



LMD Regular Meeting  
January 24, 2018  
CNCC Room 175

Present: Michael Morriss, Dave Heinrich, Luke Tucker, Rich Thompson, Tammie Thompson-Booker, Randy Looper, Chris Jones

Guests: Ken Wergin, Michelle Balleck, Amy Updike, Neil Foulks, Tom Kleinschnitz, Sasha Nelson

The meeting was called to order at 6:00 PM

**Appointment of Officers:**

Discussion about positions required per the by laws and how the board would like to structure. Motion made by Dave Heinrich to make Luke Tucker Chair, 2<sup>nd</sup> made by Tammie Thompson Booker. Discussion was had about a conflict of interest with regard to Luke's role of Chair as EDP. Discussion by the board agreed that those potential conflicts will be addressed individually. Also noted that Chris Jones and Rich Thompson are on the EDP Board. Dave Heinrich brought up Section 3.03 from the By Laws that members of the LMD Board should preferably not be on Craig City Council, Town of Dinosaur Council or Moffat County Commission. Dave noted that it would be hard to find someone to serve on this board that was not on the Town Council of Dinosaur. Due to the use of the word "preferably" in Section 3.03 that would suffice the bylaws in the board's opinion. Vote was unanimous for Luke Tucker to take over role of Chair of the LMD

Chris Jones was nominated by Rich Thompson for Vice Chair of LMD. Seconded by Randy Looper. No discussion was held and the vote was unanimous for Chris Jones to be the Vice Chair of LMD.

Discussion of Secretary/Treasurer position as one or separate positions. Randy Looper noted the bylaws say they can be combined or separated choice of the board. Motion made by Randy Looper to combine the position and he nominated Tammie Thompson Booker to the position. Second by Dave Heinrich. Vote was unanimous and Tammie Thompson Booker was elected to take over the role of Secretary/Treasurer.

**Discussion of Committees/Operating plan:**

Discussion of committee structure was started by Luke. Some committees discussed in by laws. Michael Morriss mentioned starting with Mission/Vision which are in the bylaws and have

not changed from the previous by laws. Randy Looper also mentioned the controlling provisions have remained the same in the newly adopted by laws.

Rich Thompson discussed the history of how the LMD came to be as the funding mechanism for economic development. 4% Tax on Lodging is how the LMD is funded. Fund is producing about \$25,000 per month. Turmoil from the City/County is what caused the previous board members to resign. Also, County/City got together in Ex-Oficio meeting to speak as one voice/direction and let the LMD Board move forward.

Michael Morriss asked if there were any projects in place. Dave Heinrich stated project in process were sign at Dinosaur Welcome Center and funding for Whittle the Wood. Heinrich also stated other requests had been made but were turned down. Randy Looper advised that the other funding requests had not been denied by previous board but had been tabled per the minutes. Those funding requests were for: Sign in front of Craig Chamber of Commerce/Visitor Center, Whittle the Wood.

Further discussion was held about other funding grants made by previous board. Luke Tucker stated a funding grant was made to CMEDP for \$25K for 3 years to fund an executive assistant position, to assist in the furthering of broadband. Michelle Balleck corrected the statement and it was paid up front so that no future boards would be encumbered Balleck went on to address other grants and matching grants that were awarded by the LMD Board to CMEDP including the Business Opportunity Toolkit etc. Luke mentioned the \$7517 for the billboards and brochures for Museum of NW Colorado for 2 years approved on 9/19/17.

Tammie Thompson Booker asked if Whittle the Wood was funded and it was not funded by the previous board, per Chair Luke Tucker is was tabled at the previous meeting.

Chris Jones asked if EDP received \$25K and Michelle Balleck from the audience advised CMEDP had received it's funding.

Business Toolkit was funded per Randy Looper for \$15K.

Chairman Tucker advised he had been given 3 binders from Commissioner Moe that he had not had the time to go through.

Additional discussion was held and Michael Morriss suggested a funding committee and Randy Looper agreed it made sense.

Dave Heinrich said there was an outstanding invoice to him for \$667.80 for his travel expenses. Had been approved November 7<sup>th</sup> and he has not received payment. Documentation was submitted to Kirstie McPherson. Tammie Thompson Booker will insure invoice gets into Mindy Curtis with the County for Payment.

