A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, COLORADO CONCERNED WITH SUBMITTING
TO THE VOTERS OF SAN MIGUEL COUNTY, A PROPOSAL TO INCREASE
THE COUNTY’S AD VALOREM PROPERTY TAX REVENUES TO THE
COUNTY GENERAL FUND FOR COUNTY ACQUISITION, DEVELOPMENT,
MAINTENANCE AND OPERATIONS OF OPEN SPACE, PARKS, TRAILS,
HISTORIC PRESERVATION, FAIRGROUNDS, AND OTHER RELATED
PURPOSES, FOR THE YEAR 2002 AND THEREAFTER AND TO INCREASE
THE COUNTY’S REVENUE AND SPENDING LIMITS TO THE EXTENT OF
SUCH ADDITIONAL PROPERTY TAX REVENUES AND ASSOCIATED
GRANTS RECEIVED FOR THE YEAR 2002 AND THEREAFTER AND
AUTHORIZING THE EXPENDITURE OF SUCH TAX REVENUES AND
ASSOCIATED GRANTS FOR THE PURPOSES SPECIFIED

Resolution #2001-51

WHEREAS, pursuant to the provisions of Section 20 of Article X of the Colorado
Constitution, also known as the Taxpayer’s Bill of Rights (“TABOR”), no District may
impose any property tax mill levy above that for the prior year causing a net tax revenue
increase 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;

WHEREAS, §29-1-301, C.R.S., 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;

WHEREAS, the County’s Finance Director and Budget Officer has advised the Board of
County Commissioners that the County’s total assessed valuation for ad valorem property
tax purposes for 2001 is currently estimated to be approximately $459,056,460, and that
an increase in the ad valorem property tax levy of 1.5 mills would therefore generate
approximately $688,585 in additional property tax revenues;

WHEREAS, an increase in the San Miguel County General Fund property tax mill levy
in 2001, for property taxes due and payable in 2002, of 1.5 mills 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 pursuant to §29-1-302, C.R.S.;

WHEREAS, the Board of County Commissioners having read and considered the budget
requests for 2002 submitted by: the County Open Space Commission for the Purchase of
Development Rights Program, the Board of the San Miguel County Recreation District
No. 1 for development and maintenance costs associated with the Down Valley Park, the
County Trails Commission’s Trails Acquisition, Development and Maintenance Program,
the County All-Around Board’s Fairground Facilities Program, and the County Historic
Commission’s Historic Landmark Program, which budget requests exceed the amount
currently available and budgeted for those programs, and being otherwise fully advised,
does hereby find and determine that the health, safety, and welfare of San Miguel County
residents and other members of the public would benefit from the proposed increased
funding for such programs if the majority of San Miguel County Electors casting ballots
at the November 6, 2001 election approve such an increase in the County’s General Fund
property tax mill levy;

WHEREAS, the Board of County Commissioners finds that the proposed partial
taxpayer funding in the amount of $688,585 for County acquisition, development,
maintenance and operations of open space, parks, trails, historic preservation, fairgrounds
and other related purposes will leverage additional grants from various governmental and
private entities interested in supporting these County purposes and will result in overall
funding for these County purposes well in excess of the amount raised solely by the
proposed County ad valorem property tax mill levy;

WHEREAS, pursuant to §1-5-203(3)(a), C.R.S., the Board of County Commissioners
must certify the ballot contents regarding County issues to be submitted for voter
approval to the San Miguel County Clerk and Recorder prior to the fifty-fifth day before
the November 6, 2001 odd-numbered year election to be conducted pursuant to §1-41-
103, C.R.S.;

WHEREAS, the Board of County Commissioners has reviewed the proposed ballot
question, as set forth herein below, to be considered at the November 6, 2001 odd-
numbered year election, and has determined that the health, safety, and welfare of the
residents of San Miguel County and the public will be served if said ballot question is
submitted to the County’s registered electors in order that additional property tax
revenues and associated grants may be generated and expended in 2002 and thereafter,
to be budgeted and appropriated to the County’s General Fund for the purposes set forth in
said ballot question, until and unless repealed at an election by a majority of the
registered electors of San Miguel County voting thereon.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of
San Miguel County, State of Colorado, to certify to the San Miguel County Clerk and
Recorder that the following question be placed on the November 6, 2001 odd-numbered
year election ballot:

A. SHALL SAN MIGUEL COUNTY, COLORADO, TAXES BE INCREASED
$688,585 ANNUALLY through an increase in the San Miguel County General
Fund 2001 ad valorem property tax mill levy of one and one-half (1.5) mills, for
the purpose of providing funds for County acquisition, development, maintenance
and operations of open space, parks, trails, historic preservation, fairgrounds and
other related purposes, and for each year thereafter by the amount of additional ad
valorem property tax revenue which is generated in those subsequent years
through such increased property tax levy of one and one-half (1.5) mills, and shall
San Miguel County be authorized to increase its revenue and expenditure limits
beyond those authorized by Article X, Section 20 of the Colorado Constitution,
commonly known as the Taxpayer's Bill of Rights or "TABOR", and section 29-1-301, C.R.S., for the 2002 fiscal year and each subsequent year thereafter, to the extent of such additional property tax revenues and associated grants, to be budgeted and appropriated to the County General Fund for the purposes stated hereinafore, until and unless repealed by a majority of the registered electors of San Miguel County voting thereon?

