

BOARD OF COUNTY COMMISSIONERS OF THE
COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2011-30

A RESOLUTION AUTHORIZING A QUESTION TO BE SUBMITTED TO THE
REGISTERED ELECTORS OF THE GUNNISON COUNTY LIBRARY DISTRICT

WHEREAS, the County of Gunnison (the "County") in the State of Colorado, is a county duly organized and existing under the Constitution (the "Constitution") and the laws of the State of Colorado; and

WHEREAS, the members of the Board of County Commissioners of the County (the "Board") have been duly elected, chosen and qualified; and

WHEREAS, pursuant to Section 24-90-112, C.R.S., on August 8, 2011, the Board of Trustees (the "Library Board") of the Gunnison County Library District (the "District") adopted a resolution requesting that the Board submit to the registered electors of the District a ballot question authorizing the County, on behalf of the District, to increase the mill levy to finance the costs of operation and maintenance of the District; and

WHEREAS, the District's Library Director has informed the Board that the Library Board will consider modifying the ballot question that was approved by the Library Board on August 8, 2011 at the regular meeting of the Library Board to be held on August 18, 2011; and

WHEREAS, the District's Library Director has requested that the Board approve the submission of the proposed modified election question to the registered electors of the District, contingent upon the approval of the modified election question by the Library Board prior to submission; and

WHEREAS, Article X, Section 20 of the Constitution ("TABOR") requires voter approval for a mill levy above that for the prior year, increasing property tax revenues above certain limits, and spending certain moneys above limits; and

WHEREAS, November 1, 2011 is one of the election dates at which tax, revenue and spending questions may be submitted to the registered electors of the District pursuant to TABOR; and

COUNTY AND THE DISTRICT BE AUTHORIZED TO COLLECT, RETAIN AND SPEND ALL REVENUES FROM SUCH TAXES AND THE EARNINGS FROM THE INVESTMENT OF SUCH REVENUES AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, SECTION 29-1-301, C.R.S. OR ANY OTHER LAW?

Section 4. Larry Meredith, the Executive Director of the District, is hereby appointed as the designated election official for purposes of performing acts required or permitted by law in connection with the Election. The designated election official is authorized to take all action necessary to carry out this resolution and is authorized to enter into an intergovernmental agreement with the County Clerk pursuant to Section 1-7-116, C.R.S. Any such intergovernmental agreement heretofore entered into in connection with the Election is hereby ratified, approved and confirmed. Notwithstanding any other provision in this resolution, the designated election official shall not submit the election question described in Section 3 to the County Clerk for placement on the ballot unless the Library Board adopts a resolution approving such election question and superseding the Library Board's previous ballot language approved in its resolution dated August 8, 2011.

Section 5. The officers and employees of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 6. All orders, bylaws and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed.

Section 7. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

ADOPTED AND APPROVED this August 16, 2011.



(SEAL)

ATTEST:

Chair, Board of County Commissioners,
Gunnison County

County Clerk

STATE OF COLORADO)
) SS. CERTIFICATE OF COUNTY CLERK
 COUNTY OF GUNNISON)

I, Stella Dominguez, the Clerk and Recorder of Gunnison County, Colorado (the "County"), do hereby certify as follows:

1. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Board of County Commissioners of the County (the "Board") at a regular meeting held on August 16, 2011.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the regular meeting of August 16, 2011, by an affirmative vote of a majority of the members of the Board as follows:

Name	"Yes"	"No"	Absent	Abstain
Hap Channell, Chair	X			
Phil Chamberland	X			
Paula Swenson	X			

3. The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the Chair of the Board, sealed with the County seal, attested by the County Clerk and recorded in the minutes of the Board.

5. There are no bylaws, rules or regulations of the Board which might prohibit the adoption of said Resolution.

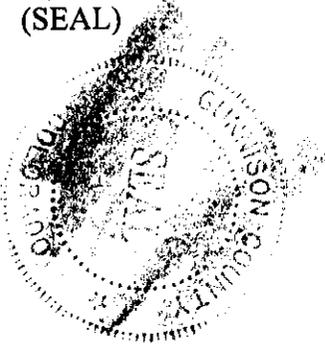
6. Attached hereto as Exhibit A is a copy of the notice of the regular meeting on August 16, 2011, which notice was posted at least 24 hours before such meeting as provided by law.