Other outstanding invoices were discussed such as Cirsa, Attorney Invoice etc. Discussion about other potential liabilities and it was noted that the Board had agreed to pay the Keller Law Firm for Secretarial Services. Tammie Thompson Booker agreed to get with accounting on

outstanding invoices. Detailed the steps for getting invoices paid. Not sure if has to be in approved minutes or not but does need to be noted in the minutes.

Chris Jones noted \$5,000 for Rural Philanthropy Days, \$2000 for AGNC and \$19250 for Parks and Rec Master Plan. Last year \$75K spent but not a lot of detail. Chris asked for details on what was spent.

Michael Morriss asked about outstanding liabilities. Would like a copy of paid invoices. Luke asked about where the bills were as Mindy Curtis was out last week. Tammie Thompson Booker will contact Ms. Curtis. Will work on creating some sort of documentation that makes it clear on what was spent and what the balance is in the fund. Attorney bills or partial were approved at last meeting. No other outstanding liabilities known at this time. Two other requests were tabled previously.

Agreed general homework to be done by the board members. Chris Jones asked who the fiscal agent is and it was noted the County is the fiscal agent.

Luke Tucker spoke with Keller Law and advised that we will get bills approved and paid once the board was in place.

#### **Discussion on By Laws:**

Luke covered the previous meetings discussion of By Laws approved by previous board. Previous board had an issue with the way the previous by laws were written under article 8 regarding liability (page 14) took out the word "criminal" previous board wanted to leave the word criminal in the by-laws.

Board discussed can you indemnify someone for criminal behavior. Discussion about why/why not this make sense. Concern that there could be a criminal tieback example given by Rich Thompson. Board thinks it is a far stretch. Can the District indemnify criminal activity is the question? Previous board approved the by-laws need to discuss the both the City/County Attorney's and all three entities must approve any by law changes. Luke will reach out the 3 entities attorney's regarding the removal or inclusion of "criminal" in the by-laws.

Randy Looper asked about Article 11 and funding application that will be on the website of the district. Tammie Thompson Booker advised that all current documents are on the LMD Section of the County Website. Erin Miller has agreed to update site with LMD Meeting Agendas, Minutes etc.

Chris Jones brought up quarterly update to the 3 entities which we hope will be in one location. By Laws state we can't exceed what is set in the budget. Rich Thompson noted that original board had a philosophy of one year of money in reserves. Tammie Thompson Booker expressed concern about what was set in the budget and can we access reserves. Chris Jones did state it is in the 10.05 A in the bylaws states we could address spending issues with contingency. Full amount was budgeted for 2018 by previous board.

Luke will speak with City/County Attorney's. Agreed not to speak with Keller Law to not continue to increase or add to spending with the firm unless agreed to by the board.

Rich Thompson suggested we review and agree on the operating plan moving forward.

### **Meeting Place Dates/Time/Locations:**

Dave Heinrich offered 1<sup>st</sup> and 3<sup>rd</sup> Tuesday as it does not conflict with Town of Dinosaur. Luke asked about time for meeting. Do you want to change time? Board consensus is to move the meeting to 4 PM. Chris Jones asked about planning two meetings per month. Consensus was that 2 meetings need for now and we can address to adjusting to once per month when we don't need second meeting. Recommended by Tammie Thompson Booker that a quarterly meeting be held in Dinosaur. Board agreed. Continue to meet at college? Randy Looper discussed concerns/complaints by the public about the location being "too far". Luke will reach out to the college and we will move to another location if the college is not available. Chris Jones offered space at Bank of Colorado

### **Review/Discussion of Budget/Financials:**

Question of bills from Keller Law and what had been approved and what is outstanding. Luke hoped that Mindy had the outstanding invoices. He also has a PO Box Key which Randy Looper agreed to keep key and check box regularly.

Questions arose about monies allocated in the budget in miscellaneous/contingency. Randy suggested the budget is a guide and as long as you don't overspend the overall budget guide you can move monies between budgeted lines. Luke suggested that the budget would be amended and match the operating plan.

