Agency Safety Plan has a plan that has been approved by the provider's Accountable Executive (as that term is defined at 49 CFR § 673.5), Board of Directors or Equivalent Authority (as that term is defined at 49 CFR § 673.5), and, if the Small Public Transportation Provider serves an urbanized area with a population of 200,000 or more, the safety committee of the Small Public Transportation Provider established under 49 U.S.C. § 5329(d)(5).

CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.

If the applicant is a business association (regardless of for-profit, not for-profit, or tax exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Consolidated Appropriations Act, 2023, Pub. L. 117-328, div. E, tit. VII, §§ 744–745. U.S. DOT Order 4200.6 defines a "corporation" as "any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association", and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT

Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.

If the applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, the applicant certifies that:

(a) It has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and

(b) It has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

CATEGORY 4. LOBBYING.

If the applicant will apply for a grant or cooperative agreement exceeding $100,000, or a loan, line of credit, loan guarantee, or loan insurance exceeding $150,000, it must make the following certification and, if applicable, make a disclosure regarding the applicant's lobbying activities. This certification is required by 49 CFR § 20.110 and app. A to that part.

This certification does not apply to an applicant that is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 49 CFR Part 20.

4.1. Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned certifies, to the best of his or her knowledge and belief, that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and

contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

4.2. Statement for Loan Guarantees and Loan Insurance.

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

CATEGORY 5. PRIVATE SECTOR PROTECTIONS.

If the applicant will apply for funds that it will use to acquire or operate public transportation facilities or equipment, the applicant must make the following certification regarding protections for the private sector.

5.1. Charter Service Agreement.

To enforce the provisions of 49 U.S.C. § 5323(d), FTA's charter service regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following Charter Service Agreement. 49 CFR § 604.4.

The applicant agrees that it, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with Federal assistance authorized under the Federal Transit Laws only in compliance with the regulations set out in 49 CFR Part 604, the terms and conditions of which are incorporated herein by reference.

5.2. School Bus Agreement.

To enforce the provisions of 49 U.S.C. § 5323(f), FTA's school bus regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following agreement regarding the provision of school bus services. 49 CFR § 605.15.

(a) If the applicant is not authorized by the FTA Administrator under 49 CFR § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:

(1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.

(2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).

(b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 CFR § 605.11, the applicant agrees as follows:

(1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.

(2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.

(3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).

(4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

CATEGORY 6. TRANSIT ASSET MANAGEMENT PLAN.

If the applicant owns, operates, or manages capital assets used to provide public transportation, the following certification is required by 49 U.S.C. § 5326(a).

The applicant certifies that it is in compliance with 49 CFR Part 625.

CATEGORY 7. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.

7.1. Rolling Stock Buy America Reviews.

If the applicant will apply for an award to acquire rolling stock for use in revenue service, it must make this certification. This certification is required by 49 CFR § 663.7.

The applicant certifies that it will conduct or cause to be conducted the pre-award and post-delivery audits prescribed by 49 CFR Part 663 and will maintain on file the certifications required by Subparts B, C, and D of 49 CFR Part 663.

7.2. Bus Testing.

If the applicant will apply for funds for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components, the applicant must make this certification. This certification is required by 49 CFR § 665.7.

The applicant certifies that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required by 49 CFR Part 665. The applicant has received or will receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

CATEGORY 8. URBANIZED AREA FORMULA GRANTS PROGRAM.

If the applicant will apply for an award under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), or any other program or award that is subject to the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310); "flex funds" from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)); projects that will receive an award authorized by the Transportation Infrastructure Finance and Innovation Act ("TIFIA") (23 U.S.C. §§ 601–609) or State Infrastructure Bank Program (23 U.S.C. § 610) (see 49 U.S.C. § 5323(o)); formula awards or competitive awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(a) and (b)); or low or no emission awards to any area under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(c)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5307(c)(1).

The applicant certifies that it:

(a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;

(b) Has or will have satisfactory continuing control over the use of equipment and facilities;

(c) Will maintain equipment and facilities in accordance with the applicant's transit asset management plan;

(d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—

(1) Senior;

(2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and

(3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);

(e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);

(f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);

(g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);

(h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);

(i) Has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;

(j) Either—

(1) Will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least 1 percent of the amount the recipient receives for each fiscal year under 49 U.S.C. § 5336; or

(2) Has decided that the expenditure for security projects is not necessary;

(k) In the case of an applicant for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, will submit an annual report listing projects carried out in the preceding fiscal year under 49 U.S.C. § 5307 for associated transit improvements as defined in 49 U.S.C. § 5302; and

(l) Will comply with 49 U.S.C. § 5329(d) (public transportation agency safety plan).

CATEGORY 9. FORMULA GRANTS FOR RURAL AREAS.

If the applicant will apply for funds made available to it under the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), it must make this certification. Paragraph (a) of this certification helps FTA make the determinations required by 49 U.S.C. § 5310(b)(2)(C). Paragraph (b) of this certification is required by 49 U.S.C. § 5311(f)(2). Paragraph (c) of this certification, which applies to funds apportioned for the Appalachian Development Public Transportation Assistance Program, is necessary to enforce the conditions of 49 U.S.C. § 5311(c)(2)(D).

(a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
   (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
   (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and

(b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected intercity bus service providers, and the intercity bus service needs of the State are being met adequately.

(c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
   (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
   (2) It has determined that otherwise eligible local transit needs are being addressed.

CATEGORY 10. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.

If the applicant will apply for an award under any subsection of the Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), including an award made pursuant to the FAST Act's Expedited Project Delivery for Capital Investment Grants Pilot Program (Pub. L. 114-94, div. A, title III, § 3005(b)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5309(c)(2) and Pub. L. 114-94, div. A, title III, § 3005(b)(3)(B).

