

**AMENDED BYLAWS OF
THE CUSTER COUNTY LODGING TAX BOARD**

**ARTICLE I
NAME**

The name of this organization is the Custer County Tourism Board ("CCTB").

**ARTICLE II
PURPOSES**

The purposes for which the Board is formed are set forth in Colorado Revised Statutes, Title 30, Article 11 § 107.5 and Resolution 07-07 adopted by the Custer County Board of County Commissioners ("BOCC") on June 5, 2007. The CCTB shall be responsible for developing and implementing a plan to market and promote tourism for Custer County.

**ARTICLE III
MEMBERSHIP AND TERMS**

- A. The CCTB shall be comprised of a minimum of five (5) and maximum of nine (9) members. CCTB Members shall be recommended by the CCTB and appointed by the BOCC. Every member must be domiciled in Custer County. The determination as to whether, or not, an individual is domiciled in Custer County shall be made by the BOCC, in its sole discretion. Being registered to vote in Custer County, alone, will not qualify an individual as a full-time resident.
- B. Each CCTB member shall serve for a term of three (3) years, on a staggered basis. There is no term limit for CCTB members, however, a member must apply for reappointment at the expiration of his or her term.
- C. Effort will be made to secure CCTB applicants who have past or current management experience in tourism-related industries. Examples include, but are not limited to attractions, retail, performing and fine arts, outdoor recreation//hunting and hospitality. Candidates from other industries will be considered in order to achieve a mix of skill sets, particularly in marketing, technology and finance.
- D. One or more ex-officio members may be recommended and appointed, on an annual basis, for one (1) year terms. Ex-officio members may participate in CCTB discussions, but they shall have no voting rights.
- E. Members of the CCTB shall not receive any compensation for their services, although they may be reimbursed for out-of-pocket expenses incurred in the performance of their services.

- F. Notices shall be posted for vacancies on the CCTB, arising from the expiration of a member's term, no later than November 1st. annually. The notice shall request letters of interest and statements of qualification from qualified individuals, which should be received by the date stated in the Notice. The CCTB shall review and discuss letters of interest received from prospective members and/or email from current members and make recommendations to the BOCC for each open position. The BOCC shall make appointments to the CCTB. In the event no letters of interest are submitted, or no submissions are deemed qualified, the term of an expiring member shall be extended for up to three (3) months, at the CCTB's discretion, until a replacement is found.
- G. In the event a vacancy occurs, other than the expiration of a member's term, the CCTB may recommend that the BOCC appoint an ex-officio member to fill the vacancy. Otherwise, notice of such vacancy shall be posted within a reasonable time after the vacancy occurs, following the procedures described in paragraph F, above. Such appointed member shall serve the remainder of the unexpired term.

ARTICLE IV **OFFICERS**

The officers of the CCTB shall consist of the Chairman, the Vice Chairman, the Secretary and the Treasurer.

- A. Officers shall be elected at the January meeting of the CCTB, by its members.
- B. Each officer shall serve a one (1) year term, with no term limits.
- C. A vacancy occurring in any office shall be filled, for the remainder of the unexpired term, by a majority vote of the CCTB members.

ARTICLE V **DUTIES OF OFFICERS**

- A. The Chairman shall preside at all CCTB meetings at which he or she is present and perform such other duties as may be assigned by the CCTB. The Chairman shall make all official media statements, unless a majority of the CCTB assigns that task to another member.
- B. The Vice Chairman shall perform the duties of the Chairman in his or her absence.
- C. The Secretary shall post meeting agendas, record the minutes of all CCTB meetings, and perform such other duties as may be assigned by the Chairman or the CCTB.
- D. The Treasurer shall issue vouchers for expenses, provide a monthly Treasurer's Report, account for all CCTB funds, provide documentation to the BOCC for the annual audit, and work with the CCTB to generate an annual operating budget, which shall be submitted to the BOCC for approval; and perform such other duties as may be assigned by the Chairman or the CCTB. Voucher approval may

be made by one or more CCTB-designated members in order to avoid delay of payments. Voucher payments shall substantially conform to the current budget in terms of amounts and timing. Otherwise, any unexpected expenses over 100.00 shall be considered by the CCTB prior to approval.