Rich Thompson noted that the operating plan was to hire a director and that almost \$100K was set aside to fund a position. Luke suggested operating plan would be amended along with budget and we would then present back to the Ex-Oficio board for approval.

Mike Morriss questioned the numbers in the budget and suggested it should be shored up with any outstanding liabilities. What is in the bank and what we still owe and is there detail behind the numbers provided. Randy Looper agreed. Luke suggested a finance/budget committee. Discussion held about how monies are paid to the state and when those are submitted to the county, insight added by Randy Looper and Tammie Thompson-Booker as hotelier's who collect the LMD Fund.

Chris Jones added that we should be able to figure out those numbers. Michael Morriss agreed to help with finances as well as Chris Jones. They are the newly formed Financial Committee. Chris asked if it was okay to contact Mindy directly or if she wanted one source of contact. Luke stated we would invite Mindy to the next meeting. Thompson Booker stated she would utilize some spreadsheets similar to what is used by MCTA to track exact expenditures moving forward once we understand where we are and what is outstanding.

Agreed that all outstanding invoices that were approved would be paid and we will discuss outstanding invoices at another time as we don't currently have access to them.

### **Operating Plan Discussion:**

Luke thinks we need a committee for the operating plan. Randy Looper stated the plan depends on what role we expect the Chamber, EDP and MCTA to fulfill. Michael Morriss asked for some background on this statement. One of the issues with previous board was what do we want to do and how do we want to do it. Dave Heinrich stated if the request falls within the statute guidelines. Thompson Booker discussed the MC ACTS group and the idea of hiring a director is short sighted that we should work with existing groups/directors to have them work through their area of expertise. Idea of funding local events through the Chamber of Commerce potentially through their Home Grown initiative. Town of Dinosaur needs stuff to happen their way and events happening. Dave Heinrich stated they need Capitol improvements. Discussion about Hang Gliding event and other potential events in Dinosaur. Not sure if event is happening or not. Luke discussed with CMEDP/LMD Merger. Opportunity to work with hospital in funding a grant writer. "Not keen on funding Director position" MC Acts failure was due to lack of funding per Randy Looper. Chris Jones does not want organization to get mired in go nowhere. Leary of giving money to other organizations and we have to look at our role and maximize what we do and not nickel and dime this fund and ignore the big projects. What do we think this community is going to look like in 2025? \$250K is 2 times MCTA budget. Discussion about Chamber, MCTA, EDP website. One site for all and improve efficiencies between organizations. Michael Morriss agreed and funding big projects important.

AGNC wants to make presentation to the board regarding a Regional SBDC and will be in town on February 8-9 and would like board to be available. Email request from Erin on behalf of Ray Beck. Luke will talk with Ray regarding the request.

Chris Jones suggested the board look @ the plan and he mentioned that Crested Butte-Gunnison has an LMD and we should look at those communities and their plans. Mentioned nice article about Rangely in the Denver Post business section.

Postponed 2017 Funding Grants- report back. Thompson Booker stated groups need to report back. Looper stated that we need to give them a mechanism to report back. Form needs to be updated per Looper. Copied given to board members of existing form. Looper stated it needs to be more detailed and that is was too general. Funding request form is not on website.

Talk about multiple websites and how we connect them. Michelle Balleck stated it is hard to have one website for all entities and we can use similar branding. Maybe with branding can we find what we want. Branding effort is using the same messaging across all platforms. Thompson Booker stated that what tourist are looking for is not the same as what locals are looking for. Tom Kleinschnitz stated we should remember the Chamber is a membership organization and that MCTA has a responsibility to represent the County as a whole whether a Chamber Member or not. Community Branding will be a wonderful opportunity to have us all looking the same to the outside world. Each organization has a different role and visitors to those sites are looking for different.