_______ Y ES

_______ N O

SAID BALLOT QUESTION shall be voted upon only by San Miguel County, Colorado, registered electors eligible to vote at the November 6, 2001 odd-numbered year election.

If the San Miguel County Clerk and Recorder certifies, in the manner provided by law, that a majority of the legally eligible registered electors of San Miguel County, voting on said question cast their votes in favor of the ballot question set forth hereinafore, said increase in the San Miguel County General Fund property tax revenues and increases in the County's revenue and spending limits, totaling $688,585 plus associated grants for the 2002 fiscal year, shall become effective for 2001 County property taxes due and payable in 2002 and for each year thereafter until and unless repealed by a majority of the registered electors of San Miguel County voting thereon.

APPROVED AND ADOPTED this fifth day of September, 2001, at Telluride, Colorado.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

By: [Signature]
Vern Ebert, Chair

By: [Signature]
Marie Thomas, Chief Deputy Clerk
CERTIFIED RECORD

OF

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, COLORADO
RELATING TO THE ADOPTION OF A RESOLUTION
CONCERNED WITH SUBMITTING TO THE VOTERS OF
SAN MIGUEL COUNTY, A PROPOSAL TO INCREASE THE COUNTY’S
AD VALOREM PROPERTY TAX REVENUES TO THE COUNTY GENERAL
FUND FOR COUNTY ACQUISITION, DEVELOPMENT, MAINTENANCE AND
OPERATIONS OF OPEN SPACE, PARKS, TRAILS, HISTORIC
PRESERVATION, FAIRGROUNDS, AND OTHER RELATED PURPOSES FOR
THE YEAR 2002 AND THEREAFTER AND TO INCREASE THE COUNTY’S
REVENUE AND SPENDING LIMITS TO THE EXTENT OF SUCH
ADDITIONAL PROPERTY TAX REVENUES AND ASSOCIATED GRANTS
RECEIVED FOR THE YEAR 2002 AND THEREAFTER AND AUTHORIZING
THE EXPENDITURE OF SUCH TAX REVENUES AND ASSOCIATED GRANTS
FOR THE PURPOSES SPECIFIED
STATE OF COLORADO  
) ss.
County of San Miguel  
)

The Board of County Commissioners of San Miguel County, Colorado met in regular Session in full conformity with the law and the rules of the County, at the Board of County Commissioners' meeting room 333 West Colorado Avenue, Telluride, Colorado, on Wednesday, the 5th day of September, 2001, at 10:45 a.m.

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

Chair: Vern Ebert
Commissioners: Art Goodtimes
Elaine Fischer

Also present:
Chief Deputy Clerk: Marie Thomas
County Administrator: Lyan Black
Asst. County Attorney: Kevin J. Geiger

Thereupon Commissioner Ebert introduced a resolution as follows:
A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO CONCERNED WITH SUBMITTING TO THE VOTERS OF SAN MIGUEL COUNTY, A PROPOSAL TO INCREASE THE COUNTY'S AD VALOREM PROPERTY TAX REVENUES TO THE COUNTY GENERAL FUND FOR COUNTY ACQUISITION, DEVELOPMENT, MAINTENANCE AND OPERATIONS OF OPEN SPACE, PARKS, TRAILS, HISTORIC PRESERVATION, FAIRGROUNDS, AND OTHER RELATED PURPOSES, FOR THE YEAR 2002 AND THEREAFTER AND TO INCREASE THE COUNTY'S REVENUE AND SPENDING LIMITS TO THE EXTENT OF SUCH ADDITIONAL PROPERTY TAX REVENUES AND ASSOCIATED GRANTS RECEIVED FOR THE YEAR 2002 AND THEREAFTER AND AUTHORIZING THE EXPENDITURE OF SUCH TAX REVENUES AND ASSOCIATED GRANTS FOR THE PURPOSES SPECIFIED

Resolution #2001-51

WHEREAS, pursuant to the provisions of Section 20 of Article X of the Colorado Constitution, also known as the Taxpayer's Bill of Rights ("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;

WHEREAS, §29-1-301, C.R.S., 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;

WHEREAS, the County's Finance Director and Budget Officer has advised the Board of County Commissioners that the County's total assessed valuation for ad valorem property tax purposes for 2001 is currently estimated to be approximately $459,056,460, and that an increase in the ad valorem property tax levy of 1.5 mills would therefore generate approximately $688,585 in additional property tax revenues,

WHEREAS, an increase in the San Miguel County General Fund property tax mill levy in 2001, for property taxes due and payable in 2002, of 1.5 mills 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 pursuant to §29-1-302, C.R.S.;