The applicant certifies that it:

(a) Has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
(b) Has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
(c) Will maintain equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan; and
(d) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning).

CATEGORY 11. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.

If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants), subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants), subsection (b) (bus and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 9 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

Making this certification will incorporate by reference the applicable certifications in Category 8 or Category 9.

If the applicant will receive a competitive award under subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) related to zero emissions vehicles or related infrastructure, it must make the following certification. This certification is required by 49 U.S.C. § 5339(d).

The applicant will use 5 percent of grants related to zero emissions vehicles (as defined in subsection (c)(1)) or related infrastructure under subsection (b) or (c) to fund workforce development training as described in section 49 U.S.C. § 5314(b)(2) (including registered apprenticeships and other labor-management training programs) under the recipient's plan to address the impact of the transition to zero emission vehicles on the applicant's current workforce; or the applicant certifies a smaller percentage is necessary to carry out that plan.

CATEGORY 12. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.

If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 8, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 8 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.

In addition to the certification in Category 8, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).

The applicant certifies that:

(a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;

(b) The plan described in clause (a) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public;

(c) To the maximum extent feasible, the services funded under 49 U.S.C. § 5310 will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services; and

(d) If the applicant will allocate funds received under 49 U.S.C. § 5310 to subrecipients, it will do so on a fair and equitable basis.

CATEGORY 13. STATE OF GOOD REPAIR GRANTS.

If the applicant will apply for an award under FTA's State of Good Repair Grants Program (49 U.S.C. § 5337), it must make the following certification. Because FTA generally does not review the transit asset management plans of public transportation providers, the asset management certification is necessary to enforce the provisions of 49 U.S.C. § 5337(a)(4). The certification with regard to acquiring restricted rail rolling stock is required by 49 U.S.C. § 5323(u)(4). Note that this certification is not limited to the use of Federal funds.

The applicant certifies that the projects it will carry out using assistance authorized by the State of Good Repair Grants Program, 49 U.S.C. § 5337, are aligned with the applicant's most recent transit asset management plan and are identified in the investment and prioritization section of such plan, consistent with the requirements of 49 CFR Part 625.

If the applicant operates a rail fixed guideway service, the applicant certifies that, in the fiscal year for which an award is available to the applicant under the State of Good Repair Grants Program, 49 U.S.C. § 5337, the applicant will not award any contract or subcontract for the procurement of rail rolling stock for use in public transportation with a rail rolling stock manufacturer described in 49 U.S.C. § 5323(u)(1).

CATEGORY 14. INFRASTRUCTURE FINANCE PROGRAMS.

If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act ("TIFIA") Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks ("SIB") Program (23 U.S.C. § 610), it must make the certifications in Category 8 for the Urbanized Area Formula Grants Program, Category 10 for the Fixed Guideway Capital Investment Grants program, and Category 13 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).

Making this certification will incorporate the certifications in Categories 8, 10, and 13 by reference.

CATEGORY 15. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

If the applicant will apply for an award under FTA's Urbanized Area Formula Grants Program (49 U.S.C. § 5307), Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) programs, the applicant must make the following certification. The applicant must make this certification on its own behalf and on behalf of its subrecipients and contractors. This certification is required by 49 CFR § 655.83.

The applicant certifies that it, its subrecipients, and its contractors are compliant with FTA's regulation for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations, 49 CFR Part 655.

CATEGORY 16. RAIL SAFETY TRAINING AND OVERSIGHT.

If the applicant is a State with at least one rail fixed guideway system, or is a State Safety Oversight Agency, or operates a rail fixed guideway system, it must make the following certification. The elements of this certification are required by 49 CFR §§ 672.31 and 674.39.

The applicant certifies that the rail fixed guideway public transportation system and the State Safety Oversight Agency for the State are:

(a) Compliant with the requirements of 49 CFR Part 672, "Public Transportation Safety Certification Training Program"; and

(b) Compliant with the requirements of 49 CFR Part 674, "Sate Safety Oversight".

CATEGORY 17. DEMAND RESPONSIVE SERVICE.

If the applicant operates demand responsive service and will apply for an award to purchase a non-rail vehicle that is not accessible within the meaning of 49 CFR Part 37, it must make the following certification. This certification is required by 49 CFR § 37.77.

The applicant certifies that the service it provides to individuals with disabilities is equivalent to that provided to other persons. A demand responsive system, when viewed in its entirety, is deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

(a) Response time;
(b) Fares;
(c) Geographic area of service;
(d) Hours and days of service;
(e) Restrictions or priorities based on trip purpose;
(f) Availability of information and reservation capability; and
(g) Any constraints on capacity or service availability.

CATEGORY 18. INTEREST AND FINANCING COSTS.

*If the applicant will pay for interest or other financing costs of a project using assistance awarded under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), the Fixed Guideway Capital Investment Grants Program (49 U.S.C. § 5309), or any program that must comply with the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), "flex funds" from infrastructure programs administered by the Federal Highways Administration (*see *49 U.S.C. § 5334(i)), or awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the following certification. This certification is required by 49 U.S.C. §§ 5307(e)(3) and 5309(k)(2)(D).*

The applicant certifies that:

(a) Its application includes the cost of interest earned and payable on bonds issued by the applicant only to the extent proceeds of the bonds were or will be expended in carrying out the project identified in its application; and
(b) The applicant has shown or will show reasonable diligence in seeking the most favorable financing terms available to the project at the time of borrowing.

CATEGORY 19. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.

If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v). For information about standards or practices that may apply to a rail fixed guideway public transportation system, visit https://www.nist.gov/cyberframework *and* https://www.cisa.gov/.

The applicant certifies that it has established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks that complies with the requirements of 49 U.S.C. § 5323(v)(2).