[The remainder of this page intentionally left blank.]

WITNESS my hand and the seal of the County affixed this 29 day of August,

2011.

(SEAL)




Clerk and Recorder
Gunnison County, Colorado

EXHIBIT A

(Attach copy of notice given prior to the August 16, 2011 meeting)

**GUNNISON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA**

DATE: Tuesday, August 16, 2011
PLACE: Commissioners Meeting Room at Courthouse

Page 1 of 1

COUNTY BOARD OF EQUALIZATION:

- 8:30 am • Call to Order; Minutes Approval
- ADJOURN

S Dominguez Gunnison County, CO 607709
08/29/2011 03:28 PM Pg: 8 of 18
447 R: \$0.00 D: \$


REGULAR MEETING:

- 8:35 am • Call to Order; Agenda Review; Minutes Approval
- 8:40 • Scheduling
 1. Mather Hike; Curecanti National Recreation Area; 9/8/11 – 9/9/11
- 8:50 • County Manager's Reports
- 9:05 • Assistant County Manager's Reports and Project Updates
- 9:20 • Gunnison/Hinsdale Board of Human Services (see separate agenda)
- 10:00 • BREAK
- 10:15 • Staff/Counsel Report on Potential for Moratorium, or Potential Use of the Pending Ordinance Doctrine, Regarding Oil and Gas Operations; Possible Executive Session; No Formal Action Contemplated
- 11:30 • Public Hearing; Liquor License; Black Mesa Lodge, LLC
- 11:40 • Notice from SG Interests I, Ltd. Pursuant to C.R.S. 29-20-203; Authorization of Response Pursuant to C.R.S. 29-20-204; Possible Executive Session; Possible Action
- 11:55 • Colorado Counties, Inc. (CCI) 2011 Legislative Committee Member Appointment
- 12:00 pm • Annual Personnel Review; County Attorney David Baumgarten; Possible Executive Session
- 1:00 • Visitors; Gunnison Valley Health Board of Trustees; Topics of Mutual Interest
- 2:30 • Gunnison County Library District; Election Resolution
- 2:50 • Deputy County Attorney Selection
- 3:00 • Correspondence:
 1. Request for Support; Saguache County Board of County Commissioners; Cochetopa Scenic Byway Project
- 3:05 • Unscheduled Citizens: Limit to 5 minutes per item. No formal action can be taken at this meeting.
- Commissioner Items: Commissioners will discuss among themselves activities that they have recently participated in that they believe other Commissioners and/or members of the public may be interested in hearing about.
- ADJOURN

SPECIAL EVENT (Curecanti Lake Fork Marina):

- 4:00 pm • Curecanti National Recreation Area Designation Legislation Kick-Off

*NOTE: This agenda is subject to change, including the addition of items up to 24 hours in advance or the deletion of items at any time. All times are approximate. The County Manager and Assistant County Manager's reports may include administrative items not listed. Regular Meetings, Public Hearings, and Special Meetings are recorded and **ACTION MAY BE TAKEN ON ANY ITEM**. Work Sessions are not recorded and formal action cannot be taken. For further information, contact the County Administration office at 641-0248. If special accommodations are necessary per ADA, contact 641-0248 or TTY 641-3061 prior to the meeting. Meeting agendas and approved meeting minutes are posted at http://www.gunnisoncounty.org/commissioners_meetings.html.*

ELECTION RESOLUTION

WHEREAS, Gunnison County Library District, Gunnison County, Colorado (the "District"), is a duly organized and existing library district under the Constitution and laws of the State of Colorado; and

WHEREAS, pursuant to Section 24-90-112, C.R.S., the Board of Trustees of the District (the "Board") is authorized to request that the Board of County Commissioners (the "BOCC") of Gunnison County, Colorado (the "County") submit to a vote of the registered electors residing within the District a ballot issue regarding the imposition of ad valorem taxes for the payment of the operation and maintenance expenses of the District; and

WHEREAS, pursuant to Section 24-90-112.5(2.5), C.R.S., the Board may submit the question of creating general obligation indebtedness of the District to a vote of the registered electors residing within the District; and

WHEREAS, Article X, Section 20 of the Colorado Constitution ("TABOR") requires voter approval for any new tax, the creation of any debt and for spending certain moneys above limits established by TABOR; and

