



**Proposed Source of County Funding for grant match:**



General Fund Revenue  R & B Fund Revenue  EMS Fund Revenue   
Social Services Fund  Courthouse Restoration Fund  Other   
(Sales tax / Grant Admin / Payment) (Grants)

If other, please indicate: \_\_\_\_\_

**Submission/Review/Approval or Denial:**

Department Head / Elected Official: _____	Date: _____
County Administrator: <u>Connie I. Hunt</u>	Date: <u>11-16-2017</u>
Comments: _____ _____	
Human Resources Director (if applicable) _____	Date: _____
Comments: _____ _____	
Board of County Commissioners, Chair: _____	Date: _____
Approve <input type="checkbox"/>	Deny <input type="checkbox"/>



BEN TISDEL  
DON BATCHELDER  
JOHN E. PETERS

## BOARD OF COUNTY COMMISSIONERS

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541 4<sup>th</sup> Street • P.O. Box C • Ouray, Colorado 81427 • 970-325-7320 • FAX: 970-325-0452

November 21, 2017

Mr. Patrick Rondinelli, Regional Manager  
Department of Local Affairs  
Fort Lewis College  
1000 Rim Dr.  
Durango, CO 81302  
[Patrick.rondinelli@state.co.us](mailto:Patrick.rondinelli@state.co.us)

Dear Mr. Rondinelli:

The Ouray County Board of County Commissioners "Board" is respectfully requesting funding for the provision of renovations/construction to the Ouray County Courthouse "Courthouse." The Board has certain statutory responsibilities as set forth in C.R.S. §30-11-107, to build and keep in repair County buildings, to care for County property and the management of the business and concerns of the County. In 1888 the citizenry of Ouray County approved the construction of the Ouray County Courthouse in order to provide a home for all of the essential services that Ouray County provides, including District, County, and Municipal Court services. For nearly 130 years, the Courthouse has stood at 541 4<sup>th</sup> Street in the City of Ouray, serving as the "house of the people."

In 2016, a Structural Assessment Update, Courthouse Masterplan and Feasibility Study were completed, providing for updated plans that addressed the Courthouse's dire structural needs, as well as renovation plans and new construction to accommodate current and future functional operations. It is estimated that the cost for the proposed plan is \$7,762,310 million. The County's current revenues are insufficient to meet the extraordinary cost of saving this beautiful jewel of a building. Consultants have estimated that, without serious improvements, the building would not be fit for use or habitation in ten years.

Following a recommendation from the Courthouse Community Task Force in August 2017, the Board voted to refer a question to the 2017 Ballot for voter consideration of a *".55% sales tax increase commencing January 1, 2018 through December 31, 2037, or when the project is paid in full, whichever is earlier, for the sole purpose of financing, constructing, repairing, rehabilitating and renovating the Ouray County Courthouse, its annex, administrative offices and archival space; and to provide temporary County office space during construction including relocation/moving costs."* The County is also actively applying for other grant funds from the State Historical Fund and the Underfunded Courthouse Commission. Ouray County is respectfully requesting a \$1 million in grant funding from the Department of Local Affairs to support this critical and necessary project.

The Board of County Commissioners of Ouray County would like to thank the Department of Local Affairs in advance for its favorable consideration and award of a Tier II, Energy and Mineral Impact Grant to preserve and protect the beautiful, historical, Ouray County Courthouse.

Respectfully,

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Ben Tisdell, Chair  
Commissioner, District 2

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Don Batchelder, Vice-Chair  
Commissioner, District 3

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John E. Peters, Member  
Commissioner, District 1



**ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM APPLICATION**  
**Tier I or Tier II**

**Applications Must Be Submitted Electronically - Directions on Last Page**

**-You are Highly Encouraged to Work with your Regional Field Manager when Completing your Application-**

**A. GENERAL AND SUMMARY INFORMATION**

**1. Name/Title of Proposed Project:** **Ouray County Courthouse Restoration / Construction Project**

**2. Applicant: Ouray County**

(In the case of a multi-jurisdictional application, name of the "lead" municipality, county, special district or other political subdivision).

In the case of a multi-jurisdictional application, provide the names of other directly participating political subdivisions:

**Ouray County**

**3. Chief Elected Official** (In the case of a multi-jurisdictional application, chief elected official of the "lead" political subdivision):

Name:	<u>Ben Tisdell</u>	Title:	<u>Chair, BOCC</u>
Mailing Address:	<u>P.O. Box C</u>	Phone:	<u>970-318-1037</u>
City/Zip:	<u>Ouray, Colorado 81427</u>	Alt Phone:	<u>970-325-7263</u>
E-Mail Address:	<u><a href="mailto:btisdell@ouraycountyco.gov">btisdell@ouraycountyco.gov</a></u>		

**4. Designated Contact Person (will receive all mailings) for the Application:**

Name:	<u>Connie I. Hunt</u>	Title:	<u>County Administrator</u>
Mailing Address:	<u>P.O. Box C</u>	Phone:	<u>970-325-7263</u>
City/Zip:	<u>Ouray, Colorado 81427</u>	Alt Phone:	<u>970-640-0526</u>
E-Mail Address:	<u><a href="mailto:chunt@ouraycountyco.gov">chunt@ouraycountyco.gov</a></u>		

**5. Amount of Energy/Mineral Impact Funds requested:**

(Tier I; Up to \$200,000 or Tier II; Greater than \$200,000 to \$1,000,000)

**Tier II \$1,000,000**

**6. Description of the Project Scope of Work:**

(Project Description of the various tasks involved in the project including specific data such as quantities, mileage, square feet, lineal ft. etc. as well as specific project location within city and or county etc.)

Project History:

The Ouray County Courthouse ("Courthouse") is located in the heart of the City of Ouray on the western slope of Colorado. This "gem" of the county is 14,416 square feet and was constructed and completed in December, 1888, for the sum of \$22,336. Before total completion, the facility required an additional \$13,000 for heating and furnishings. The Courthouse is listed as a National Historic Structure under the umbrella of the Ouray Historic District on the State of Colorado Registry. Grant funding derived from the State Historic Fund (SHF), Department of Local Affairs (DOLA) and Secretary of State, Help America Vote Act (HAVA) have been utilized for past Courthouse restoration work. Today, in 2017, the 129 year old Courthouse has continued to be used for the original purpose intended: to serve as the "House of the People" for the provision of law and order, County Government services and State, County and Municipal Court proceedings. This jewel of the County is in dire need of restoration to meet current safe operational standards and to preserve it for the use and enjoyment by future generations. Without immediate attention and repairs, the Courthouse may be unsuitable for use and occupation by the County, its employees, judicial offices, and the public in a relatively short period of time.

