

RESOLUTION NO. 2010-__3__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO RESTRUCTURING THE ARCHULETA COUNTY TOURISM COMMISSION

WHEREAS, C.R.S. §§ 30-11-107.5 pertains to the operation and management of county lodging tax tourism fund.

WHEREAS, the purpose of the Archuleta County Tourism Commission is to administer tourism funds generated by revenues collected from the County Lodger's Tax pursuant to the provisions of County Resolution 87-129 and State of Colorado Senate Bill #23 as amended along with other functions listed below;

WHEREAS, the Board held a duly noticed meeting on the 19th day of January, 2010 to consider this Resolution 2010-__3__; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, AS FOLLOWS:

1. **Duties and Authorities.** The Archuleta County Tourism Commission (County Tourism Commission) is a citizen's advisory commission to the Board of County Commissioners. The purpose of the County Tourism Commission is to make specific recommendations to the Commissioners relative to expenditures of the Lodging Tax. The County Tourism Commission shall insure that all requests for funding from the County's Lodging Tax revenues meet the criteria established by Resolution 87-129 are appropriately marketed within the community theme, and contain an inherent "tourism element". For the purpose of this Commission, "tourism" is focused on bringing visitors to our community for the purpose of increasing both lodging and sales tax revenues. The powers and duties of the County Tourism Commission include, but are not limited to the following:
 - a. The County Tourism Commission will operate in a prudent manner and expenditures and investments that are recommended by the County Tourism Commission and approved by the Board of County Commissioners will be measured and frequently reviewed relative to the expected outcomes.
 - b. Measurement standards will be utilized by the County Tourism Commission to track and evaluate the Commission's efforts.
 - c. The County Tourism Commission will attempt to work with other groups, both regionally and in the community, in an effort to both unify and promote efficiency in the community's tourism efforts.
 - d. The County Tourism Commission may recommend to the County that a portion of the Lodger's Tax be directed to the Pagosa Springs Chamber of Commerce annually, if requested, provided that the requested funding fits into overall mission and purpose of the County Tourism Commission. It is anticipated that the Chamber of Commerce Director will present a budget annually to the County Tourism Commission for approval. Particulars of the funding requested will be detailed and

will be required to fall into the parameters of Resolution 87-129 to receive funding from the County Tourism Commission.

- e. Capital Expenditure projects may be considered, provided that they are tourism related in that the project will directly improve the experience of the visitor.
- f. The majority of annual expenditures will fall into the category of "external marketing". An annual budget will be created by the County Tourism Commission, dividing projected expenditures into the categories of 1) External Marketing, 2) Event Promotion and 3) Capital Expenditures. The County Tourism Commission will present this budget to the Board of County Commissioners for approval, annually in October, for funding the following fiscal year.
- g. The Board of County Commissioners may consider the funding of County projects as a priority before other projects are considered.

2. Members and Terms of Office

- a. The County Tourism Commission shall be appointed by the Board of County Commissioners by resolution with representatives from the community. The County Tourism Commission shall have 5 voting members. One member shall be County staff.
- b. The members of the County Tourism Commission shall serve in such capacity without compensation. The terms of office of the County Tourism Commission shall be two (2) years. Appointments and reappointments must be presented to and approved by the Board of County Commissioners by December of the expiring year. Members may be reappointed to any number of consecutive terms.
- c. Individuals shall submit a letter of interest to the Board of County Commissioners who will then review and approve appointments at a public meeting.
- d. Members of the County Tourism Commission are not permitted to receive direct financial benefit in any manner from projects submitted to the CTC for funding.
- e. The Board of County Commissioners may remove any member of the CTC for any reason prior to the expiration of their term.
- f. The Director of the Chamber of Commerce shall participate as a non-voting member and be responsible for the dissemination of funds as well as act as a liaison between the Chamber of Commerce, the County Tourism Commission and the Town Tourism Committee.
- g. The office of any member of the County Tourism Commission shall be deemed vacant if:
 - i. Any member misses three (3) consecutive regular meetings, unless the absences are excused by the Chairperson;
 - ii. the Board of Commissioners removes a member for any reason;

- iii. a member submits a written resignation; or
- iv. A member dies or is incapable of performing the duties of a member.