WHEREAS, November 1, 2011, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR; and

WHEREAS, it is necessary to set forth certain procedures concerning the conduct of the election; and

WHEREAS, the Board elects to utilize the provisions of the Uniform Election Code of 1992 (the "Code") in order to conduct a coordinated election with the County Clerk of the County on November 1, 2011 (the "Election"); and

WHEREAS, the Board has determined that the interest of the District and the public interest and necessity require that: (1) the Board request that the BOCC submit to the registered electors of the District the issue of authorizing the County, on behalf of the District, to increase the mill levy to finance the costs of operation and maintenance of the District; and (2) the Board, on its own authority, submit to the registered electors of the District the issue of authorizing general obligation indebtedness to finance the acquisition, construction, expansion, or remodeling of real or personal property of the District for library purposes (collectively, the "Project").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF GUNNISON COUNTY LIBRARY DISTRICT, IN THE COUNTY OF GUNNISON AND STATE OF COLORADO:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Board and the officers of the District and the County, directed toward the Election and the Project be, and the same hereby is, ratified, approved and confirmed.

Section 2. The Board has determined, and hereby determines, that the interest of the District and the public interest and necessity demand and require that the Board request that the BOCC submit to the registered electors of the District the ballot question described herein authorizing the County, on behalf of the District, to increase the mill levy to finance the costs of operation and maintenance of the District.

The Board has additionally determined, and hereby determines, that the interest of the District and the public interest or necessity demand and require the creation of general obligation indebtedness of the District to finance the acquisition, construction, expansion, or remodeling of real or personal property of the District for library purposes.

Section 3. Pursuant to Section 24-90-112(1)(b)(III), the BOCC is requested to call an election in and for the District to be held on Tuesday, November 1, 2011, as part of the County coordinated election, at which election there shall be submitted to the registered electors of the District the question set forth in Section 4 of this resolution.

Section 4. The question submitted by the BOCC shall be in substantially the following form:

SHALL GUNNISON COUNTY TAXES FOR SUPPORT OF THE GUNNISON COUNTY LIBRARY DISTRICT BE INCREASED BY \$2,460,500 IN 2011 FOR COLLECTION IN 2012, AND BY SUCH AMOUNTS AS MAY BE COLLECTED ANNUALLY THEREAFTER BY THE IMPOSITION OF A MILL LEVY NOT TO EXCEED 3.5 MILLS, FOR GENERAL FUND PURPOSES, WHICH MAY INCLUDE, WITHOUT LIMITATION, OPERATING EXPANDED AND NEW LIBRARY FACILITIES, AND ALSO MAY INCLUDE, WITHOUT LIMITATION:

- UTILITIES, MAINTENANCE, SUPPLIES AND EQUIPMENT;
- COLLECTIONS (BOOKS AND OTHER MATERIALS);
- TECHNOLOGY ENHANCEMENT;
- PROGRAMMING EXPENSES;
- INSURANCE, ACCOUNTING AND OTHER PROFESSIONAL SERVICES; AND

• PERSONNEL SALARIES;

AND SHALL THE MILL LEVY AUTHORIZED BY THIS QUESTION BE INCREASED OR DECREASED FROM YEAR TO YEAR AS DETERMINED BY THE BOARD SO LONG AS THE MILL LEVY NEVER EXCEEDS THE MAXIMUM OF 3.5 MILLS; AND SHALL THE COUNTY AND THE DISTRICT BE AUTHORIZED TO COLLECT, RETAIN AND SPEND ALL REVENUES FROM SUCH TAXES AND THE EARNINGS FROM THE INVESTMENT OF SUCH REVENUES AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION?

Section 5. Pursuant to Section 24-90-112.5(2.5), the Board hereby calls an election in and for the District to be held on Tuesday, 1 November, 2011, as part of the County coordinated election, at which election there shall be submitted to the registered electors of the District the question set forth in Section 6 of this resolution.