The first Courthouse restoration project began in 1996 with the restoration of the roof, electrical, and first floor interior. A formal historic structure assessment and restoration plan was completed in 1999 and later revised in 2001. In 2002, all of the Courthouse window mechanisms were refurbished, the historic wavy glass was restored and replica wavy glass was installed in windows where needed. In 2003 a State Historic planning grant was awarded to the County to review the architectural drawings and revisit Courthouse needs. From this effort, the County was able to develop plans for the remaining Courthouse restoration and construction phases. The first phase, "Courthouse Phase A-1 Restoration Project" was undertaken in 2007, and included many important restoration features, such as: 1) a stencil analysis of the historic Courtroom décor; 2) preservation of important historic elements of the building including the original rear stairs; 3) installing an elevator and ADA compliant north entrance; 4) masonry repairs to the most critical areas; 5) former jail building rehabilitation; 5) construction of a connecting link joining the Courthouse and historical jail building; and 6) the construction of a new Sheriff's Evidence Room, as there was no dedicated space for the use previously. Other

improvements to the building include emergency repairs to the roof, and construction of a non-historic Clerk's vault that has outlived its useful life. In 2010 a new hot water heating system was installed to replace the failing and antiquated oil-fueled boiler. Replacement of the heating system had been originally planned for a later Courthouse phase, but was installed sooner out of necessity. The total expended for all these items to date is \$1.6 million as depicted on **(Attachment 1)**.

#### Scope of Work:

The Scope of Work for the entire Courthouse project includes components for all aspects of repair work including some new construction to accommodate current and future functional operations; archival storage, and technology improvements. Repair work includes: Courthouse foundation systems; mechanical, electrical and plumbing systems replacement; exterior site work (grading); drainage mitigation and water damage repair; interior repair for all three levels including wood windows and doors cornice and cupola; exterior brick restoration; sidewalks; landscaping; west entry ADA ramp; west entry porch rebuild; etc. Please see the attached PowerPoint slides illustrating the following: 1) Ouray County Courthouse site orientation; 2) critical current conditions photos; 3) current conditions photos; 4) existing floor plans; and 5) proposed Courthouse Renovation Floor Plans **(Attachment 2)**. *It is apt to note that consultants have opined that without immediate attention and repairs, the Courthouse may be unsuitable for use and occupation by the County, its employees, judicial offices, and the public in a relatively short period of time.*

#### 7. Description: (Describe the problem, opportunity or challenge that resulted in the request.)

In 2015, the Colorado Judicial Department Underfunded Facilities Commission awarded the County funds to reevaluate the architectural drawings in order to accommodate changes in growth, incorporate new technology, assess current departmental needs, discover how best to optimize the historic facility for service provision, and arrive at restoration / new construction cost estimates for the remaining work. As a result of the effort, a Structural Assessment Update and 2016 Courthouse Masterplan and Feasibility Study were developed **(Attachment 3)** addressing the existing critical elements that are in desperate need of repair. The existing conditions summary section of the Feasibility Study clearly states that the Historical *"Courthouse and Jail Building do not meet current life safety codes, specifically with regard to fire protection as there is no fire suppression system. Decades of water and moisture infiltration at the perimeter of the building and into the below-grade space have created deterioration of mortar within the structural foundation. The existing piping for domestic water and waste appear to have surpassed its useful life and needs replacement. The net result is that this jewel of a building with one of the strongest ties to Ouray County's past is in danger of becoming unfit for occupancy unless action is taken."*

The 2016 Courthouse Masterplan and Feasibility Study has provided Ouray County leaders and its citizens with a detailed project overview including preliminary architectural drawings, photos of the most critical elements, narrative describing existing conditions and repair recommendations; cost estimates and landscape architectural design renderings. Estimated construction costs for all aspects of the Courthouse repair and restoration including new construction components is estimated at \$7.7 million **(Attachment 4)**. In contrast, construction of a new facility was estimated to cost \$10.6 million. Ouray County is applying for grants to seek funding to offset the total project cost. A Courthouse Community Task Force was convened and after a series of meetings and information gathering, the Task Force unanimously voted to recommend to the Board of County Commissioners (BOCC) **(Attachment 5)** to place a question before the voters in the November 2017 election to approve an increase to the County sales tax. After consideration by the BOCC, Resolution #2017-044 **(Attachment 6)** was adopted posing a question to the electorate to temporarily increase the Ouray County sales tax by .55% beginning January 1, 2018, for not more than 20 years, or when the project is paid in full, whichever is earlier; for the sole purpose of financing, constructing, repairing, rehabilitating, and renovating the Ouray County Courthouse, its Annex, Administrative Offices, and Archival Space; and to provide temporary County Office Space during construction including relocation/moving costs. The voters favorably passed the question with 59% voting yes and 41% voting no. The .55% temporary sales tax is estimated to produce \$412,500 annually to help offset the cost of restoration and construction.

8. Local priority if more than one application from the same local government (1 of 2, 2 of 2, etc.) 1.

9. Is the project on a State registered historic site or in a State registered Historic District? Yes (X) No (  ).  
If yes, please provide the registry number. 10/6/1983, 5OR.585. For reference, link is listed for your convenience.  
<http://www.historycolorado.org/sites/default/files/files/OAHP/NRSR/5OR585.pdf>

The department **may** need to seek a determination of effect from the State Historic Society. For more on the Colorado State Register of Historic Properties, please [click here](#).

**B. DEMOGRAPHIC AND FINANCIAL INFORMATION.**

**1. Population**

- a. What was the 2010 population of the applicant jurisdiction? 4,446
- b. What is the current population? 4,844
- (Current/most recent conservation trust fund/lottery distribution estimate is acceptable.) What is the source of the estimate? DOLA
- c. What is the population projection for the applicant in 5 years? 5,100
- What is the source of the projection? DOLA

**2. Financial Information (Current Year):**

In the column below labeled "Applicant" provide the financial information for the municipality, county, school district or special district directly benefiting from the application. In the columns below labeled "Entity", provide the financial information for any public entities on whose behalf the application is being submitted (if applicable).

**Complete items "a through k" for ALL project types:**

	Lead Applicant	Co-applicant	Co-applicant
a. Assessed Valuation (AV) Year: Most Recent	157,493,940		
b. Total Mill Levy	13.126		
c. Property Tax Revenue Generated (mill levy x AV / 1,000)	\$2,067,266		
d. Sales Tax (Rate/Estimated Annual Revenue)	2% / \$1,500,000	% / \$	% / \$
e. General Fund Budgeted Revenue	\$4,095,943		
f. General Fund Budgeted Expenditures	\$4,095,943		
g. General Fund Balance as of December 31 <sup>st</sup> of the previous year <b>General Fund Balance:</b>	\$820,242		
Portion of General Fund which is <b>Unassigned</b> ^^ (meets the definition identified in the GASB statement below)	\$180,087		
h.			
i. Total Budgeted Revenue (All Funds)*	\$10,070,256		
j. Total Budgeted Expenditures (All Funds)*	\$9,920,886		
k. Total Fund Balance (All Funds)*	\$3,266,834		
l. Total Outstanding Debt (All Funds)**	\$559,198		

\* Sum of General Fund and all Special or Enterprise Funds

\*\* Include the total outstanding liability from all multi-year debt obligations (lease purchase agreements, certificate of participation and any other debt instruments).

^^ **Unassigned fund balance** - Amounts that are available for any purpose; these amounts are reported only in the general fund and have not been committed by resolution, ordinance or contract and have not been budgeted for an intended purpose.

(Click [this link](#) to locate GASB Fund Balance definitions)

**For projects to be managed through a Special Fund other than the General Fund (e.g. County Road and Bridge Fund) or managed through an Enterprise Fund (e.g. water, sewer, county airport), complete items “k through o”:**

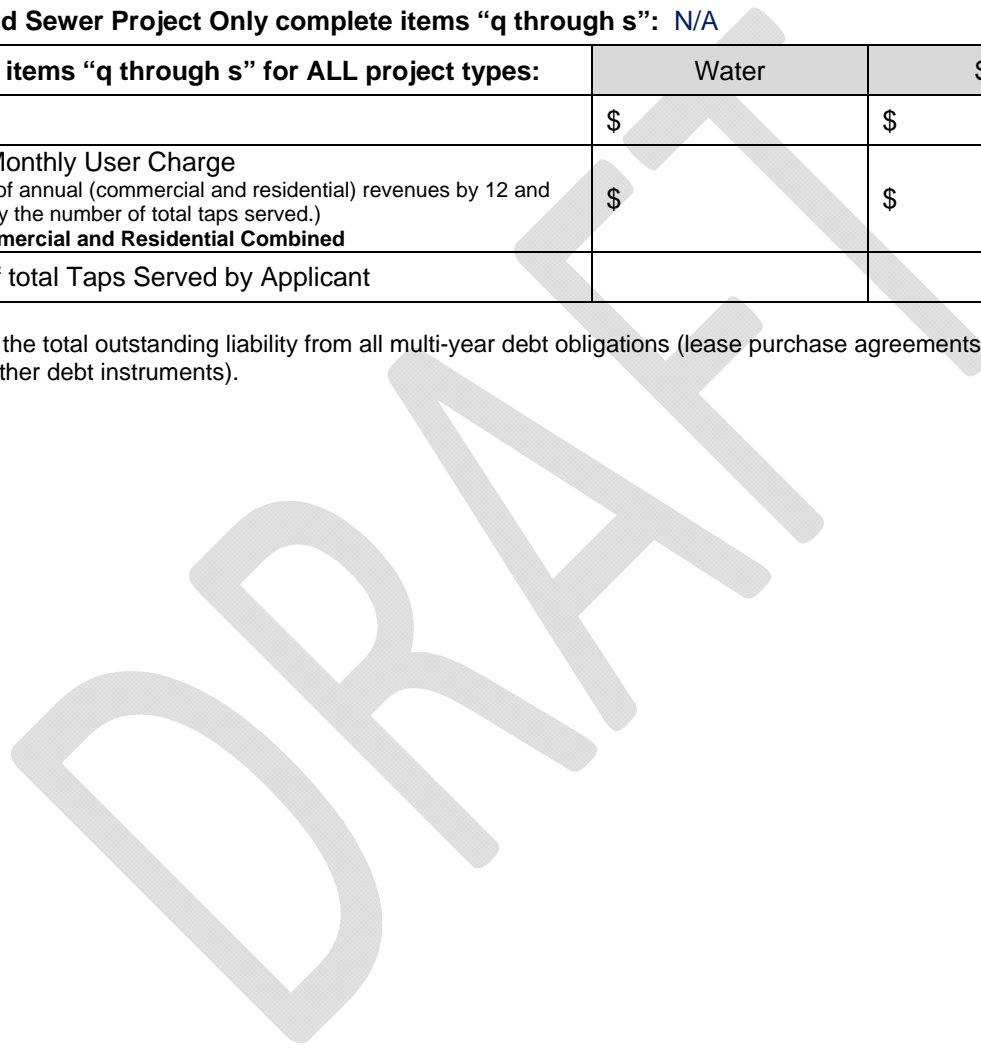
**Complete items “l through p” for ALL project types:**

Identify the relevant Special Fund or Enterprise Fund:	<u>920</u> Fund	___ Fund	___ Fund
m. Special or Enterprise Fund Budgeted Revenue	\$412,500	\$	\$
n. Special or Enterprise Fund Budgeted Expenditures	\$393,870	\$	\$
o. Special or Enterprise Fund Outstanding Debt**	\$0	\$	\$
p. Special Fund Mill Levy (if applicable)	\$0	\$	\$
q. Special or Enterprise Fund Balance as of December 31 <sup>st</sup> of the previous year	\$7,713	\$	\$

**For Water and Sewer Project Only complete items “q through s”:** N/A

Complete items “q through s” for ALL project types:	Water	Sewer
r. Tap Fee	\$	\$
s. Average Monthly User Charge (Divide sum of annual (commercial and residential) revenues by 12 and then divide by the number of total taps served.) <b>NOTE: Commercial and Residential Combined</b>	\$	\$
t. Number of total Taps Served by Applicant		

\*\* Include the total outstanding liability from all multi-year debt obligations (lease purchase agreements, certificate of participation and any other debt instruments).



