**Email string from February 2010 regarding whether RMS-AAPG needs a commercial PUC license to run a driving tour (fieldtrip), and what our tax status really is.**

Kim,

The RMS is a non-profit 501 C-6 organization, as is the FCGS. Both are not for profit. The reason that both organizations set up Foundations is so that there would be an entity to which donations could be made that are 100% tax deductible. We may have to pay sales tax, but we are still non-profit.  If we charge for the field trips to cover costs, not to make a profit, which is what we are doing, we do not have to have a PUC license, etc.  If we did, every church group, boy scout group, etc. in the state would have to hire commercial operators or have a license.  This is the same thing that Walt used to run into at the FLC Outdoor Pursuits office. The tour companies have for years tried to intimidate the college and educational groups and other people who are not trying to run trips for profit into hiring them rather than putting together their own trips.   Wild Rivers and some of the rafting companies have done the same thing.  I have witnessed this disgraceful behavior on their part many times – they are a bunch of money-hungy creeps.

Your analysis is absolutely correct and I think MTV is a bunch of slime balls.  Just don’t send them any more information.

What about running trips through the geo dept?  I know you checked it out, but can’t remember the problem.

Tom Ann

**From:** Kim Gerhardt [mailto:kim@mydurango.net]   
**Sent:** Monday, February 01, 2010 5:13 PM  
**To:** James Hornbeck; Tom Ann Casey  
**Subject:** {Spam} Re: RMS-AAPG 11/30/09 tax return

But the RMS is still officially a Non-Profit organization?  This is a big issue.

I'm asking with regard to the liquor license issue and also w/r to transportation options for our fieldtrips.  Mesa Verde Tours offered to provide vans and drivers for three of our fieldtrips at the price of $80/person or $90/person with lunch.  I turned this down, sayign that although AAPG made it painful, we could rent vans ourselves and do our own driving for the trips.  MVT owner got copied on a reply email a little later and sent a message back that under Colorado PUC regulations, we can't rent a van and charge people for tours. I thought that this wasn't true because we're not trying to be a commercial operator without a license, we're a non-profit organization.  Any income over expenditures goes back into the RMS bag and is re-distributed to RMS and the affiliated societies.  The RMS uses it for grants & benefical projects for the whole community (as per their website).

My understanding of this tenuous organizational structure is summarized in the attachement.  Please let me know if I am right.

Thanks, Kim

----- Original Message -----

**From:** [Tom Ann Casey](mailto:tcasey@djsimmons.com)

**To:** [Kim Gerhardt](mailto:kim@mydurango.net) ; [James Hornbeck](mailto:jhorngeo@yahoo.com) ; [Joe Hewitt](mailto:jhewitt@blm.gov)

**Sent:** Monday, February 01, 2010 2:37 PM

**Subject:** FW: RMS-AAPG 11/30/09 tax return

Hi Geo’s,

Guess I was thinking wishfully. We do have to pay sales tax.

Sorry if everything that came out of my mouth Friday was wrong. I was about as tired a dog as I can remember being for a long time.

I can see if we have a tax exempt certificate, but I doubt it.

TA

**From:** Sekou Ghafur [mailto:sekou@bmacpa.com]   
**Sent:** Monday, February 01, 2010 1:57 PM  
**To:** Tom Ann Casey  
**Subject:** RE: RMS-AAPG 11/30/09 tax return

Tom Ann,

 You would have to pay sales taxes while in Durango.  Colorado can grant an exemption (which has to be applied for).  If you apply for an exemption, the state would issue a certificate that you are exempt, which you would need to provide to retailers in order to receive an exemption from paying the tax.

Please let me know if you have any additional questions.

Sekou A. Ghafur   
Burdick & Associates, P.C.   
8390 E. Crescent Parkway, Suite 110   
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**From:** Tom Ann Casey [tcasey@djsimmons.com]  
**Sent:** Monday, February 01, 2010 1:23 PM  
**To:** Sekou Ghafur  
**Subject:** RE: RMS-AAPG 11/30/09 tax return

Hello Sekou,

We are working on our Annual Meeting which is to be held in Durango this year.

I have a question. Do we have to pay sales tax or are we except because we are a non-profit 501 C-6 organization?

Thanks for your help.

Tom Ann

**From:** Sekou A. Ghafur [mailto:sekou@bmacpa.com]   
**Sent:** Tuesday, January 19, 2010 8:28 AM  
**To:** Bob Suydam  
**Cc:** Tom Ann Casey  
**Subject:** RMS-AAPG 11/30/09 tax return

Hello Bob,

My firm prepared the Rocky Mountain Section of the American Association of Petroleum Geologists (RMS-AAPG) tax return last year.  Would you (or the current board) like us to prepare the return for the year ended November 30, 2009?  If so, please provide the contact information of the treasurer/officer/director that will have the information necessary to prepare the return.  You may also forward this email, including my contact information below, to this contact.

Thank you,

Sekou A. Ghafur