Section 6. The question submitted by the Board shall be in substantially the following form:

SHALL GUNNISON COUNTY LIBRARY DISTRICT DEBT BE INCREASED \$6,500,000 WITH A REPAYMENT COST OF NOT TO EXCEED \$11,810,000, AND SHALL DISTRICT TAXES BE INCREASED NOT MORE THAN \$595,000 ANNUALLY, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EXPANDING, OR REMODELING ANY REAL OR PERSONAL PROPERTY FOR LIBRARY PURPOSES OF THE DISTRICT, INCLUDING, WITHOUT LIMITATION:

- CONSTRUCTING A NEW LIBRARY FACILITY IN GUNNISON, COLORADO; AND
- CONSTRUCTING A NEW CHILDREN'S LIBRARY ANNEX IN CRESTED BUTTE, COLORADO;

SUCH DEBT TO BE EVIDENCED BY THE ISSUANCE OF GENERAL OBLIGATION BONDS, INSTALLMENT SALE OR LEASE PURCHASE AGREEMENTS, OR OTHER MULTIPLE FISCAL YEAR OBLIGATIONS;

SUCH DEBT TO BE SOLD OR ISSUED IN ONE SERIES OR MORE, FOR A PRICE ABOVE OR BELOW THE PRINCIPAL AMOUNT THEREOF, ON TERMS AND CONDITIONS, AND WITH SUCH MATURITIES AS PERMITTED BY LAW AND AS THE DISTRICT MAY DETERMINE, INCLUDING PROVISIONS FOR REDEMPTION OF THE DEBT PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF A PREMIUM OF NOT TO EXCEED THREE PERCENT;

AND SHALL THE MILL LEVY BE INCREASED IN ANY YEAR, WITHOUT LIMITATION OF RATE AND IN AN AMOUNT SUFFICIENT TO PAY THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON SUCH DEBT OR ANY REFUNDING DEBT (OR TO CREATE A

RESERVE FOR SUCH PAYMENT); AND SHALL THE DISTRICT BE AUTHORIZED TO ISSUE DEBT TO REFUND THE DEBT AUTHORIZED IN THIS QUESTION, PROVIDED THAT AFTER THE ISSUANCE OF SUCH REFUNDING DEBT THE TOTAL OUTSTANDING PRINCIPAL AMOUNT OF ALL DEBT ISSUED PURSUANT TO THIS QUESTION DOES NOT EXCEED THE MAXIMUM PRINCIPAL AMOUNT SET FORTH ABOVE, AND PROVIDED FURTHER THAT ALL DEBT ISSUED BY THE DISTRICT PURSUANT TO THIS QUESTION IS ISSUED ON TERMS THAT DO NOT EXCEED THE REPAYMENT COSTS AUTHORIZED IN THIS QUESTION; AND SHALL SUCH TAX REVENUES AND THE EARNINGS FROM THE INVESTMENT OF THE PROCEEDS OF SUCH OBLIGATIONS AND TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

Section 7. As required by Section 24-90-112.5(2.5), C.R.S.: (I) the objects and purposes for which the indebtedness described herein is proposed to be incurred is set forth in the election question in Section 6 hereof; (II) the amount of indebtedness to be incurred is a maximum of \$6,500,000; (III) the maximum net effective interest rate to be paid on such indebtedness is 6.75%; and (IV) the question to be submitted by the Board to the electors is set forth in Section 6 above.

Section 8. The Election shall be held and conducted in accordance with all applicable provisions of the Uniform Election Code of 1992. The polling places and precincts for the Election shall be those established by the County.

Section 9. Larry Meredith, the Executive Director of the District, shall be the designated election official for purposes of performing acts required or permitted by law in connection with the Election and is authorized by the Board to enter into an intergovernmental agreement with the County Clerk pursuant to Section 1-7-116, C.R.S., in connection with the Election.

Section 10. The officers and employees of the District are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution, including, without limitation, delivery of a copy of this resolution to the BOCC pursuant to Section 24-90-112.5(2.5)(b), C.R.S.

Section 11. All acts, orders or resolutions, or parts thereof, in conflict with this resolution are repealed.

Section 12. If any provision of this resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this resolution.

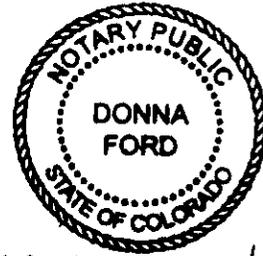
ADOPTED AND APPROVED this August 8, 2011.

Bruce Bartleson
President

(SEAL)

ATTEST:

Pat Jenkins
Secretary



My Commission Expires 12/03/2012

Signed by Bruce Bartleson,
President of Gunnison County
Library District on August
8, 2012 in the presence of
Notary Public Above.