**C. PROJECT BUDGET. List expenditures and sources of revenue for the project. The totals on each side of the ledger must equal.**

<b>Expenditures – Estimated pending RFP</b>		<b>Sources of Revenue</b> (Dollar for Dollar Cash Match is Required, unless financial circumstance warrants a reduction)			Funding Committed
List Budget Line Items (Examples: architect, engineering, construction, equipment items, etc.)		List the sources of matching funds and indicate either cash or documentable in-kind contribution. <b>Total revenue must equal total expenditures</b>			List Yes or No next to each line item
Line Item Expenditures	Line Item Costs		Cash	In-Kind	
Site Exterior	\$1,224,268	Energy/Mineral Impact Fund Grant Request	\$1,000,000		No
Building Exterior	\$ 743,905	*Energy/Mineral Impact Fund Loan Request (If applicable)	\$		No
Interior Architectural Refurbish (all floors)	\$1,725,819	Underfunded Courthouse Commission (grant requested – pending award)	\$1,500,000		No
Mechanical/Electrical/Plumbing	\$1,959,195	State Historical Fund (grant request in April, 2018 grant cycle)	\$ 200,000		No
Renovation of Annex (old jail) and Administrative Office Addition	\$1,624,503	Voter approved .55% temporary sales tax (Estimated collections based on 13 - 14 years)	\$5,062,310		Yes
Architectural Services for Construction / Engineering / Archaeology	\$ 200,000				
Permits / Building Fees	\$ 56,000				
Temporary Relocation of Office Space for all County and State offices (Based on 18-24 months during construction)	\$ 178,620				
Moving Costs / I.T.	\$ 50,000				
<b>TOTAL</b>	<b>\$7,762,310</b>	<b>TOTAL</b>	<b>\$7,762,310</b>	<b>\$</b>	
Please attach a more detailed budget if available*					

\* Please see (Attachment 5) for more detailed “estimated” construction budget.

(If the request is for planning, engineering or design, the following two questions may not be applicable)

1. Please identify the contingency associated with the project budget.
  - a. Contingency Dollar value \$ 776,231
  - b. Contingency % of Budget. 10 %
  - c. If a contingency has not been identified as part of the budget, please explain why not? N/A
2. How recently was the budget and contingency determined for this project (month/year)? August 31, 2017.

**D. PROJECT INFORMATION.**

The statutory purpose of the Energy and Mineral Impact Assistance program is to provide financial assistance to “political subdivisions socially or economically impacted by the development, processing or energy conversion of minerals and mineral fuels.”

**1. Demonstration of Need:****a. Why is the project needed at this time?**

Ouray County has demonstrated a considerable amount of time, energy and effort on the Ouray County Courthouse to-date. For two decades the County has worked diligently in collaboration with the State Historic Fund to conduct a Courthouse Historic Structure Assessment inclusive of architectural drawings, and implemented improvements to this beautiful historic building. Total restoration and new construction improvements to the Ouray County Courthouse from 1995 to present total \$1,608,221 of which Ouray County has contributed \$655,169. Phase A-1 of the Ouray County Courthouse restoration / new construction project was the largest, totaling \$965,188. For nearly 130 years, the Courthouse has stood at 541 4<sup>th</sup> Street within the City of Ouray and has served well to ensure that the whole of Ouray County and its citizenry has a place to conduct law and order and for provision of essential County and judiciary services. Essential services that the County delivers, and is building towards, are being done within the existing and projected County Budget. The extraordinary cost of renovating the 130 year-old Courthouse is a cost far outside the County’s ability to fund with its current revenue sources.

The County engaged the services of a consultant to work with County officials, staff and a Task Force. The Courthouse Community Task Force was formed in May of 2017. Working with the consultant, architect and staff the Courthouse Community Task Force met to discuss the proposed Courthouse plans, review architectural deliverables, review estimated construction costs and to determine a course of action for the project in order to arrive at a path of action for recommendation to the Board of County Commissioners.

The Courthouse Community Task Force held four meetings, and distributed a Public Opinion Survey to all registered voter households in Ouray County (**Attachment 7**). Of the 2,238 surveys distributed, 588 replies were received, equating to a 26% response rate. The Survey aimed to collect information of the opinion of Ouray County residents regarding a 1% sales tax increase: 63% of respondents indicated that they would support a sales tax increase. After the Survey results were presented to the Courthouse Community Task Force, the Task Force unanimously voted to recommend to the Board of County Commissioners to place a question before the voters at the November 7, 2017 election to approve an increase in the County sales tax by up to 1% for not more than 20 years for the purpose of financing, constructing, repairing, rehabilitating, renovating the Ouray County Courthouse, its annex, administrative offices and archival space. As a consequence, the Board of County Commissioners adopted Resolution #2017-044 (**Attachment 6**) to place a question on the November 2017 ballot and the question passed successfully for a .55% temporary sales tax approval commencing January 1, 2018.

As mentioned in Sections 6 and 7 above, an updated / revised Courthouse Masterplan and Feasibility Study were developed in 2016 (**Attachment 3**) to address the remaining courthouse restoration work needed. The result of the Study clearly outlines the remaining work and emphasizes the existing critical elements that are in desperate need of repair.

**b. How does the implementation of this project address the need?**

The implementation of this project will enable the Ouray County Courthouse to stand for another 130 years, factoring in the County’s needs for future growth including the State and District Courts. The current Courthouse infrastructure (mechanical, electrical and plumbing) is failing. This project will replace failing systems and internal arterial infrastructure and at the same time provide for fire suppression where there currently is none and reduce utility costs by installation of energy efficient systems. In addition, the external site drainage has been impeded for decades causing water infiltration through the foundation and into the basement level causing damage to the mortar and impacting the integrity of the building, as well as compromising a healthy and safe environment. Additionally, reconfiguring the functionality of the courthouse offices will simplify departmental interaction, especially for those that share data, which will in turn ensure efficient workflow and the highest customer service.

**c. Does this project, as identified in this application, completely address the stated need? If not, please describe additional work or phases and the estimated time frame. Do you anticipate requesting Energy and Mineral Impact Assistance funds for future phases?**

Yes, this application completely and fully addresses the need, using a full approach, relocating all offices while the restoration work is being done. The scope of work for this project was developed to encompass in its entirety, the remaining Courthouse restoration work. Ouray County Officials and Staff have diligently worked over the past twenty years to address all the many repairs and restoration needs for the Courthouse as feasible with limited success. As some work is undertaken and completed new issues arise that need repair while the infrastructure continues to decline.