3. Officers, Meetings and Public Hearings

- a. Election of Chairperson and Vice Chairperson. Annually, at the first regular meeting following new appointments or if there will not be any new appointments the first meeting of the year. The County Tourism Commission shall elect the following officers by majority vote of the County Tourism Commission membership: Chairperson, Vice-Chairperson, Treasurer and Secretary. Officer tenure will be for one year with the newly elected officers taking office immediately with each being eligible for re-election, and each serving a one-year term in such capacity.
 - i. The Chairperson of the County Tourism Commission shall preside at all meetings and public hearings of such commission, shall decide all points of order and procedure and shall notify all members of times and dates of meetings; and
 - ii. The Vice-Chairperson shall assume the duties of the Chairperson in the absence of the Chairperson and shall act in the capacity of Chairperson for all special commissions created by the County Tourism Commission. Should the Vice-Chairperson and the Chairperson be absent from a meeting or public hearing, the majority of the County Tourism Commission shall appoint a member to be the presiding officer; and
 - iii. Any vacancy from the position of Chairperson or Vice Chairperson shall be filled in the same manner as such positions are established.
 - iv. The Secretary shall keep minutes of all official meetings of the commission and keep files and records and posting notices of all meetings.
 - v. The Treasurer shall work with the County Finance Director or his/her designee relative to the Lodger's Tax Fund's current balance and budget and shall report to the County Tourism Commission at the regular quarterly meetings.
 - vi. Positions may be combined, such as Vice Chair/Treasurer, as desired by the County Tourism Commission.
- b. Establishment of Meeting Schedule. The County Tourism Commission shall also establish a meeting schedule that meets regularly. All meetings shall be open to the public, and the agenda for each meeting shall be made available in advance.
- c. Notice of Meetings. Annually, at the first meeting of the calendar year, the County Tourism Commission shall designate the County Courthouse as its designated public place for posting meeting notices. A posted meeting agenda may be amended by a majority vote. Notice of meetings may also be provided by any other additional means deemed appropriate. The agenda of any regular or special meeting at which a quorum is expected to be present shall be posted at the County Courthouse no less than twenty-four (24) hours in advance of the meeting.

- d. Special Meetings. The Chairperson or a majority of the County Tourism Commission at any regular meeting or upon twenty-four (24) hours actual notice to all regular members may call special meetings as necessary, and such other notice as required by Colorado law. Attendance by a member at any meeting shall constitute conclusive evidence of adequate notice.

4. Actions by Members

- a. Quorum. Official meetings will only be held when a quorum is present, determined and defined by a majority of the voting members in attendance (at least 3 of 5 voting members). Lack of a quorum will require a rescheduling of the meeting until such a time in which a quorum is achieved.
- b. Executive Session. Executive sessions in which the officers of the commission meet to discuss procedural issues may be called at the discretion of the Chairperson in accordance with State Laws.
- c. Voting. The group will review potential investments/expenditures and recommendation for approval will be based on a majority affirmative vote. A vote may only be taken when a quorum is present.
- d. Withdrawals from Voting.
 - i. A member of the County Tourism Commission may be excused from voting on a particular issue only if it has been determined that the member would have a conflict of interest or he or she would be violating the State Code of Ethics.
 - ii. A member of the County Tourism Commission may be allowed to withdraw from the remainder of a meeting by receiving a majority vote from the remaining members present. A meeting withdrawal is allowed for any sufficient reason other than the member's desire to avoid voting on matters to be considered during the meeting. A motion to allow a member to be excused from the remainder of the meeting is proper only if made by or initiated by the member directly affected.

DONE AND ADOPTED IN PAGOSA SPRINGS, ARCHULETA COUNTY, COLORADO,
this 19th day of January, 2010.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO



June Madrid by Jami Freelandall
County Clerk June Madrid Deputy Clerk
& Recorder

Clifford Lucero
Clifford Lucero, Chair