CATEGORY 20. PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS FORMULA AND DISCRETIONARY PROGRAM (TRIBAL TRANSIT PROGRAMS).

Before FTA may provide Federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), the applicant must select the Certifications in Category 21, except as FTA determines otherwise in writing. Tribal Transit Program applicants may certify to this Category and Category 1 (Certifications and Assurances Required of Every Applicant) and need not make any other certification, to meet Tribal Transit Program certification requirements. If an applicant will apply for any program in addition to the Tribal Transit Program, additional certifications may be required.

FTA has established terms and conditions for Tribal Transit Program grants financed with Federal assistance appropriated or made available under 49 U.S.C. § 5311(c)(1). The applicant certifies that:

(a) It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.

(b) It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.

(c) It will maintain its equipment and facilities acquired or improved under its Award, in accordance with its transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR Part 625. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.

(d) With respect to its procurement system:

  (1) It will have a procurement system that complies with U.S. DOT regulations, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, "Uniform Administrative Requirements, Cost

Principles, and Audit Requirements for Federal Awards," 2 CFR Part 200, for Awards made on or after December 26, 2014,

(2) It will have a procurement system that complies with U.S. DOT regulations, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," 49 CFR Part 18, specifically former 49 CFR § 18.36, for Awards made before December 26, 2014, or

(3) It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.

(e) It will comply with the Certifications, Assurances, and Agreements in:

(1) Category 05.1 and 05.2 (Charter Service Agreement and School Bus Agreement),

(2) Category 06 (Transit Asset Management Plan),

(3) Category 07.1 and 07.2 (Rolling Stock Buy America Reviews and Bus Testing),

(4) Category 09 (Formula Grants for Rural Areas),

(5) Category 15 (Alcohol and Controlled Substances Testing), and

(6) Category 17 (Demand Responsive Service).

CATEGORY 21. EMERGENCY RELIEF PROGRAM.

An applicant to the Public Transportation Emergency Relief Program, 49 U.S.C. § 5324, must make the following certification. The certification is required by 49 U.S.C. § 5324(f) and must be made before the applicant can receive a grant under the Emergency Relief program.

The applicant certifies that the applicant has insurance required under State law for all structures related to the emergency relief program grant application.

FEDERAL FISCAL YEAR 2024 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: Prowers County

The Applicant certifies to the applicable provisions of all categories: (*check here*) _____.

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category		Certification
01	Certifications and Assurances Required of Every Applicant	_____
02	Public Transportation Agency Safety Plans	_____
03	Tax Liability and Felony Convictions	_____
04	Lobbying	_____
05	Private Sector Protections	_____
06	Transit Asset Management Plan	_____
07	Rolling Stock Buy America Reviews and Bus Testing	_____
08	Urbanized Area Formula Grants Program	_____
09	Formula Grants for Rural Areas	_____
10	Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

12	Enhanced Mobility of Seniors and Individuals with Disabilities Programs	_____
13	State of Good Repair Grants	_____
14	Infrastructure Finance Programs	_____
15	Alcohol and Controlled Substances Testing	_____
16	Rail Safety Training and Oversight	_____
17	Demand Responsive Service	_____
18	Interest and Financing Costs	_____
19	Cybersecurity Certification for Rail Rolling Stock and Operations	_____
20	Tribal Transit Programs	_____
21	Emergency Relief Program	_____

CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

AFFIRMATION OF APPLICANT

Name of the Applicant: Prowers County

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____ Date: 4-18-24

Name DARREN GLOVER Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): Prowers County

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature _____ Date: 4/3/2024

Name Rose Pugliese Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: 04/23/2024

Submitter: Mark Westhoff

Submitted to the County Administration Office on: 04/16/2024

Return Originals to: Mark Westhoff

Number of originals to return to Submitter: 1

Contract Due Date: N/A

Item Title/Recommended Board Action: Consider ratifying 4/16/2024 email poll approval of Consulting Services Agreement between Prowers County, Prowers Economic Prosperity (PEP), and Research Consultants International FDI Inc (ResearchFDI), for ResearchFDI to complete a lead generation training totaling $28,500, in connection with DOLA grant REDI 22-288 with Prowers County as fiscal agent, and authorizing Chairman Ron Cook to execute the document.

Justification or Background:

Fiscal Impact: This item is budgeted in the following account code: _____

County: $_____ Federal: $_____ State: $_____ Other: $_____

Approved by the County Attorney on: March 26, 2024

Additional Approvals (if required):

PLEASE ATTACH THIS SHEET TO ALL AGENDA ITEMS WHEN SUBMITTING TO COUNTY ADMINISTRATION.

THANK YOU!

RESEARCHFDI
INVESTMENT ATTRACTION

Offer of Services: Investment Attraction Training

Prepared for Prowers Economic Prosperity (PEP)

February 2024

Erika Magder, VP Global Sales
ResearchFDI
1980 Sherbrooke St West #888
Montreal, Quebec , Canada H3H 1E3

Mobile: +1 514 944 8359
erika@researchfdi.com
www.researchfdi.com

Company Introduction

1

About Us

ResearchFDI is an economic development consulting firm that provides high-quality, customized strategy and research plans as well as investment attraction programs, for economic development organizations and regional and investment promotion agencies around the world.

ResearchFDI was founded in 2010 in Montreal, Canada, with offices and partners around the globe. Our goal is to position our clients to efficiently identify and capture inward investment opportunities. To date, our experienced team of economic development consultants has generated leads and investment projects for more than 200 economic development entities worldwide and has facilitated over $5 billion in Capital Investment worldwide.