**d. What other implementation options have been considered?**

Other options considered were: 1) continuing the phased-in approach as practiced over the past twenty+ years as illustrated on (**Attachment 1**); 2) building a new courthouse facility at a much higher cost; 3) looking for existing facilities that could potentially be modified for county government and court services; and 4) an unsuccessful attempt in the 2013 election for a voter-approved sales tax that could have provided funding relief to continue addressing the courthouse and other public health and safety issues.

**e. What are the consequences if the project is not awarded funds?**

"The net result is that this jewel of a building with one of the strongest ties to Ouray County's past is in danger of becoming unfit for occupancy unless action is taken." (*excerpt from Attachment 3, Updated Courthouse Feasibility Study, page 17*)

**2. Measurable Outcomes:**

**a.** Describe measurable outcomes you expect to see when implementation of this project is complete. How will the project enhance the livability\* of your region, county, city, town or community (e.g. constructing a new water plant will eliminate an unsafe drinking water system and provide safe and reliable drinking water; the construction of a new community center will provide expanded community services, or projects achieving goals regarding energy conservation, community heritage, economic development/diversification, traffic congestion, etc.)?

**\*(Livability means increasing the value and/or benefit in the areas that are commonly linked in community development such as jobs, housing, transportation, education, emergency mitigation, health and environment)**

Coordinating a successful re-programming of the Ouray County Courthouse with the necessary restoration of the existing Courthouse and its site will elevate the Courthouse's importance and function in the community. In order to maintain its historical significance, certain steps must be taken to restore parts of the site and building. Due to changes in modern workdays, the Courthouse is in need of a space planning and programming update to move successfully into the future, matching its physical restoration. After site documentation and a series of interviews with current staff, the architects generated proposed space plans that would improve the inner functions of the Courthouse while respecting its rich history and continued incorporation in the local community and County at large. For example bringing the Assessor's office into the courthouse will enable efficient departmental interaction and ease of service provision.

**b.** How will the outcome of the project be measured to determine whether the anticipated benefits to this population actually occur?

1. Enhanced security will be measured by:

- a) Conveniently locating those mandated departments that work closely together into one floor with a maned single-point of entry;
- b) The Sheriff's office will be housed in the neighboring street-front Annex allowing faster response time, providing their own security, and ease of public access;
- c) Protection of historical and irreplaceable office books, documents and records of all sorts by and through a fireproof archival storage.

2. Enhanced functionality will be measured by:

- a) Housing those departments that work closely together in proximity to one another for ease of work flow and customer service;
- b) Courts will have access to better accommodations with an additional courtroom;
- c) Secure flow of jurors from the jury box to a soundproof juror deliberation room with kitchenette, and restroom conveniently located on the same floor.

3. Enhanced health and safety will be measured by:

- a) Improved sidewalks and heated walkways;
- b) Modern electrical, mechanical and plumbing infrastructure;
- c) Installation of fire suppression where none existed;
- d) Elimination of moisture into the facility, securing the courthouse foundation; and
- e) Improved air quality and balance heating and cooling throughout the entire Courthouse.

4. Enhanced efficiency will be measured by:

- a) Utility energy savings;
- b) Balancing of heating and cooling producing comfort zones for employees and patrons; and
- c) Planning for future growth.

c. Does this project preserve and protect a registered state historic building, facility or structure? If yes, please describe.

Year of construction: 1888

The registry number is: 10/6/1983, 5OR.585. For reference, the link below is listed for your convenience.  
<http://www.historycolorado.org/sites/default/files/files/OAHP/NRSR/5OR585.pdf>

d. Will this project implement an energy efficiency/strategy that could result in less carbon footprint or conserve energy use or capitalize on renewable energy technology? If yes, please describe.

Yes \* connect with Jim and look in feasibility plan

e. Will the project be constructed with "Resiliency Framework", which is to build and construct with a plan to reduce risks by utilizing materials and constructing in areas to better withstand natural or man-made disasters, etc.? If yes, please describe.

Yes \* connect with Jim and look in feasibility plan

### 3. Relationship to Community Goals

a. Is the project identified in the applicant's budget or a jurisdictionally approved plan (e.g. capital improvement plan, equipment replacement plan, comprehensive plan, utility plan, road maintenance and improvement plan or other local or regional strategic management or planning document)? What is its ranking?

Yes, the Ouray County Courthouse and its restoration needs have been a priority in the County's budget for more than twenty years. Annually, the County has tried to set aside funding in its reserve fund to address this majestic asset. The Courthouse has been in need of desperate repair for decades and has undertaken in-depth assessments that include the science of lead paint testing to both external and internal finishes, as well as a complete 164 page Historic Structure Assessment & Restoration Plan (Assessment Plan) issued in 1999 and revised in 2001. The Assessment Plan explains in great detail the making of the Courthouse, from where the wood and bricks were made to the purchase of the original furnishings that are still being used today. In addition, a quasiquicentennial (125-year) celebration was had to commemorate its very being with the Grand Masons blessing it and providing a monumental plaque that has been installed on the northwesterly corner of the Courthouse. Restoration of the Ouray County Courthouse is a top priority of the County and is shovel-ready aside from the finalized architectural design and construction documents, which will begin in January, and the Request for Proposal soliciting competitive bids from General Contractors with significant experience with historical structures.

### 4. Local Commitment and Ability to Pay/Local Effort

a. Why can't this project be funded locally?

The extraordinary cost of renovating the 130 year-old Courthouse is a cost far outside the County's ability to fund with its current revenue sources. For this reason, creative work and strategic planning were required in order to describe the need, establish objectives/goals and develop a planning document that clearly illustrates an implementation process. As a consequence, and after receiving a recommendation by the Courthouse Community Task Force; the Board of County Commissioners adopted a resolution to place a funding question on the November 2017 ballot. Many thanks to the "Save the Courthouse" Committee for their dedication and hard work to promote the Courthouse Sales Tax Question. The electorate of Ouray County voted "yes" by a significant margin and approved a .55% sales tax to make this goal a reality.

b. Has this project been deferred because of lack of local funding? If so, how long?