Chris Jones questioned if someone searches "Rafting Moffat County" what will come up. Tom Kleinschnitz state the particular search is probably irrelevant as that is not how a potential visitor would search for rafting in our area. The search terms that are most searched by visitors will be used by outfitters and the state. MCTA's job in tourism is making sure we are at the top of the terms that will be searched. Rafting Moffat County search does bring up the Chamber site. Jones stated Chamber site is dated and not a great first impression of Moffat County. Ken Wergin stated people don't really search Moffat County and that they look at their key words. Luke stated that no matter what people searched we want them to have a similar up to date experience. Kleinschnitz stated that less than 75% of people would search the term Rafting Moffat County and the fact that no river outfitters are advertising on those searches is why we even come up. Need to focus on key words that have volume.-lw

Wait until branding effort done per Rich Thompson. Comment from Chris Jones regarding website is just duplication and clarification of efforts.

Ken Wergin commented branding was a state effort and then became a local effort. Michelle Balleck clarified it was through a technical assistance grant awarded through the Chamber from the State of Colorado's OEDIT Blueprint 2.0. Branding will be completed by 2/10/18. Hopefully to be launched @ Art Walk. All 9 institutions represented. Kirstie was the representation from the LMD and since she resigned no one has represented LMD.

Look @ various forms available for grant funding was suggested by Luke. Is this board going to fund events? Randy Looper suggested that MCTA request the funding and who will handle it etc. Several events anxiously awaiting decision on next steps of this organization regarding event funding. Rich Thompson suggested form that currently exists and then another form for follow up. Randy Looper went on to discuss the funds from LMD are not as restricted and Luke stated then MCTA would then report back to LMD Board. Rich Thompson asked about what the CRS allows LMD to fund. CRS was read from the by-laws. Thompson Booker agreed to find CRS and send out to entire board, electronically.

Discussion continued about event and organizational funding. Michael Morriss questioned follow up process. Randy Looper went into detail about what MCTA asks for as follow up and it is specific. Luke explained that to his knowledge no one had reported back to LMD board. Need to look back at previous entities awarded money for 2017 and need to get a report back in the 2018 report back. Tom Kleinschnitz talked about what MCTA can fund and how the LMD funds can be spent in a more broad manner. Michael asked about funding of band for Whittle the Wood. Request was made by Dave Pike in December. Chris Jones asked for clarification on how monies granted to MCTA could be spent. Thompson Booker clarified that the funds granted to MCTA by the LMD could be used in accordance of the CRS for LMD. Luke is inviting Sherman Romney to next meeting to discuss CRS. Tom Kleinschnitz suggested that MCTA would love to take on the funding of events if the funds are granted to MCTA and to avoid multiple events coming to LMD consistently. Discussion continued of what the CRS really states.. can a brand be hired. Luke stated the MCTA statute and LMD statute are very similar. Luke will invite Sherman and Rebekah Tyree from county to discuss funding options per statute.

Discussion of Sunshine Laws and booklets handed out to Board Members. Reminder of our role as a Public Board. Luke mentioned that John Ponikvar had offered Cori's services. Craig Daily Press and potential of violation of statute. Don't reply all to emails to avoid electronic meetings. Ken Wergin again stated that the public should be well informed.

Clarification from Sasha Nelson regarding all correspondence is subject to open records freedom of information act and they could request all records, texts, emails etc. Avoid holding e meetings due to Sunshine Law and the public's business should be done in the public. Will work with the newspaper to get some dates for Sunshine Laws Open Records etc.

Continued discussion regarding Board Training with Cori Ponikvar. Need to find 2 hour block of time for training. Could we invite other boards to attend? Luke will talk with Cori open it up to other boards.

Statement that previous board worked hard and Chris Jones just stated we are to be diligent on how money is spent.

Only public comment was Ken Wergin about date/time next meeting. Next meeting will be on February 6,2018 hopefully room 175 @ CNCC pending it's availability via the college. Luke will advise.

Sasha Nelson requested links work on county website. Thompson Booker called Erin and that the links were fixed. Advised that we are responsible for getting info to the County and Erin Miller populates site. Meetings should be recorded per Sasha Nelson. Also verify with attorney and how long we need to keep them. Thompson Booker read from Sunshine Law book regarding minutes and recordings. Questions continued by Sasha Nelson from Craig Press. Guidelines are out of date but we are operating off the most current booklets.

Michelle Balleck stated she hoped we worked with existing partners who are already doing the work.

Motion to adjourn was made by ?? Seconded by Tammie Thompson Booker. Motion passed unanimously

The meeting was adjourned at 7:49 PM