Our core services include:

- Strategies (FDI, BR&E and Economic Development Strategy)
- Lead Generation Campaigns
- Studies (Market Study, Sector Study, Benchmarking, Supply Chain Analysis)
- Investment Attraction Training
- Marketing Strategies
- Value Proposition Development

With team members fluent in numerous languages and worldwide market experience in North America, South America, Asia, the Middle East, Europe, and Australia, **we can connect your region to the rest of the world**. With ResearchFDI, you will receive the experience and expertise of our entire team on your project. We provide exceptional customer service, and, with our 24-hour customer service, a team member will always be available to attend to your needs.

Overview of our Training Services

2

Experts in Investment Attraction Training

Most Comprehensive Lead Generation Courses

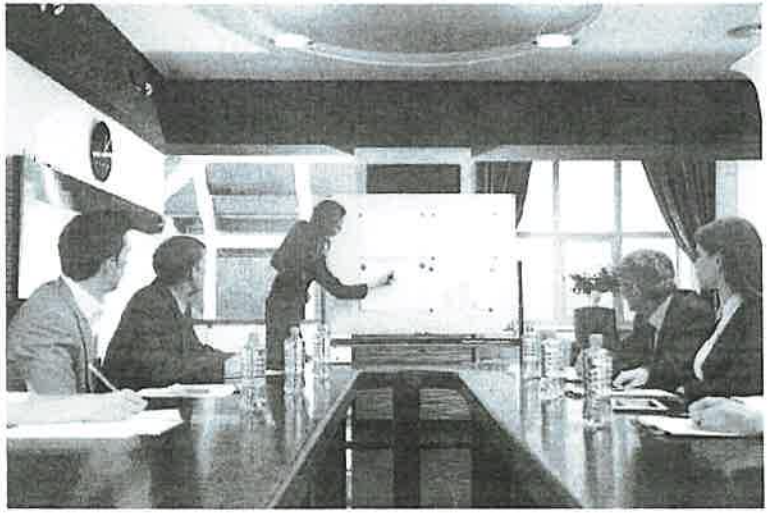
Research Consultants International offers one of the most comprehensive, tried-and-tested suite of lead generation courses available today.

Extensive Experience

We have provided training and consultancy services to more than 50 economic development organizations worldwide.

Tailored Approach

We provide a flexible approach to training and are taking into account organizations' specific needs in terms of best-practice approaches and sector-specific insights.



Customized In Person Workshops

Case Studies
Role Playing
Interactive Exercises

1. Research Consultants International has an extensive suite of best-practice relating to lead generation practices.

2. A highly-customized training course can be developed using these materials as a base.

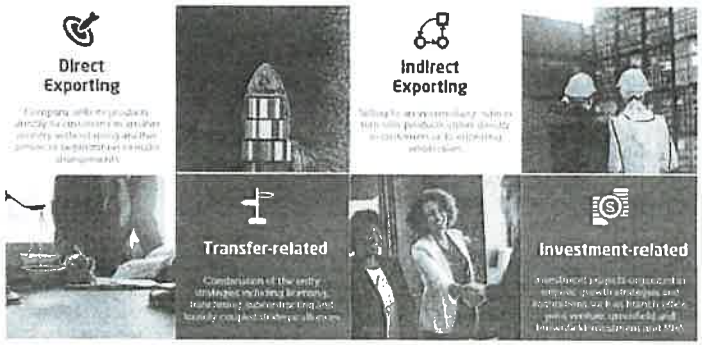
3. The modules cover proprietary and tried-and-tested processes and methodologies, brought to life with best practice examples and exercises.

4. Modules are inspired by recent case studies and examples. They can also incorporate interactive assessments to evaluate the user's understanding.

Training Modules Examples

Market Entry Strategies

1



Training Modules can be developed in ResearchFDI's branding or in the Client's branding if preferred. Note that there will be an additional fee to adapt the materials to the Client's branding

Target List Development

9

Tips for Finding the Right Contacts to Target

- Contacts who are originally from your region.
- Alumni from your local universities that have moved out of the area
- LinkedIn profiles containing keywords such as: expansion, growth, facilities, real estate.
- Decision-makers and influencers may be identified in press releases.
- R&D partnerships (talk to the local universities).
- Partners or suppliers already doing business with local companies.

Investment Trends

2

Manufacturing

Sales Subsidiaries

Efficiency Seeking

Strategic Partnerships

FDI Training - All Topics

FULL CURRICULUM OFFERED - MODULE 1 TO 8

MODULE1- INTRODUCTION TO FDI

Introduction to FDI
FDI trends.
Sustainable FDI
Phases of an investment expansion project

MODULE 2- INVESTOR TARGETING

Expansion drivers and motives
Company targeting
Research tools

MODULE 3- LEAD GENERATION

Outreach fundamentals
Email outreach - how to write an effective email
Cold calling techniques
Social media best practices

MODULE 4- INVESTOR FACILITATION

Investor inquiry handling
Conducting investor meetings
Lead nurturing
Site visits
Aftercare

MODULE 5- VALUE PROPOSITION

Identification regional strengths and assets
Highlighting competitive advantages
Building value propositions & key messages
Marketing material

MODULE 6- INVESTMENT ATTRACTION STRATEGY

Core elements of an investment attraction strategy
External trends analysis
Regional assessment and opportunity identification
Benchmarking Competing locations
Industry Prioritization
Recommendations and action plan

MODULE 7- STAKEHOLDER Engagement

Stakeholder Mapping
Stakeholder Engagement
Stakeholder Engagement Analysis
Stakeholder engagement best practices

MODULE 8- MARKETING A LOCATION

The art of story telling
Developing marketing collateral
Building an investment attraction website
Social media marketing
Event marketing

Proposed Budget

3

Budget - Virtual Training $USD - 4 Modules

DESCRIPTION	UNIT	COST/UNIT	TOTAL COST
Project Management	1	$3,500	$3,500
Training Preparation & Customization	1	$5,000	$5,000
Modules 2-5	4	$5,000 / module	$20,000
		TOTAL COST	$28,500

*Trainings can be attended by up to 30 people maximum for larger groups additional fees would apply.
**Should the client prefer to do the trainings in person the same costs would apply however the Client would be responsible for covering travel costs.