As illustrated in **Attachment 1**, the County has been inching along for twenty years in a piece-meal fashion doing its best to address repairs and upgrades with the financial and human resources available. As a consequence, the Courthouse infrastructure has been steadily declining. Using a "full approach" to restoration and temporarily relocating all County and State offices will allow completion of the restoration all at once, which will in turn be more efficient and cost effective so that this magnificent historic structure can stand respected as it should.

c. Explain the origin of your local cash match. (Note: Whenever possible, local government cash match on a dollar for dollar match basis is encouraged.) Are the local funds committed or pending? If there are pending funds, when will the status of those funds be determined?

The Board of County Commissioners adopted Resolution #2017-044 (**Attachment 6**) to place a question on the November 2017 ballot and the question passed successfully approving a .55% temporary sales tax commencing January 1, 2018 for the sole purpose of financing, constructing, repairing, rehabilitating, and renovating the Ouray County Courthouse, its Annex, Administrative Offices, and Archival Space; and to provide temporary County Office Space during construction including relocation/moving costs. The sales tax collected is committed and will commence January 1, 2018 and continue until December 31, 2037, or when the project is paid in full, whichever is earlier. The County has also applied for an Underfunded Courthouse Grant and is scheduled for hearing before the panel on December 15, 2017. Grant submission and successful acquisition to the Underfunded Courthouse Commission, DOLA and State Historical Fund will help to lessen the cost and reduce the sales tax obligation for the citizens of Ouray County with the goal of sun

setting the sales tax earlier. Award notification of the Underfunded Courthouse Grant should be in late December, 2017 or early January 2018. The State Historical Fund Grant will be requested in the April, 2018 grant cycle.

**d.** What other community entities, organizations, or stakeholders recognize the value of this project and are collaborating with you to achieve increased livability of the community? Please describe how your partners are contributing to achieve the improvement to the livability of the community through this project. If in-kind contributions are included in the project budget, detailed tracking will be required on project monitoring report.

The Ouray County Historical Society has been a huge supporter of the Courthouse and other historic structures within the greater Ouray Historic District. The City of Ouray recognizes the importance and appreciates the presence of the County Courthouse within its municipal boundaries. The Courthouse is a tourist draw and is renown for its role in the classic movie True Grit where the famous courtroom scene was filmed. Visitors from around the world visit Ouray and most often make a visit to the Courthouse. The Judges and Court personnel speak of the wonderful atmosphere experienced in the Ouray County Courthouse compared to modern courthouse buildings. The building is beloved by the community and those who frequent and work in the building. The Public Opinion Survey (**Attachment 6**) solicited in the summer of 2017 prior to placing the question on the ballot clearly illustrates the significance of the Courthouse to the community and depicts how the majority of the respondents support the County Restoration / Construction Project.

**i.** Please describe the level of commitment by each collaborator. (e.g. fee waivers, in-kind services, fundraising, direct monetary contribution, policy changes.)

The County fundraising efforts have brought in \$7,713 by single donations. The Courthouse Restoration Project is registered with Region 10 as an Enhanced Rural Enterprise Zone project whereby individual donations may be eligible for up to a 25% Colorado tax credit on the donor's State Income Tax Return. A Courthouse Fund has been established for the segregation and safekeeping of monies collected from donations, grants, sales tax and interest and expressly used for the Courthouse Restoration / Construction project including payment for debt service and professional services. If all grant requests are awarded, the collaborating parties would be the Underfunded Courthouse Commission, Department of Local Affairs, State Historical Fund, Ouray County and its citizens.

**ii.** Please list the value of the resources that each collaborator is bringing to the program.

The value associated with each collaborator is as follows:

1. Sales Tax Collections: Sales Tax Collection is the primary contributor for the project at 65% of the project cost.
2. The Underfunded Courthouse Grant (if awarded) would contribute 19% of the project cost.
3. The DOLA Grant (if awarded) would contribute 13% of the project cost.
4. The State Historical Fund Grant (if awarded) would contribute 3% of the project cost.
5. Charitable donations will continue to be deposited and used for the project and for future maintenance.

The value associated with each collaborator is paramount to the success of the Courthouse Restoration / Construction project.

**e.** Has the applicant dedicated the financial resources in their current budget, reserve funds and/or unused debt capacity that are being used for the local matching funds? Explain if No

Yes. A segregated Courthouse Fund has been established and will be used to account for the revenues and expenses associated with the project.

**f.** Have the applicant's tax rates, user charges or fees been reviewed recently to address funding for the proposed project?

Yes. A .55% temporary sales tax has been approved by the voters to fund this project. Grant funding is being sought to offset the sales tax collections in an effort to retire the debt sooner and reduce the financial impact to Ouray County citizens by sun setting the sales tax earlier.

**g.** If the tax rate, user charges or fees were modified, what was the modification and when did this change occur?

A temporary sales tax increase was approved by the voters on November 7, 2017. The temporary increase will commence January 1, 2018, for not more than 20 years, or when the project is paid in full, whichever is earlier; for the purpose of restoring the Ouray County Courthouse and new construction components.

**h.** Has the applicant contacted representatives from local energy or mineral companies to discuss the project? If yes, when was the contact and what was discussed.

Yes, a preliminary meeting to discuss the project was held with the County's Regional Manager on November 15, 2017.

**i.** Has the applicant requested financial support from the industry? If yes, when was the contact, what amount did you

request? What were the results? If no, why not?

No.

## 5. Readiness to Go

a. Assuming this project is funded as requested, how soon will the project begin? **Select One (X)** Within 3 months, ( ) 3-6 months, ( ) 6-9 months or ( ) 9-12 months? What is the time frame for completion? **Select One ( )** Within 3 months, ( ) 3-6 months, ( ) 6-9 months, ( ) 9-12 months or **(X)** >12 months.

b. Describe how you determined that the project can be completed within the proposed budget as outlined in this application?

See the Project Schedule Timeline (**Attachment 8**)

c. Has the necessary planning and design been completed? How? What additional design work remains? How did the applicant develop project cost estimates? Are any or permitting must still be completed, if any? When? How did the applicant develop project cost estimates? Is the project supported by bids, professional estimates or other credible information? Please attach a copy of any supporting documents.

