

**RESOLUTION NO. 10-08**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO ESTABLISHING THE BERTHOUD COMMUNITY LIBRARY DISTRICT**

WHEREAS, in November of 1976, Town of Berthoud ("Town") voters voted to approve a mill levy in the amount .5 mills to be used for library purposes ("1976 Mill Levy"); and

WHEREAS, pursuant to Resolution No. 11-97, the Town resolved to appropriate a portion of the 1% Town sales tax to the Berthoud library ("Library Sales Tax Share"); and

WHEREAS, in November of 2006, an additional 1.9 mill levy was approved by Town voters to be used for library purposes (collectively, with the 1976 Mill Levy, "Library Mill Levy"); and

WHEREAS, in November of 2007, the voters approved a citizen initiative to establish the Berthoud Community Library District ("District") pursuant to Sections 24-90-101 to 606 of the Colorado Revised Statutes (the "Library Law"), the boundaries of which comprise generally the same service area as the Berthoud Fire Protection District that lies within Larimer County; and

WHEREAS, at the November 2007 election, in addition to the question authorizing formation of the District ("Formation Question"), the voters also considered a question authorizing imposition of the Library Mill Levy upon the property within the District ("Mill Levy Question"), which question did not pass; and

WHEREAS, Section 24-90-107(3)(g) of the Library Law states that if a majority of the electors vote in favor of the establishment of a library district, the legislative bodies of each establishing governmental unit shall forthwith establish such library district; and

WHEREAS, the Town and County of Larimer, as the "establishing governmental units under the Library Law," desire to form the District on the basis of the Formation Question, with the understanding that the Mill Levy Question will be placed on the November 2008 ballot; and

WHEREAS, the Library Law further requires that the legislative bodies of the establishing governmental units appoint members of their legislative bodies to a committee that shall appoint the initial board of trustees of the Library District.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:**

Section 1. That pursuant to the requirements of the Colorado Library Law, the Town, in cooperation with the County of Larimer, Colorado, hereby establishes the Berthoud Community Library District as directed by the electors; provided, however, that such action is contingent upon the Larimer County Commissioners taking similar action.

Section 2. That the Town will continue to financially support the library as it has in past by appropriating and remitting to the District, the revenues from the Library Mill Levy and to the extent annually allocated by the Board of Trustees, a share of the 1% sales tax until the earlier of 2012 or the year following the passage of the Mill Levy Question.

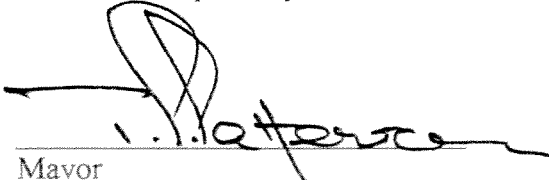
Section 3. Pursuant to §24-90-108(2)(c), C.R.S., Town Trustee Dick Shepard and Mayor Tom Patterson are hereby appointed to be the selection committee and appoint the following individuals to the initial Board of Trustees of the District, all of whom reside within the service area of the District:

- Herb Meeker (1 year term)
- Hank Stuck (2 year term)
- Peg Obenhaus (3 year term)
- Karen Crane (4 year term)
- Lauri Weaver (4 year term)
- Kathryn Churchill (5 year term)
- Ken Mathias (5 year term)


Following the initial appointments, the Town hereby delegates to the Board of Trustees of the District, the authority to recommend appointment of new trustees, the ratification of which will be considered by Town pursuant to Section 108(2)(c).

**ADOPTED AND APPROVED THIS 8TH DAY OF JULY, 2008 BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO.**

**TOWN OF BERTHOUD,**  
a Colorado municipal corporation

By:   
Mayor

ATTEST:

By:   
Town Clerk