Your Team

4

Bruce Takefman
Project Role: Project Oversight

Bruce Takefman, founder and president of ResearchFDI, leads a seasoned and enthused team that provides economic development consulting for some of the world's most prominent EDOs. Bruce understands international markets, having worked with clients based across the United States, Canada, Europe, South America and Asia. Bruce's work amongst different continents enables him to maximize the potential for his clients to seize global opportunities.

Bruce earned his Bachelor of Commerce, majoring in Marketing, from the John Molson School of Business at Concordia University in Montréal, Québec. Bruce is a proud member of the International Economic Development Council (IEDC). Bruce's experience has led him to work extensively with a wide array of clients touching upon various industries such as the biotech and agriculture, aerospace and aviation, IT, financial services, medical, advanced manufacturing, and renewable energy sectors among others.

His work to date and large network has led to millions in new investment opportunities for regions around the world. Furthermore, Bruce possesses a strong knowledge of trade shows, having helped prepare clients to attend some of the world's most prestigious shows.

Bruce leads his company on the principles of diversity and inclusion, boasting a firm with over a dozen different nationalities with more than 50 years of combined experience in professional business development.

Erika Magder
Project Role: Training Development and Training Facilitator

Erika is an innate leader and market strategist bringing fifteen years of experience in economic and business development. Erika manages our portfolio of business intelligence, lead generation and data services to clients across Europe.

Prior to working at Research Consultants International Erika spent the past 8 years working as Director, Business Development at the world's largest language services and related technologies company including clinical software, document management solutions and translation management software. Throughout her time at TransPerfect, Erika worked with Fortune 500 and fast-growing companies to provide language services and solutions to support their international growth initiatives.

Erika started her career as an Economic Development Specialist and spent 5 years acting as an in-market representative and lead generation consultant for the East and West Midland RDAs in the U.S. and Canada..

Erika received an Honors Bachelor of Commerce degree from Queen's University in Kingston, Ontario; specializing in marketing and international business. Erika is fluent in English and French and will act as one of the in-market representatives as well as the Program Director. She will be specifically responsible for the Central and East Coast of Canada.

Davor Davidovic
Project Role: Training Development and Training Facilitator

Davor Davidovic is a business strategy and market intelligence expert who has been working in the economic development industry for over a decade. He brings an extensive knowledge in corporate strategy and real estate, location intelligence, industry linkages, market intelligence, as well as an understanding of specific industry issues.

Through his studies in Master of Engineering at University of Zagreb, Faculty of Civil Engineering, and Business Administration and Marketing at Herzing College in Montreal, Mr. Davidovic developed an understanding of different industrial and organizational procedures that are required in business today.

Prior to joining ResearchFDI, he worked in various capacities in economic development consulting including business intelligence, industry analysis, client services and operations, supporting global investment promotion organizations in business recruitment activities.

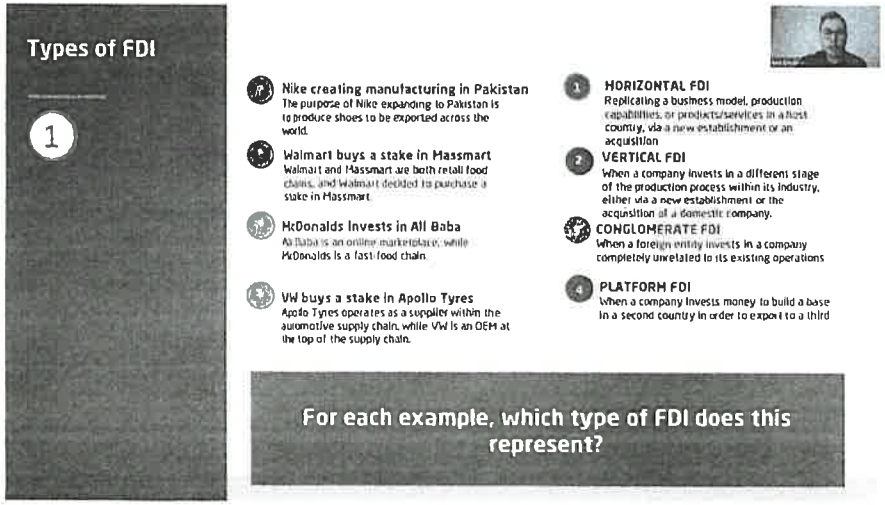
At ResearchFDI, Mr. Davidovic is responsible for the development of the company's data product portfolio. He oversees the entire product lifecycle from planning stages to product delivery and translates market opportunities into prioritized product enhancements. As part of the management team, he is also responsible for strategic alliances, overall corporate strategy and management of intellectual property. He is fluent in English, German and several Slavic languages.