Preliminary architectural design work and renderings have been completed. The architect will commence completion of the design drawings and construction documents in January. Work on this task was pending the outcome of the November 2017 election. Now that the election is over and the sales tax question passed, the architect is able to begin work on the design drawings and construction documents and should have this completed within four to five months.

Two construction estimates were provided during the master plan revision and were a part of the feasibility study report that was used for determining the cost for the project and subsequently the ballot question.

The project is supported by a large amount of documentation including: 1) Updated Courthouse Feasibility Study (**Attachment 3**); 2) Construction Cost Estimates (**Attachment 4**); 3) Courthouse Community Task Force Recommendation Memo (**Attachment 5**); 4) Resolution 2017-044 of the Board of County Commissioners (**Attachment 6**); 5) Public Opinion Survey Results and Summary (**Attachment 7**); 6) Project Schedule (**Attachment 8**); 7) Successful Passage of the Temporary Sales Tax Question; and 8) Letters of Support (**Attachment 9**).

i. What additional design work remains?

Completing the preliminary architectural Design Development drawings and Construction Documents remain.

ii. How did the applicant develop project cost estimates?

The Architect, Charles Cunniffe and Associates, engaged the services of two outside firms for the provisions of estimated Construction Costs.

iii. Is the project supported by bids, professional estimates or other credible information? Please attach a copy of any supporting documents.

The project costs were developed using Construction Cost estimates provided by two separate construction companies for the purpose of developing projected costs for the project. Pending successful grant award(s) the County will solicit sealed bids through a Request for Proposals (RFP) process.

iv. Are any Local, State or Federal permits required before the project can proceed? If yes, please describe.

Yes, building permits by the City of Ouray and State electrical and Plumbing.

## 6. Energy & Mineral Relationship

a. Describe how the applicant is, has been, or will be impacted by the development, production, or conversion of energy and mineral resources.

The energy and mineral relationship is quite clear as the City of Ouray was founded and developed as a mining community. There have been surges in the mining industry in Ouray County over time. With regard to mining, Ouray County currently has one operating mine owned by Ouray Silver Mines, Inc. The mine is in the process of hiring additional mining employees and is planning to begin production in 2018. The Ouray Silver Mine mines for silver, gold and other precious metals. Two other mines are in the process of transferring ownership and mitigation and reclamation prior to mining activity commencing.

Historically, Ouray County's vital tourism economy has been geared towards outdoor recreation, mining and railroad activity. Beginning in 1892, Ouray County hosted the Denver Rio Grande Southern Railroad (DRGSRR) just west of the Town of Ridgway. It was established for the transportation of ore and the supply center for all mining activity in Ouray and many surrounding counties. Mining industries boomed for many years through the familiar boom and bust cycles into the

1970's. The railroad struggled to survive beyond the Great Depression and was eventually closed in 1951. Ouray County hosts the Ridgway Railroad Museum located in the Town of Ridgway. This small museum attracts thousands of global visitors each year tracing both the railroad and the County's rich mining history including a number of "retired" railroad ore cars right on the premises.

**b.** To further document the impact in the area, name the company or companies involved, the number of employees () associated with the activities impacting the jurisdiction and other relevant, quantitative indicators of energy/mineral impact.

The Ouray Silver Mines, Inc. currently employees approximately 100 people with the goal of hiring upwards to 150 people in the near future.

**c.** Cite actual use data that documents direct impact as it relates to the need for the project. For example, "heavy truck traffic directly related to energy development activities is impacting County Road X. a traffic count done in May 2015 showed energy related truck traffic increased from 100 trips per day to 300."

The Ouray County Courthouse has stood for 130 years. It is the place of "law and order" and serves as a venue for people to congregate and to have a Judge render a decision on civil disputes or other legal matters. County Courthouses like the Ouray County Courthouse were constructed in the mining towns of boom and bust to preserve sanity, resolve disputes and to serve as the place of justice in a civil society. Courthouses were needed then and they are needed now for similar and some different, modern matters. The Ouray County Courthouse was showcased in the Colorado Experience series on Rocky Mountain PBS as one of three historic courthouses. Attached is a link for viewing of this unique historical perspective on the value of these and why they are vital to the communities that they serve then and now.

<http://video.rmpbs.org/video/2365922974/>

## 7. Management Capacity

**a.** How will you separate and track expenditures, maintain funds and reserves for the capital expenditures and improvements as described in this project?

The Ouray County Courthouse Project will have its own Fund to segregate the revenues and expense specifically for this project. In addition, expenditures are tracked by first creating an Excel spreadsheet and retaining copies of invoices in a designated file along with contracts and bid documents for accounting purposes. An itemized project budget will outline project spending.

**b.** Describe the funding plan in place to address the new operating and maintenance expenses generated from the project?

Operating and maintenance expense are currently budgeted for the Courthouse in the annual budget. It is anticipated that utility costs will be reduced due to improved energy efficiency systems and improvements.

**c.** Describe the technical and professional experience/expertise of the person(s) and/or professional firms responsible to manage this project.

The County Administrator will be the primary administrative manager for grant administration, finance, procurement and contracting. The County Administrator has a Master's Degree in Public Administration and has served in her current position for 16 years. Her total County government experience equates to 28 contiguous years.

Charles Cunniffe Architects have served as the County's architect for over twenty years producing the Historical Structure Assessment for the Courthouse and the updated Feasibility Study. The design documents and renderings have been outstanding and the firm knows its historic buildings.

**d.** Does the project duplicate service capacity already established? Is the service inadequate? Has consolidation of services with another provider been considered?

No, this project does not duplicate service capacity already established. This project is to renovate the Ouray County Courthouse, which is the only County Courthouse in Ouray County providing county government services and state, district and municipal court services.

**E. HIGH PERFORMANCE CERTIFICATION (HPCP) PROGRAM COMPLIANCE.**

Colorado Revised Statutes (C.R.S. 24-30-1305.5) require all new facilities, additions, and renovation projects that meet the following applicability criteria to conform with the High Performance Certification Program (HPCP) policy adopted by the Office of the State Architect (OSA) if:

- The project receives 25% or more of state funds; **and**
- The new facility, addition, or renovation project contains 5,000 or more building gross square feet; **and**
- The building includes an HVAC system; **and**
- In the case of a renovation project, the cost of the renovation exceeds 25% of the current value of the property.