STATE OF COLORADO)
)
 COUNTY OF GUNNISON)
)
 GUNNISON COUNTY LIBRARY)
 DISTRICT)

SS.

I, the duly chosen, qualified and acting Secretary of Gunnison County Library District (the "District"), Gunnison County, Colorado, do hereby certify that:

1. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the Board of Trustees (the "Board") of the District at a special meeting of the Board held on August 8, 2011.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the special meeting of August 8, 2011, by an affirmative vote of a majority of the members of the Board as follows:

Name	"Yes"	"No"	Absent	Abstain
Bruce Bartleson, President	✓			
Jim Barron, Vice President	✓			
Vicki Spencer, Treasurer	✓			
Pat Lazerus, Secretary	✓			
Mary Vader, Trustee			✓	
Edmund A. Seymour, Trustee	✓			

3. The members of the Board were present at such meeting and voted on the passage of such resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the President, sealed with the District seal, attested by the Secretary and recorded in the minutes of the Board.

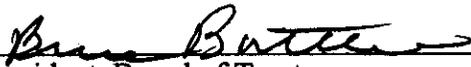
5. All members of the Board were given due and proper notice of the meeting.

6. Attached hereto as Exhibit A is a copy of the notice of the special meeting on August 8, 2011, which notice was posted at least 24 hours before such meeting as provided by law.

NOTICE OF SPECIAL MEETING

TO THE BOARD OF TRUSTEES
OF THE
GUNNISON COUNTY LIBRARY DISTRICT

NOTICE IS HEREBY GIVEN that a special meeting of the Board of Trustees (the "Board") of the Gunnison County Library District (the "District"), Gunnison County, Colorado, will be held at the O'Leary Building Conference Room, 225 N. Pine Street, Gunnison, Colorado, on Monday, August 8, 2011, at 4 p.m., for the purpose of considering the matters shown in the attached meeting agenda, including, without limitation, the approval of an election resolution: (i) requesting that the Board of County Commissioners of Gunnison County, Colorado place a measure on the November 1, 2011 ballot seeking voter approval for a mill levy increase of not to exceed 3.5 mills for operation and maintenance expenses of the District; and (ii) referring a measure to the November 1, 2011 ballot seeking voter approval for the issuance of general obligation indebtedness of the District in an amount not to exceed \$6,505,000.



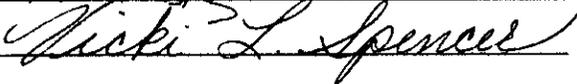
President, Board of Trustees
Gunnison County Library District

ACKNOWLEDGMENT OF NOTICE AND
CONSENT TO SPECIAL MEETING

We, the undersigned members of the Board of Trustees of the District, do hereby acknowledge receipt of the foregoing notice of the special meeting of August 8, 2011, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us, and consent and agree to the holding of such meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before such meeting.







Board of Trustees
Gunnison County Library District

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the District
this August 8, 2011.

(SEAL) *Seal*


Secretary

S Dominguez Gunnison County, CO 607709
08/29/2011 03:28 PM
447 R: \$0.00 Pg: 16 of 18
D: \$



EXHIBIT A

(Attach copy of notice given prior to the August 8, 2011 meeting)

S Dominguez Gunnison County, CO 607709
08/29/2011 03:28 PM Pg: 17 of 18
447 R: \$0.00 D: \$
[Barcode]

**GUNNISON COUNTY LIBRARY DISTRICT
BOARD OF DIRECTORS**

SPECIAL MEETING AGENDA

**4 p.m., Monday, August 8, 2011
O'Leary Building Conference Room, 225 N. Pine St., Gunnison**

**A SPECIAL MEETING CALLED TO CONSIDER TWO MAIN ITEMS
AND TO POSSIBLY CONVENE AN EXECUTIVE SESSION
TO CONSIDER PERSONNEL ISSUES**

1. Call meeting to order
2. Approve Agenda
3. Acknowledge Quorum
4. Discussion and approval of "Election Resolution" and "Resolution No. ____"
5. Discussion and approval of IGA with County Clerk for the Nov. 1, 2011 election
6. Brief Director's Report
7. Executive Session (if necessary)
8. Set next meeting date
9. Adjournment