



## Gray & Black Market Marijuana Enforcement Grant Program

**Local Government/Organization:** Elbert County  
**Status:** Submitted  
**Filed On:** 10/23/2018 09:37 AM  
**Filed By:** SHERIFFHEAP  
**Reviewed On:**  
**Reviewed By:**  
**Reviewer Notes:**

### Application Overview

- The purpose of this grant is to provide financial assistance grants annually to local law enforcement agencies and district attorneys through the local governments for the investigation and prosecution costs associated with unlicensed marijuana cultivation or distribution operations.
- By filling out the online portal application, Colorado County and Municipality applicants are opting into the grant program. Grant amounts will be determined by population figures.
  - The grant program has four (4) funding priorities:
    - 1.) Rural areas;
    - 2.) Large scale operations;
    - 3.) Organized crime operations; or
    - 4.) Operations that divert marijuana outside of Colorado.
- In accordance with statute, CRS 24-32-119, rural areas will receive priority funding. To achieve this, rural area population figures will be weighted heavier. Rural areas are defined in C.R.S. 24-32-119 as:
  - a) a county with a population of less than 200,000 people, according to the most recently available population statistics of the United States Bureau of the Census; or
  - b) a municipality with a population of less than 30,000 people according to the most recent available statistics of the United States Bureau of the Census, that is located 10 miles or more from a municipality with a population of more than 50,000 people.
- DOLA will confirm applicants meet the “rural area” definition at the time of submittal.
- In order to receive a grant, local governments apply annually. Those that do apply must agree to:
  - Spend funds on statutory priorities,
  - Cooperate with district attorneys to cover prosecution expenses as defined in statute,
  - Report annually on how funds were spent, modeling the Conservation Trust Fund (CTF) program method of spending monitoring, and
  - Acknowledge potential TABOR implications.
- This is a financial assistance grant for investigations and/or prosecution expenses of unlicensed marijuana cultivation or distribution operations. Some examples may include:
  - Personnel / overtime
  - Contractual services
  - Equipment and supplies
  - Travel
  - Pre-trial incarceration expenses

- Medical expenses related to injury or exposer during a marijuana investigation
- Purchase of information (informants) or evidence (contraband)
  
- To ensure you develop a complete application please read:
  - C.R.S. 24-32-119

## A. APPLICANT/CONTACT INFORMATION

### 1. Local Government/Organization: Elbert County

### 2. Principal Representative:

**Honorific:**

**First Name:** Danny

**Middle Name:**

**Last Name:** Wilcox

**Suffix:**

**Role:** Chief Elected

**Mailing Address:** 215 Comanche Street

**Address 2:**

**City:** Kiowa

**State:** CO

**Zip Code:** 80117

**Phone #:** 303-621-3139

**Email Address:** danny.wilcox@elbertcounty-co.gov

### 3. Responsible Administrator (will receive all mailings) for the Application:

**Honorific:**

**First Name:** Shayne

**Middle Name:**

**Last Name:** Heap

**Suffix:**

**Role:** Program Manager/Primary Contact

**Mailing Address:** 751 Ute Avenue

**Address 2:**

**City:** Kiowa

**State:** CO

**Zip Code:** 80117

**Phone #:** 303-621-2027

**Email Address:** shayne.heap@elbertcounty-co.gov

## B. APPLICANT AFFIRMATIONS/AGREEMENT WITH TERMS AND CONDITIONS

For each statement below, please confirm your agreement with the terms and conditions associated with the grant funds, should they be awarded to your local government.

### 1. Affirmation of Associated Costs

Grant funds can ONLY be used for costs associated with the investigation and prosecution (including large-scale operations, organized crime, and operations that divert marijuana outside of Colorado) of unlicensed marijuana cultivation or distribution operations conducted in violation of state law. Recipient counties and municipalities who spend any grant funds outside of this statutory intent understand that any such funds

must be returned to the Department of Local Affairs and agree to do so within 30 days of identification of improper fund use.

Confirm/Agree to Comply

**2. Affirmation of Quarterly Reports**

Recipient counties and municipalities must provide DOLA with quarterly itemized reports on how grant funds were spent in that quarter. The reporting form is available for download on the program website.

- If a report is not received for any quarter, funds may be required to be returned to the Department of Local Affairs

Confirm/Agree to Comply

**3. Affirmation of Monitoring**

Recipient counties and municipalities will be randomly selected for detailed monitoring of grant fund expenditures. Supporting documentation for grant fund expenditures must be provided promptly to DOLA, if requested, to conduct necessary monitoring.

Confirm/Agree to Comply

**4. Affirmation of Funds Made Available to District Attorneys**

Recipient counties agree to cooperate with and make grant funds available to District Attorneys for costs associated with prosecution of unlicensed marijuana cultivation or distribution operations conducted in violation of state law.

**\*Select one only.**

Counties - Confirm/Agree to Comply

**5. Affirmation of Return of Grant Funds**

Recipient counties and municipalities acknowledge that, if NO grant funds are spent in any given state fiscal year, they will NOT receive grant funds in the following year. Due to appropriation limitations in statute, ANY grant funds not spent in a 2-year period must be returned to the Department of Local Affairs.

Confirm/Agree to Comply

**C. BOARD APPROVAL/TABOR**

**1. Official Board Action**

Assurance of community priority. Applications cannot be submitted unless approved by the city/town/county Board, Council or Trustees. Provide the date official Board action was taken authorizing this application.

10/17/2018

**2. TABOR Compliance**

**The grant funds for the Gray & Black Market Marijuana Enforcement Grant program are state funds.**

Does the applicant have voter authorization to receive and expend state grant funds without regard to TABOR revenue limitations?

Y

**If yes**

If yes, explain:

**If no**

If no, would receipt of these grant funds, if awarded, result in the local government exceeding revenue limitations, prompting a refund?

N

**Affirm local government Attorney has confirmed this TABOR statement.**

N

**D.STATE ACCEPTANCE OF APPLICATION**

The State, upon Acceptance of an Application submitted through the DOLA online grants portal system, agrees to provide financial assistance from the Gray & Black Market Marijuana Enforcement Grant program to the Applicant. The notification of award of financial assistance (Grant Award) indicates that Applicant has met all of the requirements to qualify for a portion of the Gray & Black Marijuana Enforcement Grant monies with such amount to be determined exclusively by the State and has affirmed and confirmed agreement with the stated terms and conditions associated with use of those grant funds.

**Confirmation**

Please confirm that you have read the above statement.

I Have Read the Above Statement

**Staff Analysis**