The HPCP requires projects that meet the applicability criteria above to achieve third party verification with the target goal of LEED Gold or Green Globes-Three Globes. Projects are strongly encouraged to meet the Office of the State Architect's (OSA) Sustainable Priorities in addition to the LEED prerequisites. Projects funded through DOLA that meet the above applicability criteria are required to complete the DOLA registration and tracking process. See DOLA's [HPCP web page](#) for more information or contact your [DOLA regional manager](#).

In instances where achievement of LEED Gold or Green Globe-Three Globes certification is not achievable, an applicant may request a modification of the HPCP policy or a waiver if certain conditions exist. DOLA staff will work with applicants to identify workable solutions to meet the program's intent to maximize building energy efficiencies.

**Please answer the following questions:**

(Complete this section only if your project application is for a building project, both new construction as well as renovation.)

1. Is the applicant seeking state funding for 25% or more of the total project cost (including all phases, if applicable)? Yes() No()  
(If no, the project does not meet the HPCP requirement and the rest of this section does not need to be completed)

Does the building include an HVAC system? Yes() No()

If yes, please check whether the proposed project includes a  HVAC upgrade or  new HVAC system.

2. Is this project (check all that apply):  new construction  renovation  new and renovation  
New building square footage: 16,216 SF Renovation square footage: 2,283 SF  
Is the building square footage (new construction and/or renovation) 5,000 SF or more? Yes() No()

3. For building renovation projects:

What is the current property value? (Determine based on assessed or appraised value) \$1,108,690

What is the total project cost for the renovations? \$7,762,310

Does the cost of renovation exceed 25% of the current value of the property? Yes() No()

4. **If you answered "yes" to questions 1, 2, 3, and if applicable, 4, then your project meets the HPCP applicability criteria. Complete the HPCP registration form and preliminary checklist and submit with this grant application.** (See DOLA's [HPCP web page](#) for registration and checklist form.)

**ADDITIONAL QUESTIONS:**

5. Have you included any additional costs in this grant application for third party verification to comply with the High Performance Certification Program? Yes() No() If yes, please specify the estimated cost for third participation verification/certification: \$

6. Will you need assistance locating resources, third party consultants, or technical assistance for HPCP third party verification requirements, preparing cost estimates, or otherwise complying with the HPCP?

Yes() No() Explain \_\_\_\_\_

*Note: If this application is for design services for a planned building project that meets the HPCP applicability criteria and the applicant intends to seek state funding for 25% or more of the total project cost, then the design should maximize high performance building certification standards (by completing the HPCP checklist) and build in anticipated project costs, as appropriate.*

**F. TABOR COMPLIANCE.**

1. Does the applicant jurisdiction have voter authorization to receive and expend state grants without regard to TABOR spending limitations? Yes(  ) No(  ). If yes, explain:

Ouray County is exempt from the TABOR and 5.5% limitations as approved by the electorate of Ouray County.

2. If the applicant jurisdiction receives a grant with State Severance funds, will the local government exceed the TABOR limit and force a citizen property tax rebate? Yes(  ) No(  ). Explain.

Ouray County is exempt from the TABOR and 5.5% limitations as approved by the electorate of Ouray County.

3. Has the applicant jurisdiction been subject to any refund under TABOR or statutory tax limitations? Yes(  ) No(  ). Explain.

Ouray County is exempt from the TABOR and 5.5% limitations as approved by the electorate of Ouray County.

4. Has the applicant sought voter approval to keep revenues above fiscal spending limits? Yes(  ) No(  ). Explain.

Ouray County is exempt from the TABOR and 5.5% limitations as approved by the electorate of Ouray County.

5. Are there any limitations to the voter approved revenues? (e.g., Can revenues only be spent on law enforcement or roads?) Yes(  ) No(  ). Explain.

6. If the applicant jurisdiction is classified as an enterprise under TABOR, will acceptance of a state grant affect this status? Yes(  ) No(  ). Explain.

N/A

**G. ENVIRONMENTAL REVIEW.**

Indicate below whether any of the proposed project activities:

1. Will be undertaken in flood hazard areas. Yes(  ) No(  ).

List flood plain maps/studies reviewed in reaching this conclusion. Describe alternatives considered and mitigation proposed.

2. Will the project affect historical, archeological or cultural resources, or be undertaken in a geological hazard area.

Yes(  ) No(  ).

If yes, describe alternatives considered and mitigation proposed.

This project includes the restoration of the historic Ouray County Courthouse. The County will be working closely with the State Historical Fund and their team of Preservation Specialists as well as Archeologists for oversight of excavation and other encounters that may be discovered during the course of the project.

3. Address any other public health or safety related concerns? Describe. Yes(  ) No(  ).

We do not know the extent of the public health or safety related issues. Over the course of time, the basement of the Courthouse has been flooded at least twice prior to the construction of the flumes to mitigate runoff from snow and rain throughout the City of Ouray. In addition, due to the backfill of drainage on the north and west corner of the Courthouse property, water infiltration has compromised the basement for decades.

# APPLICATION SUBMISSION INSTRUCTIONS AND OFFICIAL BOARD ACTION DATE (REQUIRED)

Application and attachments must be submitted electronically in

WORD .DOC (Preferred) or .PDF Format (Unsecured) to:

[ImpactGrants@state.co.us](mailto:ImpactGrants@state.co.us)

Please Cc your [DOLA Regional Manager](#) all documents as well to ensure receipt.

**In email subject line include: Applicant Local Government name and Tier for which you are applying**

-example- **Subject:** Springfield County EIAF Grant Request, Tier 1

**NOTE: Please do not submit a scanned application (scanned attachments ok).**

(If you are unable to submit electronically please contact your [DOLA Regional Manager](#))

For any questions related to the electronic submission process, please call Leah Smith @ 303.864.7757

Attachments List (Check and submit the following documents, if applicable):

- ▶ Preliminary Engineering Reports Attachment 3
- ▶ Architectural Drawings Attachments 2 and 3
- ▶ Cost Estimates Attachment 4
- ▶ Detailed Budget Attachment 4
- ▶ Map showing location of the project Attachment 10
- ▶ Attorney's TABOR decision N/A
- ▶ HPCP Registration, modification  
Or Waiver Form xxxx?

\*\*\*\*\*

**Official Board Action taken on**

**November 21, 2017**

Date

**Submission of this form indicates official action by the applicant's governing board authorizing application for these funds.**