WHEREAS, the Board of County Commissioners having read and considered the budget requests for 2002 submitted by: the County Open Space Commission for the Purchase of Development Rights Program, the Board of the San Miguel County Recreation District No. 1 for development and maintenance costs associated with the Down Valley Park, the County Trails Commission's Trails Acquisition, Development and Maintenance Program, the County All-Around Board's Fairground Facilities Program, and the County Historic Commission's Historic Landmark Program, which budget requests exceed the amount
currently available and budgeted for those programs, and being otherwise fully advised, 
does hereby find and determine that the health, safety, and welfare of San Miguel County 
residents and other members of the public would benefit from the proposed increased 
funding for such programs if the majority of San Miguel County Electors casting ballots 
at the November 6, 2001 election approve such an increase in the County’s General Fund 
property tax mill levy;

WHEREAS, the Board of County Commissioners finds that the proposed partial 
taxpayer funding in the amount of $688,585 for County acquisition, development, 
maintenance and operations of open space, parks, trails, historic preservation, fairgrounds 
and other related purposes will leverage additional grants from various governmental and 
private entities interested in supporting these County purposes and will result in overall 
funding for these County purposes well in excess of the amount raised solely by the 
proposed County ad valorem property tax mill levy;

WHEREAS, pursuant to §1-5-203(3)(a), C.R.S., the Board of County Commissioners 
must certify the ballot contents regarding County issues to be submitted for voter 
approval to the San Miguel County Clerk and Recorder prior to the fifty-fifth day before 
the November 6, 2001 odd-numbered year election to be conducted pursuant to §1-41-
103, C.R.S.;

WHEREAS, the Board of County Commissioners has reviewed the proposed ballot 
question, as set forth herein below, to be considered at the November 6, 2001 odd-
numbered year election, and has determined that the health, safety, and welfare of the 
residents of San Miguel County and the public will be served if said ballot question is 
submitted to the County’s registered electors in order that additional property tax 
revenues and associated grants may be generated and expended in 2002 and thereafter, to 
be budgeted and appropriated to the County’s General Fund for the purposes set forth in 
said ballot question, until and unless repealed at an election by a majority of the 
registered electors of San Miguel County voting thereon.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of 
San Miguel County, State of Colorado, to certify to the San Miguel County Clerk and 
Recorder that the following question be placed on the November 6, 2001 odd-numbered 
year election ballot:

A. SHALL SAN MIGUEL COUNTY, COLORADO, TAXES BE INCREASED 
$688,585 Annually through an increase in the San Miguel County General 
Fund 2001 ad valorem property tax mill levy of one and one-half (1.5) mills, for 
the purpose of providing funds for County acquisition, development, maintenance 
and operations of open space, parks, trails, historic preservation, fairgrounds and 
other related purposes, and for each year thereafter by the amount of additional ad 
valorem property tax revenue which is generated in those subsequent years 
through such increased property tax levy of one and one-half (1.5) mills, and shall 
San Miguel County be authorized to increase its revenue and expenditure limits 
beyond those authorized by Article X, Section 20 of the Colorado Constitution,
commonly known as the Taxpayer’s Bill of Rights or “TABOR”, and section 29-1-301, C.R.S., for the 2002 fiscal year and each subsequent year thereafter, to the extent of such additional property tax revenues and associated grants, to be budgeted and appropriated to the County General Fund for the purposes stated hereinabove, until and unless repealed by a majority of the registered electors of San Miguel County voting thereon?

YES  NO

SAID BALLOT QUESTION shall be voted upon only by San Miguel County, Colorado, registered electors eligible to vote at the November 6, 2001 odd-numbered year election.

If the San Miguel County Clerk and Recorder certifies, in the manner provided by law, that a majority of the legally eligible registered electors of San Miguel County, voting on said question cast their votes in favor of the ballot question set forth hereinabove, said increase in the San Miguel County General Fund property tax revenues and increases in the County’s revenue and spending limits, totaling $688,585 plus associated grants for the 2002 fiscal year, shall become effective for 2001 County property taxes due and payable in 2002 and for each year thereafter until and unless repealed by a majority of the registered electors of San Miguel County voting thereon.

APPROVED AND ADOPTED this fifth day of September, 2001, at Telluride, Colorado.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

By: Vern Ebert, Chair

By: Marie Thomas, Chief Deputy Clerk
Commissioner Goodtimes then moved that the Resolution be passed and adopted. Commissioner Fischer seconded the motion.

The question being upon the passage and adoption of the Resolution, the roll was called with the following result:

Those voting YES:  
Vern Ebert, Chair  
Art Goodtimes, Commissioner  
Elaine Fischer, Commissioner

Those voting NO:  
None

The Chair thereupon declared that a majority of all the Commissioners elected having voted in favor thereof, the motion was carried, and the Resolution duly passed and adopted.

Thereupon, after consideration of other business to come before the Board of County Commissioners, the meeting was adjourned.

Marie Thomas  
Chief Deputy Clerk to the Board