

RESOLUTION

RESOLUTION SUBMITTING TO THE REGISTERED ELECTORS OF THE PROPOSED ESTES VALLEY PUBLIC LIBRARY DISTRICT AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, THE 8TH DAY OF NOVEMBER, 1988, THE QUESTIONS OF ESTABLISHING THE DISTRICT AND INCREASING THE MAXIMUM AUTHORIZED MILL LEVY FOR SUCH DISTRICT AND PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, the County of Larimer (the "County"), in the State of Colorado (the "State"), is a body corporate and politic and a political subdivision duly organized and existing under the Constitution and the laws of the State; and

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

WHEREAS, under the provisions of Title 24, Article 90, Part 1, Colorado Revised Statutes (the "Act"), a library district may be established within the boundaries (or portions thereof) of two or more governmental units by petition of one hundred registered electors residing within the proposed library district addressed to the legislative body of the governmental unit in the proposed library district having the largest population according to the most recent federal census; and

WHEREAS, pursuant to the Act, a petition (the "Petition") for the organization of a library district known as the Estes Valley Public Library District (the "District") located within a portion of the County (including the Town of Estes Park) has been filed with the Board; and

WHEREAS, the Petition requests the Board a) to submit the question of the establishment of the District to a vote of

DATE 7/8/88  
APPROVED AS TO FORM  
Rick Coel  
Assistant County Attorney

the registered electors residing within the boundaries of the District at the general election to be held on November 8, 1988 and b) to submit to such electors the question of increasing the maximum authorized mill levy for the establishment and maintenance of the District from one and one-half mills to two and one-half mills pursuant to Section 112(1)(b) of the Act (collectively, the "election questions"); and

WHEREAS, no library district election has been held within the last two years; and

WHEREAS, the Petitioners have filed a bond sufficient to pay all expenses connected with the organization of the District if the organization is not effected; and

WHEREAS, the Act provides that if the Petition satisfies the requirements of the Act, the Board must submit the question of establishment of the District to the registered electors of the District, at the next general election; and

WHEREAS, the Board now deems it necessary that a resolution be adopted submitting the election questions to the registered electors of the District at the November 8, 1988 general election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LARIMER IN THE STATE OF COLORADO:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the County and the officers thereof, directed towards the objects and purposes herein stated and the submission of the election questions be, and the same hereby is, ratified, approved and confirmed.

Section 2. The Board has determined and hereby declares that a) the Petition satisfies all the requirements in the Act and b) the public interest and necessity demand and require the acceptance of the Petition and the submission of the election questions to the electors of the proposed District.

Section 3. At the general election to be held on Tuesday, November 8, 1988, there shall be, and there hereby is, submitted to the registered electors of the proposed District the election questions which questions shall be in substantially the following forms:

#### ORGANIZATIONAL QUESTION

Shall the Estes Valley Public Library District be established as a library district in a portion of Larimer County, Colorado with boundaries coterminous with the Park Hospital District?

FOR the Organization:

AGAINST the Organization:

#### MILL LEVY QUESTION

If the Estes Valley Public Library District is established in a portion of Larimer County, Colorado, shall the Board of County Commissioners of the County of Larimer, Colorado, be authorized to increase the maximum tax levy from one and one-half mills to not more than two and one-half mills for the establishment and maintenance of public libraries?

YES:

NO:

Section 4. The provisions of State law shall govern the election and the County Clerk is hereby directed to include the election questions on the ballots in the precincts within the

boundaries of the proposed District and to otherwise conduct the general election and the canvass thereof in accordance with the laws of the State.

Section 5. The officers of the County be, and they hereby are, 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.

Section 8. This resolution shall be in full force and effect from and after its adoption.

ADOPTED AND APPROVED this July 13, 1988.

Daugh W. Hansen  
Chairman

(SEAL)

ATTEST:

Mary R. Blom  
County Clerk