

Nancy

RESOLUTION NUMBER _____

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ELBERT, COLORADO

A RESOLUTION ESTABLISHING THE ELBERT COUNTY LIBRARY DISTRICT AND SUBMITTING TO THE REGISTERED ELECTORS OF ELBERT COUNTY AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 7, 2000, THE QUESTION OF WHETHER THE ELBERT COUNTY LIBRARY DISTRICT SHALL BE AUTHORIZED TO LEVY A MAXIMUM OF 2.816 MILLS UPON REAL AND PERSONAL PROPERTY WITHIN THE DISTRICT FOR THE ESTABLISHMENT, OPERATION, AND MAINTENANCE OF THE ELBERT COUNTY LIBRARY DISTRICT

WHEREAS, notice of public hearings for the establishment of the Elbert County Library District ("Library District" or "District") has been published in the Elbert County News in accordance with the provisions of C.R.S. 24-90-107(2), and C.R.S. 24-90-103(12); and

WHEREAS, the Board of County Commissioners of Elbert County, being the governmental unit authorized to form the Library District, has held public hearings regarding the establishment of the District in compliance with the provisions of C.R.S. 24-90-107(2); and

WHEREAS, the establishment of the Library District in accordance with the terms and conditions set forth in the Memorandum of Understanding ("MOU") (in the form attached hereto) between the Board of County Commissioners and the Elbert County Library Board of Trustees will be in the best interests of the taxpayers and residents of Elbert County ("County") and will promote the general welfare of the County and its inhabitants;

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Elbert County as follows:

1. The Library District shall be established as of November 15, 2000, subject to elector approval at the November 7, 2000 general election of a property tax levy not to exceed 2.816 mills upon all real and personal property within the District, to provide financial support for library operations and maintenance, in compliance with all provisions of the MOU and Colorado Library Law, C.R.S. 24-90-101 et seq. Thereafter, the Elbert County Public Library shall become the Library District.

2. The Board of Trustees of the Library District ("Library District Board") shall consist of five to seven members. The initial Library District Board shall consist of five to seven members and shall be appointed upon the recommendation of the Elbert County Library Board of Trustees. The initial Library District Board shall be appointed within eight (8) days after the approval by the electorate of the ballot issue described herein. Thereafter, the Library District Board shall recommend the appointment of new Trustees. The first appointments to the Board of Trustees shall be for the terms set forth in C.R.S. 24-90-108(3)(a). Thereafter, Trustees shall be appointed for the length of terms specified by the bylaws adopted by the Library District Board. The number of Trustees and the number of terms a Trustee may serve shall be specified by the bylaws adopted by the Library District Board.

3. The Library District shall have all of the powers and duties and shall perform all of the functions of a Library District under the provisions of C.R.S. 24-90-101 et seq. (the Colorado Library Law) as the same shall be amended from time to time.

4. The service area of the Library District shall include all territory within the boundaries of Elbert County. No area of the County will be excluded from the Library District. The electors of Elbert County must approve any amount of tax levy not previously established by resolution or ordinance nor previously approved by the electors before the Library District can be established.

5. Subject to the approval of District electors of the Library District, the Library District Board shall be authorized to impose a property tax levy not to exceed 2.816 mills generating total property tax revenue in an amount not to exceed \$475,000.00 in 2001 to provide financial support for the establishment, operation, and maintenance of public libraries within the County. Upon approval of the Library District ballot issue, the County will no longer levy property taxes for library operations and will reduce its property tax mill levy by .816 mills, beginning in 2000 for collection in 2001.

6. The following ballot issue relating to the new property tax levy for the Library District shall be submitted to District electors at the November 7, 2000 TABOR election:

SHALL ELBERT COUNTY LIBRARY DISTRICT TAXES BE INCREASED \$475,000.00 IN 2001 AND ANNUALLY THEREAFTER IN SUCH AMOUNTS AS ARE RECEIVED BY THE IMPOSITION OF AN AD VALOREM PROPERTY TAX LEVY NOT TO EXCEED 2.816 MILLS, COMMENCING WITH TAX COLLECTION YEAR 2001, AND EACH YEAR THEREAFTER, AND SHALL SUCH REVENUE AND INVESTMENT INCOME THEREON AND ALL REVENUE FROM ANY OTHER SOURCE BE COLLECTED, RETAINED, AND SPENT FOR DISTRICT OPERATIONS, CAPITAL IMPROVEMENTS, AND ANY OTHER LAWFUL PURPOSE, AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY

SPENDING REVENUE-RAISING, OR OTHER LIMITATIONS IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION AND WITHOUT REGARD TO THE TAX REVENUE LIMITATIONS CONTAINED WITHIN SECTION 29-1-301, ET SEQ., COLORADO REVISED STATUTES?