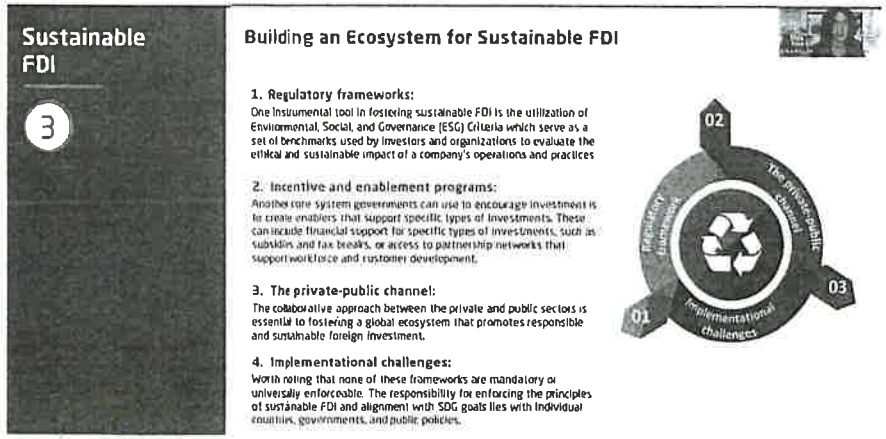
5 Experience in FDI Training

FDI Virtual Trainings - 8 Modules

Botswana Investment & Trade Centre

BOTSWANA INVESTMENT & TRADE CENTRE





In 2024, ResearchFDI to conduct an FDI attraction training program for the Botswana Investment and Trade Centre (BITC). The BITC included 40 members of their team in the training program. The participants were from various divisions within the BITC with different levels of experience and knowledge in investment attraction. Therefore, the exercises and content was adjusted to ensure that all participants were able to gain value from the sessions.

The Client's team participated in all 8 modules. Each module was scheduled as a 3-hour virtual session held of zoom. The zoom sessions included interactive pools,
quizzes, breakout session and open discussions.

The modules included customized content to ensure that examples that were relevant to Botswana's target sectors were included in the workshops.

After the trainings, the client received a recorded version of the training and a copy of the slides used as part of the sessions.

FDI Training Workshop
Edmonton Global

Edmonton Global

In **January 2020**, ResearchFDI was hired to develop and deliver an onsite in person training workshop to Edmonton Global. With a population of approximately 1.5 million people Edmonton is Canada's 5th largest city and the capital of Alberta. Edmonton's economy is built on natural resources including oil and gas and agriculture. The city is also home to the largest mall in North America.

ResearchFDI was brought on board in 2019 to develop an introduction to economic development and FDI attraction course to the team at Edmonton Global. The organization was newly formed and most of the staff did not have previous experience in FDI attraction.

The training session took place in person over 2 days and consisted of interactive workshops, role playing and case study examples. We also worked with the IT teams at Edmonton Global to provide hands on demonstrations for some of the technology tools that the group had access to.

The training focused on the full cycle of investment attraction from research, outreach, meeting, follow up and aftercare.

- The training was attended by all members of the Edmonton Global team as well as other stakeholders from the Airport, Technology hubs, University etc. A total of 18 people attended the sessions from the client side.
- The training was geared towards helping the team understand the new trends in lead generation and investment attraction.
- The modules were custom developed for the group and focused on various topics including how to conduct research prior to a meeting, how to prepare for a meeting, how to present benchmarking data as well as how to stand out against competing regions.

Investment Attracting Training
Southwestern Ontario Marketing Alliance

SOMA
SOUTHWESTERN ONTARIO MARKETING ALLIANCE

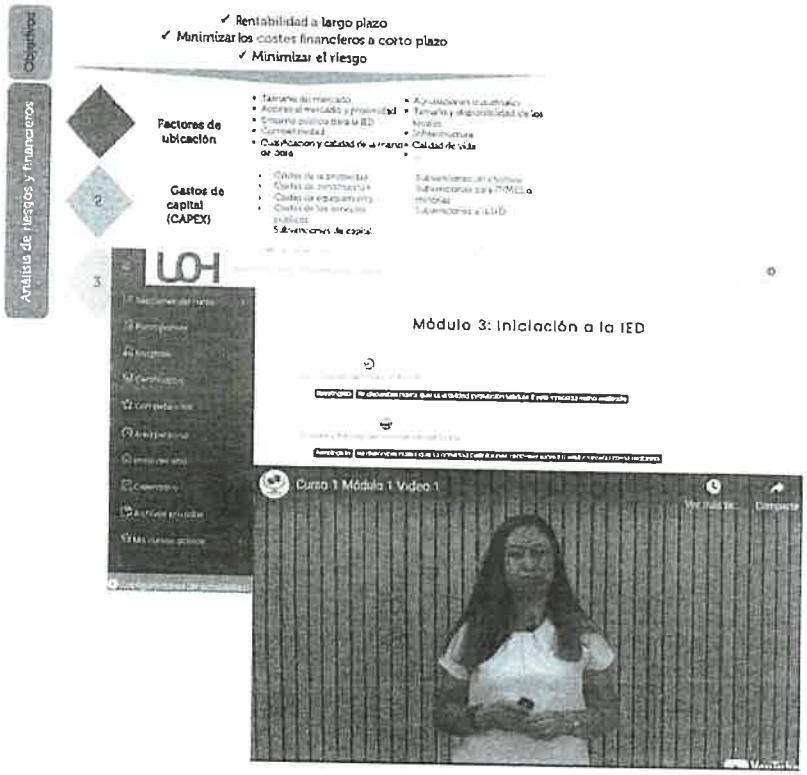
In the Fall of 2018 ResearchFDI provided a training workshop for the Southwestern Ontario Marketing Alliance. The workshop was titled **"Investment Generation Training"**.

- The training was attended by 20 members of the SOMA team representing 5 Southern Ontario communities.
- The training was geared towards helping the SOMA team understand the steps involved in the investment attraction lead generation outreach process and was comprised of 3 Modules: Intelligence Gathering and Market Research, Outreach and Lead Nurturing and Aftercare.
- All modules were comprehensive and were meant to build upon each other with the goal to create a structured, actionable plan for the organization. In the final component of the training,
- In addition to the training workshop our team designed and created a customized **CRM and Marketing Automation platform** that integrated all components of the training and would allow SOMA to build a lead pipeline and a lead nurturing program tailored to their needs.

