A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO CONCERNED WITH SUBMITTING TO THE VOTERS OF THE SAN MIGUEL COUNTYWIDE DISPOSAL DISTRICT, A PROPOSAL TO INCREASE THE COUNTY’S AD VALOREM PROPERTY TAX REVENUES TO THE SAN MIGUEL COUNTY SOLID WASTE DISPOSAL DISTRICT FUND FOR THE YEAR 2019 AND THEREAFTER AND TO INCREASE THE DISTRICT’S REVENUE AND SPENDING LIMITS TO THE EXTENT OF SUCH ADDITIONAL PROPERTY TAX REVENUES RECEIVED FOR THE YEAR 2019 AND THEREAFTER AND AUTHORIZING THE EXPENDITURE OF SUCH TAX REVENUES FOR THE DISTRICT’S PURPOSES

Resolution #2018 - 020

WHEREAS, Resolutions #1991-84 and #1992-03 created the Countywide Disposal District in all the unincorporated areas of the County, for the disposal of waste, trash and garbage within San Miguel County. Said District is otherwise known as, and shall be renamed as, the San Miguel County Solid Waste Disposal District (“District”). The services for and the purposes of the District was established on a countywide basis, excluding incorporated territories and other exclusions required by statute; and

WHEREAS, the creation of the District imposed a 0.5 mill levy in the area of the County where the district was formed to defer the cost of providing environmentally safe waste disposal and recycling programs for County residents and businesses; and

WHEREAS, pursuant to the provisions of Section 20 of Article X of the Colorado Constitution (“TABOR”), no District may impose any property tax mill levy above that for the prior year causing a net tax revenue gain to such District without obtaining voter approval in advance, nor may any District increase its Revenue or Spending limits, beyond the amounts otherwise allowed under the applicable provisions of the Colorado Constitution and statutes, without voter approval; and

WHEREAS, C.R.S. §29-1-301, limits the annual growth in the County’s ad valorem property tax revenue to 5.5% above the revenue generated in the previous year unless a majority of the registered electors of the County voting thereon approve an increase in the amount of property tax revenues beyond the level otherwise allowed by law; and

WHEREAS, due to TABOR and other statutory adjustments the District’s mill levy has decreased to .0192 over the years which is currently bringing in an estimated revenue for the District of $43,830; and

WHEREAS, the District currently supports the Annual Hazardous Waste Disposal Event, electronic waste recycling events, holiday tree chipping services, Ophir and Placerville post office recycling, and the Norwood Household Trash and Recycling Transfer Station which costs approximately $98,500; and
WHEREAS, there is a desire to add waste reduction initiatives to the programs supported by the District; and

WHEREAS, it is estimated that an increase in the District’s 2019 property tax mill levy of .4 mill will generate approximately $91,311.63 in property tax revenue for the District. Without such a mill levy increase the District will be financially unable to provide the current level of service; and,

WHEREAS, property tax revenue is likely to decrease by a projected change in residential assessment rate from 7.2% to 6.2% pursuant to Article X of the Colorado Constitution; and

WHEREAS, such an increase in the District’s property tax mill levy in 2019, for property taxes due and payable in 2020, is estimated to generate property tax revenues in excess of the 5.5% limit imposed by §29-1-301, C.R.S., thereby requiring voter approval; and,

WHEREAS, pursuant to C.R.S. §1-5-203(3)(a), as amended, the San Miguel Board of County Commissioners (“BOCC”) must certify the ballot contents regarding County issues to be submitted for voter approval at the 2018 election to the San Miguel County Clerk and Recorder prior to the sixtieth day before the November 6, 2018 election; and,

WHEREAS, the BOCC has reviewed the proposed ballot issue, as set forth herein below, to be considered at the November 6, 2018 election, and has determined that the health, safety, and welfare of the residents of San Miguel County and the general public will be served if said ballot issue is submitted to the District’s registered electors in order that sufficient tax and other lawful revenues may be generated and expended in the year 2019 and thereafter, to be budgeted and appropriated solely for those District purposes lawfully authorized and specified in this Resolution in 2019 and thereafter, until and unless repealed at an election by a majority of the registered electors of the District voting thereon.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of San Miguel County, State of Colorado, as follows:

1. The following ballot question and title is hereby referred and submitted to the registered voters of the San Miguel County Solid Waste Disposal District at the November 6, 2018 election:

   SHALL THE SAN MIGUEL COUNTY SOLID WASTE DISPOSAL DISTRICT TAXES BE INCREASED $91,311.63 ANNUALLY THROUGH A SAN MIGUEL COUNTY AD VALOREM PROPERTY TAX MILL LEVY OF .4 MILLS IN UNINCORPORATED SAN MIGUEL COUNTY, WHICH IS $2.88 PER ONE HUNDRED THOUSAND DOLLARS OF A HOME’S 2019 APPRAISED VALUE, TO PAY THE DISTRICT’S OPERATIONS, MAINTENANCE, AND OTHER BUDGET EXPENSES, INCLUDING:

   • ANNUAL HAZARDOUS WASTE DISPOSAL EVENTS;
- ELECTRONIC WASTE RECYCLING EVENTS;
- HOLIDAY TREE CHIPPING SERVICES;
- OPHIR AND PLACERVILLE POST OFFICE RECYCLING;
- THE NORWOOD HOUSEHOLD TRASH AND RECYCLING TRANSFER STATION;
- WASTE REDUCTION INITIATIVES; AND

SHALL THE SAN MIGUEL COUNTY SOLID WASTE DISPOSAL DISTRICT BE AUTHORIZED TO INCREASE ITS REVENUE AND EXPENDITURE LIMITS BEYOND THOSE AUTHORIZED BY ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, AND SECTION 29-1-301, C.R.S, FOR THE 2019 FISCAL YEAR AND EACH SUBSEQUENT YEAR THEREAFTER, TO THE EXTENT OF SUCH ADDITIONAL PROPERTY TAX REVENUES TO BE BUDGETED AND APPROPRIATED TO THE COUNTY’S DEDICATED FUND FOR THE PURPOSES STATED HEREIN ABOVE?

_____ YES  _____ NO

2. Upon the BOCC certifying the ballot issue to the San Miguel County Clerk and Recorder in substantially the form set forth hereinabove, all acts required or permitted by the Uniform Election Code of 1992, as amended, relevant to providing of notice, the mailing to District electors of any required information and summaries for and against the ballot issue, voting by early voter’s ballots, absentee ballots, and emergency absentee ballots, which are to be performed by the designated election official, shall be performed by the San Miguel County Clerk and Recorder.

ADOPTED AND APPROVED this 22nd day of August, 2018.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

By: [Signature]
Kris Holstrom, Chair

ATTEST:

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<tr>
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<th>Aye</th>
<th>Nay</th>
<th>Abstain</th>
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<tr>
<td>Hilary Cooper</td>
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<tr>
<td>Kris Holstrom</td>
<td>Aye</td>
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<tr>
<td>Joan May</td>
<td>Aye</td>
<td>Nay</td>
<td>Abstain</td>
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[Signature]
Carmen Warfield
Chief Deputy Clerk to the Board
CERTIFIED RECORD

OF

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO, CONCERNING THE SUBMISSION TO THE REGISTERED ELECTORS OF SAN MIGUEL COUNTY OF A REFERRED BALLOT QUESTION AT THE NOVEMBER 6, 2018, COORDINATED ELECTION CONCERNING WITH SUBMITTING TO THE VOTERS OF THE SAN MIGUEL COUNTYWIDE DISPOSAL DISTRICT, A PROPOSAL TO INCREASE THE COUNTY’S AD VALOREM PROPERTY TAX REVENUES TO THE SAN MIGUEL COUNTY SOLID WASTE DISPOSAL DISTRICT FUND FOR THE YEAR 2019 AND THEREAFTER AND TO INCREASE THE DISTRICT’S REVENUE AND SPENDING LIMITS TO THE EXTENT OF SUCH ADDITIONAL PROPERTY TAX REVENUES RECEIVED FOR THE YEAR 2019 AND THEREAFTER AND AUTHORIZING THE EXPENDITURE OF SUCH TAX REVENUES FOR THE DISTRICT’S PURPOSES
STATE OF COLORADO 

) ss.

County of San Miguel 

The Board of County Commissioner of San Miguel County, Colorado, met in regular session in full conformity with applicable Colorado law and the rules of the County, at the County in Telluride, Colorado, on the 22nd day of August 2018, at 9:45 a.m.

Upon roll call the following commissioners were present, constituting a quorum:

Chair: Kris Holstrom

Commissioner Hilary Cooper

Also present:

Chief Deputy Clerk: Carmen Warfield

County Administrator: Lynn Black

County Attorney: Amy Markwell

Thereupon Commissioner Kris Holstrom introduced a Resolution as follows: