

Title: Administrative Policy Conservation Trust Fund	Policy No. Part 4, Financial Administration Chapter 4, Enterprises, Funds, Tax Districts Section 3
	Effective Date August 31, 2021
Policy Custodian Parks Department	Adoption/Revision Date August 31, 2021

Adopting Resolution(s): CC21-234

References (Statutes/Resos/Policies): Colorado Const. Art. 27; C.R.S. §§ 29-21-101, 29-1-102, 30-11-122; 8 CCR 1306-3; CC74-84

Procedure: Conservation Trust Fund Procedure

Purpose: To establish criteria and responsibilities for the County’s management of its Conservation Trust Fund. The Colorado Lottery was established in 1983. In 1992, Colorado voters approved a State constitutional amendment allocating forty percent of these funds to the Colorado Department of Local Affairs (DOLA) to be placed in the Conservation Trust Fund (CTF). CTF lottery proceeds are distributed to eligible counties and other entities that have established a CTF. By Resolution CC74-84 Jefferson County established its CTF. Pursuant to C.R.S. §29-21-101(4), CTF lottery proceeds shall be expended only for the acquisition, development, and maintenance of new conservation sites, or for capital improvements or maintenance for recreational purposes on a public site. DOLA’s Division of Local Government has adopted regulations at 8 CCR 1306-3 for CTF administration including monitoring, enforcement, and guidance regarding allowable CTF expenditures.

Policy: Conservation Trust Fund

A. Definitions

The following statutory and regulatory definitions apply to this Policy:

1. The term “New conservation sites” means interests in land and water, acquired for park or recreation purposes, for all types of open space, including but not limited to floodplains, greenbelts, agricultural lands or scenic areas, or for any scientific, historic, scenic, recreational, aesthetic, or similar purpose.
2. The term “Interests in land and water” means any and all rights and interests in land or water, or both, including fee interests and less than full fee interests such as future interests, developmental rights, easements, covenants, and contractual rights. Every interest in land or water may be in perpetuity or for a fixed term and shall be deemed to run with the land or water to which it pertains.
3. The term “Capital improvements” means the acquisition or improvement of fixed assets.
4. The term “Fixed assets” means land, buildings, equipment and improvements other than buildings that the recipient uses to provide Conservation Trust Fund-allowable

expenditures, including costs of construction, renovation, demolition, rehabilitation, deferred maintenance, improvements, equipment and furnishings. Fixed assets are determined to be those with an original cost of \$500.00 or more, or with a useful life of one year or more.

5. The term "Maintenance" means keeping CTF-eligible assets in an original or existing state of repair or of preserving them from failure or decline.

B. Project Eligibility

1. To be eligible for County CTF lottery proceeds, a project (Project) must be for (a) the acquisition, development, or maintenance of new conservation sites, or (b) capital improvements or maintenance for recreational purposes on a publicly owned site located in unincorporated Jefferson County.
2. Projects must comply with all applicable State laws and regulations pertaining to CTF funding including, without limitation, those referenced above.

C. Allocation of County CTF Lottery Proceeds

The County's annual CTF lottery proceeds shall be allocated to the following four categories of Projects. Any unspent CTF lottery proceeds allocated to a Project category shall remain in that category until spent, unless otherwise directed by the Board of County Commissioners (BCC).

1. County Park and Trail Projects – 82% for park, recreation and trail Projects on property or facilities owned or managed by the County. County Park and Trail Projects will be approved as part of the annual CTF budget process or during the course of the year by the BCC.
2. Boettcher Mansion – 6% for the stewardship of this heritage facility owned by the County.
3. Beaver Ranch Park – 5% to the 501(c)(3) nonprofit corporation that provides recreation facilities, services and programs for the Conifer community at Beaver Ranch Park.
4. Community Partnership Program (CPP) – 7% to 501(c)(3) nonprofit corporations or governmental entities for conservation, park, and recreation Projects in unincorporated Jefferson County. The CPP will fund up to 25% of a local Project and up to 50% of a regional Project.

D. Responsibilities

1. The Parks Department shall:
 - a. Evaluate proposed projects to confirm eligibility for CTF funding;
 - b. Make recommendations to the BCC for funding specific Projects;

- c. Administer active Projects including, without limitation, approving payments and reimbursements;
 - d. Develop Procedures implementing this Policy.
2. The Strategy Innovation & Finance Department shall comply with the CTF reporting and records maintenance requirements set forth in 8 CCR 1306-3 Part II.

E. CTF Fund Balance

The minimum CTF fund balance shall be 10% of annual revenues unless otherwise approved by the BCC.

F. BCC Discretion

Nothing contained in this Policy shall limit the discretion and authority of the BCC on any CTF matter and the BCC may waive any term of this Policy, provided any such waiver is consistent with CTF statutes and regulations.