ARTICLE VI **MEETINGS**

- A. Monthly meetings of the CCTB shall be held at such times and places fixed by the members at its first meeting, each year. Meetings may be cancelled by the Chairman, after duly posted notice.
- B. All meetings of the CCTB shall be open to the public.
- C. Notice of CCTB meetings shall be posted in the town halls of Westcliffe and Silver Cliff, and at the Courthouse, no less than 24 hours prior to the meeting, as required by C.R.S. §24-6-402 Colorado Open Meetings Act). The notice shall state the date, time, location and agenda for the meeting. Any action taken by the CCTB at a meeting that was not duly noticed shall be invalid and of no effect.
- D. When a regular meeting date, time or location is changed, no fewer than three (3) days' written notice shall be given to the members of the CCTB and posted for the public no less than twenty-four (24) hours prior to the meeting. Notice to the CCTB members may be given via email and/or SMS/text; however to be effective, the members must acknowledge receipt of the email and/or SMS/text .
- E. Special meetings may be called by the Chairman, or a majority of the CCTB members, upon three (3) days' written notice to the other CCTB members and shall be posted for the public no less than twenty-four (24) hours prior to the meeting. Notice to the CCTB members may be given via email, however to be effective, the members must acknowledge receipt of the email and/or SMS/text.
- F. A quorum shall consist of a majority of the CCTB members. The CCTB may not take any official action, including the expenditure of funds, without a quorum present. When a quorum is present, official action of the CCTB shall require a majority vote of the members present. A member may attend meetings via telephone or video conference service such as Skype; however such member should give advance notice to the other CCTB members of his or her intention to do so. A member who is not able to attend a meeting should give as much advance notice, to the other CCTB members, as is reasonable.

ARTICLE VII **ADMINISTERING LODGING TAX REVENUES**

- A. The CCTB shall promote and market tourism for the benefit of Custer County, Colorado.

- B. The revenues generated by the lodging tax shall be used only to promote, advertise and market tourism in Custer Count, via a mix of traditional and media advertising, as determined by the CCTB. No lodging tax collected shall be used for any capital expenditure, with the exception of tourist information centers.
- C. All lodging tax collected, except amounts retained by the Colorado Department of Revenue for collection and enforcement, shall be credited to a separate CCTB Lodging Tax Fund. Such tax revenue shall be disbursed by Cuter County in accordance with the County's normal operating procedures for approval and payment of bills
- D. The CCTB shall, annually, adopt a budget for expenditure of lodging tax revenue, which shall be part of the Custer County Budget approved by the BOCC. No later than the end of the first quarter of each year, the CCTB shall provide the BOCC with a report detailing activity for the previous calendar year.
- E. The fiscal year for the CCTB shall be the calendar year.
- F. The CCTB may but is not obligated to consider distributing up to ten percent (10%) of lodging tax revenue for distribution to tourism-based events, projects and/or entities, provided that the recipient event, project or entity meets the marketing and advertising criteria established by the CCTB.

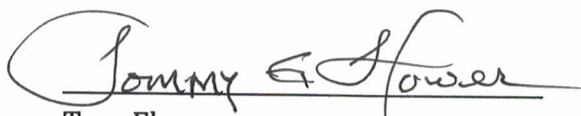
ARTICLE VIII
ATTENDANCE AND PROCEDURE

- A. Upon majority vote of the CCTB, the CCTB may request that the BOCC remove a member having three (3) unexcused absences from CCTB meetings in one (1) year, or for such other cause as is agreed upon by a majority of CCTB members.
- B. The Chairman and the Vice Chairman have the power to excuse absences from CCTB meetings.
- C. The Secretary shall distribute draft minutes of each meeting to CCTB members no later than ten(10) days after the meeting.
- D. Meetings of the CCTB shall be conducted following Robert's Rules of Order.
- E. All questions concerning meeting procedure that cannot be resolved through these By-laws, or Colorado law, shall be resolved following Robert's Rules of Order.

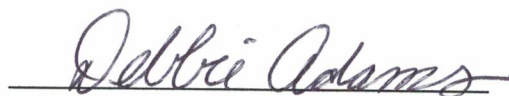
ARTICLE IX
AMENDMENTS TO BY-LAWS

Amendments to the By-laws shall be presented, in writing, to the CCTB, which shall, upon majority vote, recommend to the BOCC that the amendment be approved, or not approved. The BOCC, upon majority vote, approve or disapprove of an amendment to the By-laws.

These Amended By-laws are adopted by the BOCC on March 29, 2019.



Tom Flower
Chair of the BOCC



Debbie Adams
Chairman of the CCTB