

STATE OF COLORADO }
 } SS.
County of Grand }

At a regular meeting of the Board of County Commissioners for the Grand County, Colorado, held at the Grand County Administration Building in Hot Sulphur Springs on Tuesday, the 9th day of February, 2016 there were present:

- E. Jane Tollett , Commissioner Chairman
- Kristen Manguso , Commissioner
- Merrit Linke , Commissioner
- Alan N. Hassler , County Attorney
- Edward T. Moyer , Interim County Manager
- Sara L. Rosene , Clerk of the Board

when the following proceedings, among others, were had and done, to wit:

RESOLUTION NO. 2016-2-8

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO ESTABLISHING A POLICY AND PROCEDURE PURSUANT TO C.R.S. §30-11-107 (1)(aa) FOR APPROVAL OF EXPENDITURES AND ISSUANCE OF PAYMENTS OUTSIDE THE ORDINARY COURSE OF BUSINESS

WHEREAS, state law contemplates that no county funds be paid out without specific and direct approval by the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners of the County of Grand, State of Colorado approves ordinary expenditures and payments in the normal course of business; and

WHEREAS, there are occasions requiring the approval of an agreement contemplating expenditure and issuance of a payment outside the ordinary course of business; and

WHEREAS, the Board wishes to establish a procedure for approval of expenditures and issuance of payments when those rare occasions constitute a dire emergency and require agreement and payment by check outside the normal course of business; and

WHEREAS, on May 12, 2015, the Board enacted Resolution No. 2015-5-20, adopting the “Grand County Purchasing, Contracting and Credit Card Policy” concerning the use of credit cards provided by the County for use by employees; and

WHEREAS, the Credit Card Policies and Procedures adopted in Resolution No. 2015-5-20 limit the use of credit cards to travel related expenses, conference/seminar registration fees, professional membership dues or fees, food for meetings, and non-contract equipment maintenance and repairs; and

WHEREAS, said Resolution No. 2015-5-20 includes a section, “Emergency Procurements,” which requires amendment to avoid conflict with the policies adopted herein; and

WHEREAS, the Board wishes to address potential concerns that the use of the credit cards may also implicate the same laws contemplating that no county funds be paid out without specific and direct approval by the Board of County Commissioners; and

WHEREAS, the Board wishes to authorize the use of credit cards for emergency purchases in addition to the purchases set forth in the current Credit Card Policies and Procedures; and

WHEREAS, C.R.S. §30-11-107 (1)(aa) authorizes the Board to “establish policies and procedures regarding entering into contracts binding on the county, and to delegate its power to enter into such contracts pursuant to such policies and procedures, where amounts specified in such policies and procedures and where such contracts otherwise comply with limits and requirements set forth in such policies and procedures.”

NOW THEREFORE, be it resolved by the Board of County Commissioners of the County of Grand, State of Colorado that the Board hereby delegates its power to enter into certain contracts in the following limited circumstances under the following procedure:

A. Emergency Purchase of Goods or Services

- 1) When, in the course of an emergency requiring payment prior to the next regular meeting of the Board of County Commissioners, a department head or elected official may request that a payment by check may be issued or that a credit card be used for such emergency purchase under the following procedure:
 - a) This procedure applies in an emergency requiring immediate purchase of materials, supplies, equipment or services. The emergency must present an eminent or immediate threat to public health, welfare or safety. The department head or elected official should still secure, by informal bid procedure at the “best value” any such materials, supplies, equipment or services. Such informal bid procedures shall, to the extent possible, consist of obtaining quotes by telephone, written, faxed or electronic means from at least three (3) suppliers of the materials, supplies, equipment or services to be purchased. A written determination of the basis for the emergency and for the selection of the particular supplier shall accompany the documentation submitted to the Finance Office in support of the purchase.
 - b) The department head or elected official shall contact the County Manager, or designee if unavailable, and describe the emergency, the materials, supplies, equipment or services to be purchased, the need for immediate payment by check, why the matter cannot be handled in the normal course of business, and the budget and account from which payment is to be made. The County Manager may decide that the payment will not be made outside the normal course of business.
 - c) If the County Manager determines that the circumstances require the payment be made by check outside the normal course of business and is allowed to be made under the Grand County Purchasing Policy, the County Manager shall attempt to contact all the members of the Board of County Commissioners, describe the circumstances, and request approval of the issuance of a check outside the normal course of business. Upon approval of at least two members of the Board of County Commissioners and request by the County Manager, the Finance Department shall issue the check.
- 2) No expenditure that does not otherwise comply with the Grand County Purchasing Policy may be approved under this emergency process.
- 3) Any expenditure approved under this emergency process shall be reviewed at the next regular meeting of the Board of County Commissioners, but no approval of the expenditure may be reversed or reduced.

B. Credit Card Purchases

- 1) The Credit Card Policy and Procedures set forth in Resolution No. 2015-5-20 adopted May 12, 2015, are hereby re-adopted and re-enacted and the authority to make purchases and obligate county funds is hereby delegated pursuant to C.R.S. §30-11-107(1)(aa) to each authorized county credit card holder.

- 2) All purchases by credit card must otherwise comply with all other provisions of Resolution No. 2015-5-20 affecting vendor or provider selection, amount of transaction, and what may be purchased except when the credit card purchase is an emergency purchase made pursuant to and in accordance with "Section A" above.

C. Purchasing and Contracting Policy Amendment

The "Purchasing and Contracting Policy" adopted in Resolution No. 2015-5-20 is hereby AMENDED by DELETION of the paragraph entitled "Emergency Procurements."

Upon motion duly made the foregoing resolution was adopted by the following vote:

E. Jane Tollett Aye
Buster Manguso Aye
Meritt Linder Aye

Commissioners

STATE OF COLORADO }
 } SS.
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I,, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Grand County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Hot Sulphur Springs, this day of A.D. 20.....

County Clerk and ex-officio Clerk of the Board of Commissioners.

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