Online Learning Courses
Universidad O'Higgins (Chile)

Universidad de O'Higgins

ACADEMIA IED
CONECTANDO CONOCIMIENTO



The Universidad O'Higgins in Chile wanted to boost regional innovation ecosystem and increase economic development knowledge in the O'Higgins region through the creation of specialized training programs. They were looking for an experienced consultant who could help in creating the relevant content for online learning courses. Some of the activities that were undertaken as part of the contract included:

I. Agreement on and definition of online course content and format
II. Research into the defined topics "Foreign Direct Investment", "Investment Promotion Agencies", "Lead generation" and "The Role of Aftercare"
III. Development of learning material, including multimedia sources such as videos, visual materials, interview questionnaires and reading lists
IV. Creation of assessment materials

The final program delivered to the client included content and audiovisual material for two up to date online courses with the latest knowledge from science and leading industry practitioners. Length of each course: 4 modules totaling 12 hours

Contract Agreement

6

The terms and conditions of the present agreement for consulting services are agreed upon by the parties hereto as follows:

Time of Performance. The Consultant shall commence the performance of its services under this Agreement as of April 1, 2024 and shall diligently proceed to complete its task(s) under the schedule set forth and authorized by Client and in conformity with the abovementioned Proposal.

Term. The term of this Agreement shall commence as of April 1, 2024 (Hereinafter the "Effective Date") and shall continue until December 31, 2024 or until the earliest to occur of the following: The date on which Consultant completes the services described and as set forth hereinabove; or Ten (10) working days after written notice by either party to correct a substantial failure by the other party to fulfill its obligations under this Agreement in a timely manner which are not corrected within the said period; or The termination of the Memorandum of Agreement between the Consultant and the Client can be made by either party; with thirty (30) days written notice.

In The Event of Litigation. Each party if responsible for their own Attorney's fees

Independent Contractor Status. Consultant is an independent contractor and is not and shall not be considered to be an employee of the Client. Nothing in this Agreement creates or is intended to create any employment relationship between Client and Consultant. Consultant shall not be eligible to participate in or receive benefits from any benefit plan or program available to Client's employees and the Client shall not retain and/or collect any deductions at source or other taxes on behalf of any governmental authority including in the United States and in Colorado if applicable. Client shall not provide workers' compensation coverage and/or any similar coverage for Consultant and or its employees. Consultant shall comply with all applicable laws and regulations and shall have sole responsibility for the payment of all applicable taxes and withholdings with respect to Compensation paid by Client. All persons employed or retained by Consultant in connection with Consultant's performance of the services set forth hereinabove shall be considered employees of Consultant and not of the Client. The Consultant retains sole and absolute discretion in the manner and means of carrying out the abovementioned services.

Disclaimer. Reports produced and meetings scheduled by the Consultant on behalf of the Client are based on information provided by corporations contacted by the Consultant and/or other sources which the Consultant can reasonable rely upon. Although Research Consultants International believes the information contained in its databases, tools and reports is accurate and the meetings it establishes relevant, it disclaims any responsibility for the accuracy thereof and shall have no obligation to update or replace same. By signing these presents and/or by using any of the information contained in Research Consultants International databases, tools and reports, the Client hereby accepts the foregoing disclaimer, used at its own discretion and its own risk and peril, and waives any claims against Research Consultants International in connection with the information provided.

Intellectual Property Rights: Except as expressly set out in the Agreement, nothing in the Agreement shall confer any rights, title or interest in or to any Intellectual Property Rights in: any content owned or controlled by the Consultant (including without limitation the Consultant's Website, any domain name owned or controlled by the Consultant) or any part of either of them onto the Client or confer on it any licence or right to use any Intellectual Property Rights of the Consultant, all of which rights are reserved exclusively by the Consultant absolutely; and the Materials, all of which rights are reserved exclusively by the Consultant absolutely.

The Client may make the Intellectual Property Rights in the Consultants Services accessible directly or remotely to the Authorised Users/Employees for their study purposes via the Client's online learning management system. The Client shall not be entitled to reproduce any aspect of the Intellectual Property Rights in the Consultant's content

The Client shall not: make any part of the Consultant's Content available to, or use the Consultant's Services for the benefit of, any person other than the individuals authorised to as part of the Agreement; sell, resell, license, sub-license, distribute, rent or lease any of the Consultant's Services or include any of the Consultant's Services/Content in a service bureau or outsourced service offering; copy or distribute content made available as part of the Consultant's Services, including any part of the Materials; or access any of the Consultant's Service in order to develop a competing service, unless required by law under the Colorado Open Records Act.

The Client shall not: copy, broadcast, make available to the public, record, store (in any medium), transmit, show or play in public, adapt or change in any way the Materials (or any part of them) for any purpose.

Confidentiality of Non-Public Information. The terms and nature of the contractual relationship between the Consultant and the client is strictly confidential unless required by law under the Colorado Open Records Act. All information derived on behalf of the Client shall remain confidential. "Confidential Information" is defined as any information furnished or disclosed, in whatever form or medium, by Consultant to the Client which is not itself public information. The Client shall use the Confidential Information only for the purpose of this Agreement, and shall make no use of the Confidential Information, in whole or in part, for any other purpose. The parties agree to refrain from disclosing the Confidential Information to third parties.
The Parties further agree to keep confidential all of the Confidential Information and to take all reasonable steps to preserve the confidential and proprietary nature of the Confidential Information. The Client hereby agrees that information contained in all of the Consultant's reports is and shall remain the property of the Consultant and that it is forbidden for the Client to produce, publish, sell, transfer or reveal any of the contents, other than to its employees or regional economic development partners. The present Confidentiality shall survive the completion and/or termination of the present Agreement.

