

2019 BUDGET MESSAGE  
SAN MIGUEL COUNTY PUBLIC TRUSTEE OFFICE

The 2019 San Miguel County Public Trustee budget has been prepared to comply with the budget requirements of House Bill 12-1329 which went into effect in 2012. This legislation removed the budget process for the Public Trustee Office from the County General Fund to a separate Public Trustee Budget which is adopted by Public Trustee Resolution and submitted to the Board of County Commissioners for review.

A Public Hearing regarding the proposed 2019 budget will be held on September 13, 2018 at 10:30 am in the office of the Public Trustee. As the 2019 budget is less than fifty thousand dollars, Public Notice of the meeting shall be posted in three public places in San Miguel County consistent with Colorado regulations. Such posting places are the Public Trustee message board at the San Miguel County Courthouse at 305 W. Colorado Avenue in Telluride, the Placerville Post Office located on Front Street in Placerville and the Norwood Post Office located on Grand Avenue in Norwood.

Detailed budget information is available for review during normal business hours in the office of the Public Trustee. For public convenience, the budget is also posted on the Public Trustee department page at [www.sanmiguelcountyco.gov](http://www.sanmiguelcountyco.gov) and at <http://foreclosures.sanmiguelcountyco.gov> under the heading Foreclosure Reports and Budget Information.

The Public Trustee is responsible to the residents and voters in the county in which she serves. It is my obligation to follow Colorado Revised Statutes pertaining to this office and apply such regulations fairly and consistently no matter the parties involved. The primary duties of this Office are activated when a borrower signs a Deed of Trust associated with a promise to repay a debt to a lender. The borrower grants certain powers in the Deed of Trust to the Public Trustee of the County in which the property is located.

When a loan is repaid or forgiven or the Deed of Trust is no longer required to secure a loan, the lender makes a request to the Public Trustee to release the lien. This office ensures the lender has properly documented this request so the lien is effectively cleared from the owner's title. Once determining the request is properly made, the Public Trustee executes the release and forwards the release to the office of the County Clerk and Recorder for recording so the release becomes public record. Recording fees are forwarded to the Clerk and Recorder and the release fee of \$15.00 is retained by the Public Trustee. 2019 Releases of Deeds of Trust are projected at 733 releases or \$11,000 in revenue at the same amount as the 2018 budget.

When a loan falls into default, the lender may exercise its right to demand that the Public Trustee foreclose on the secured property. Foreclosure and related fees range from a minimum of \$150.00 per foreclosure to 1/32 of 1% of the amount borrowed or currently owed. Due to varying economic conditions from year to year, it is difficult to accurately estimate the anticipated fees as this relies upon the misfortune or financial condition of property owners. The Public Trustee earns the fees associated with a foreclosure upon sale of the foreclosed property or closing of the foreclosure file.

I anticipate a continued low volume in foreclosures filings for 2019 with 2019 projected revenue at \$1,000 for foreclosure fees in 2019. The foreclosure filings in 2018 remain at low levels similar to the levels seen in 2016 – 2018.

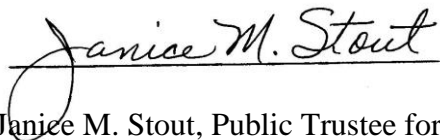
Total revenue from 2019 Public Trustee operations is budgeted at \$12,000 while 2019 budgeted expenses of the Public Trustee operations are projected at \$15,281, slightly lower than 2018 budget levels. Operating expenses remain relatively constant considering the fixed Public Trustee salary mandated by state regulations (providing fees generated or reserved offset such salary). Legal services will be contracted with an outside attorney only if assistance cannot be obtained through the county attorney. All efforts will be made to keep expenses as low as possible. The budget shortfall will come from the Public Trustee Salary Reserve Account established in 2009.

After consideration of 2019 projected revenues and expenses, a net loss of \$3,281 is anticipated for the Public Trustee office. The 2019 projected net loss is slightly higher than the 2018 projected net loss of \$2,756.00. The Public Trustee Salary Reserve funds previously established as allowed by Colorado regulations will decrease slightly but will remain adequate for future use when foreclosure filings and fees fail to meet required expenses of the office.

The Public Trustee budget has been prepared consistent with and similar to those submitted by the Public Trustee for the County General Fund prior to the change in budget regulations in 2012. Fee revenue based on anticipated expenses will be transferred to the County General Fund quarterly. All operating expenses of the office will be paid out of the County General Fund. At year end, all Public Trustee revenues earned in excess of those previously transferred for expenses will be transferred to the County General Fund at year end leaving a small operating balance of \$1,500 in the Public Trustee fee account.

If you have any questions or comments about the 2019 budget, you are encouraged to attend the Public Hearing on Thursday September 13, 2018 at 10:30 a.m. in the office of the Public Trustee at the San Miguel County Courthouse located at 305 West Colorado Avenue, Suite 105 in Telluride Colorado. You may contact me at 970-728-4451 with questions regarding this proposed budget or submit written comments to [jans@sanmiguelcountyco.gov](mailto:jans@sanmiguelcountyco.gov) for budget consideration.

Respectfully submitted.



Janice M. Stout, Public Trustee for the County of San Miguel, State of Colorado