Nothing contained in this Agreement shall be construed as granting or conferring any rights, by license or otherwise, express or implied, in or to any patents, copyrights, trademarks, know-how, Confidential Information, or other proprietary rights and/or information of either Party acquired before or after the date of this Agreement.

The Confidential Information protected by this Agreement is of a special character, such that money damages would not be sufficient to award or compensate for any unauthorized use or disclosure of the Confidential Information. The Parties agree that injunctive and other equitable relief would be appropriate to prevent any such actual or threatened unauthorized use or disclosure of such Confidential Information. Any remedies stated herein may be pursued in addition to any other remedies available at law or in equity, and the Client agrees to waive any requirement for the securing or posting of any bond in connection with such remedies. In the event of litigation to enforce any provision of this Agreement, the prevailing Party shall be entitled to recover all costs, including its reasonable attorney fees and costs, be they judicial or extrajudicial, incurred in connection with such litigation.

Notices. Any notice or demand given hereunder shall be in writing and deemed given when personally delivered or sent by registered mail sent to the parties' addresses as set forth below and/or sent by fax. Any notice so delivered personally shall be deemed received on the date of delivery and any notice so mailed shall be deemed received five days after the date mailed.

FDI Training - Proposed Topics

ResearchFDI has pulled the following modules from its curriculum as the ones that it suggest would be the most suitable for PEP. PEP may also refer to the following slide to view ResearchFDI's full curriculum. The topics can be adjusted based on your region's needed.

DATES PROPOSED

We suggest conducting one training per week and spacing the trainings out either 1 or 2 weeks apart

MODULE	MODE OF TRAINING	APPROXIMATE LENGTH
MODULE 2- INVESTOR TARGETING	Virtual	3 hours
Expansion drivers and motives		
Company targeting		
Research tools		
MODULE 3- LEAD GENERATION	Virtual	3 hours
Outreach fundamentals		
Email outreach - how to write an effective email		
Cold calling techniques		
Social media best practices		
MODULE 4- INVESTOR FACILITATION	Virtual	3 hours
Investor inquiry handling		
Conducting investor meetings		
Lead nurturing		
Site visits		
Aftercare		
MODULE 5- VALUE PROPOSITION	Virtual	2.5 - 3 hours
Identification regional strengths and assets		
Highlighting competitive advantages		
Building value propositions & key messages		
Marketing material		

- Modules are inspired by recent case studies and examples. The trainings will be live with a trainer and will include a PPT presentation to accompany the trainer. Some modules are interactive and will require live participation, while others are more theoretical.

Erika Magder, VP Global Sales
ResearchFDI
1980 Sherbrooke St West #888
Montreal, Quebec , Canada H3H 1E3

Mobile: +1 514 944 8359
erika@researchfdi.com
www.researchfdi.com

Training Program
Research Consultants International is proposing to execute a Training Program, with deliverables as stipulated in this proposal.

Terms & Conditions:

Ron Cook has the authority to enter this contractual relationship with Research Consultants International on behalf of Prowers County located at 223 S Main St, Lamar, CO, 81052 and has the authority to direct payment of all professional fees and disbursements as set further herein to Research Consultants International on behalf of the client on the dates duly specified in this agreement. (hereinafter referred to as the "Client")

And:
RESEARCH CONSULTANTS INTERNATIONAL FDI INC., corporation, duly incorporated under the Canada Business Corporations Act, authorized to do business in Colorado USA having its head office at 2075 boul. Robert Bourassa #1202, H3A 2L1 , in the City of Montreal, Province of Quebec, Canada, represented by Erika Magder, its Vice President, duly authorized by these presents as so declared, (hereinafter referred to as "RESEARCH CONSULTANTS INTERNATIONAL" and/or "Consultant" and/or "Licensor")

Payment Terms:
The Client hereby agrees to pay the following fees to Research Consultants International in the following manner.
4 training modules delivered live virtually – total costs of $28,500 USD
50% due upon signature - $14,250 USD
50% due upon delivery of the 4 modules - $14,250 USD

*The Client will also be responsible for reimbursing travel expenses for in-person trainings

Term of Agreement:

The term of the agreement shall commence on 4-16-2024 and shall continue until completion of the deliverables.

Date: IN WITNESS WHEREOF THE PARTIES SIGNED AT LAMAR AND MONTREAL

Accepted, the 16th day of April, 2024.

PER: E.Mg
Erika Magder, Vice President
Research Consultants International, FDI Inc.

PER: Ron Cook
Ron Cook, Chairman
Prowers County Commissioners

PER: Rick Robbins
~~Anne-Marie Crampton~~, President
Prowers Economic Prosperity
RICK ROBBINS

PROWERS COUNTY
AGENDA ITEM REQUEST FORM

Hearing Date Requested: April 23

Submitter: Staffon Warn

Submitted to the County Administration Office on: April 17th

Return Originals to: Staffon Warn

Number of originals to return to Submitter: 1

Contract Due Date: NA

Item Title/Recommended Board Action:
Consider approval of Southeast Region Tactical Interoperable Communications Plan (TICP) updated version, April 2024 v3.7, and authorizing BOCC Chairman Ron Cook to execute the document.

Justification or Background: [Brief overview for the Commissioners]

This document establishes a Tactical Interoperable Communications Plan (TICP) for the Southeast Colorado All-Hazards Region (SECAHR). The TICP is intended to document the interoperable communications resources available within the designated area, who controls each resource, and what policies or operational procedures exist for the deployment and demobilization of each resource.

Addresses CRS 24-33.5-2509 Interoperable communications among public safety radio systems – statewide plan – regional plans – governmental immunity – needs assessment.

Fiscal Impact: This item is budgeted in the following account code: _____
County: $____0____ Federal: $____0____ State: $___0____ Other: $____0_____

Approved by the County Attorney on: 4-17-2024

Additional Approvals (if required):