7. The election costs shall be paid from County Library funds

8. The MOU is hereby approved. If District electors approve the above-referenced ballot issue, and upon ratification of the MOU by the Library District Board, the MOU shall become an intergovernment agreement between the County and the Library District.

PASSED AND ADOPTED this _____ day of _____, 2000, in Kiowa, Colorado, Elbert County, Colorado.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ELBERT, COLORADO

BY: _____,
_____, Chairman of the Board

ATTEST:

_____, Elbert County Clerk and Recorder

Public Comment Speakers: Marilyn Duffield, Ernie Fazekas, Mary Johnson and Joann Abbie.

Commissioner Dunn made a motion that the Chairman of the Board sign the MOU between Elbert County and the Elbert County Library Board of Trustees as presented with a date of January 1, 2001 where it showed December 31, 2001 and February 28, 2001. Commissioner Metli seconded the motion. The roll having been called, the vote was as follows:

John Dunn	Aye
John Metli	Aye
Wayne Perry	Aye

Motion carried unanimously.

Commissioner Dunn made a motion to establish the Elbert County Library District and submit to the registered electors of Elbert County at the General Election to be held on November 7, 2000, the question of whether the Elbert County Library District shall be authorized to levy a maximum of 2.816 mills upon real and personal property within the District for the establishment, operation and maintenance of the Elbert County Library District. Commissioner Metli seconded the motion. The roll having been called, the vote was follows:

John Dunn	Aye
John Metli	Aye
Wayne Perry	Aye

Motion carried unanimously.

RESOLUTION 00-52
A RESOLUTION ESTABLISHING THE ELBERT COUNTY LIBRARY
AND SUBMITTING THE QUESTION TO ESTABLISH THE LIBRARY
DISTRICT TO THE REGISTERED VOTERS OF ELBERT COUNTY
AT THE NOVEMBER 7, 2000, GENERAL ELECTION

NAMING OF ROAD EASEMENTS:

Mapper Bart Chambers came before the Board to request that the Board of Commissioners name the east/west easement off of County Road 33 to Private Road 144 and the north/south easement to Private Road 35. The purpose for this request is to correctly address the property for emergency services.

Public Comment Speakers: None

Commissioner Dunn made a motion to name the east/west easement off of County Road 33 to Private Road 144 and the north/south easement to Private Road 35. Commissioner

Commissioner Dunn made a motion to approve Payroll Warrant #031731 through #031898 for \$251,124.79 dated 04/28/00. Commissioner Metli seconded the motion. The roll having been called, the Chairman declared the motion unanimously carried and so ordered.

Commissioner Dunn made a motion to approve A/P Generated by Payroll Warrant #064851 through #064896 in the amount of \$187,833.51 dated 04/28/00. Commissioner Metli seconded the motion. The roll having been called, the Chairman declared the motion unanimously carried and so ordered.

ADMINISTRATIVE MANAGER:

Administrative Manager Pat Bollig came before the Board to discuss the following items:

Pat presented three bid proposals for drywall for the kitchen area in the Fairgrounds Multi-Purpose Building. Commissioner Metli made a motion to accept the bid from Timber Drywall Inc., in the amount of \$4,620.00. Commissioner Dunn seconded the motion. The roll having been called, the Chairman declared the motion unanimously carried and so ordered.

The Board again discussed the overweight fines that Waste Management has been receiving for the pulls at the Compactor Site. The Board instructed Pat to contact Waste Management and have a representative come before the Board to discuss the situation.

Pat requested approval to open an account with Mailboxes Etc. Commissioner Metli made a motion to open an account with Mailboxes Etc., for \$300.00. Commissioner Dunn seconded the motion. The roll having been called, the Chairman declared the motion unanimously carried and so ordered.

The Board instructed Pat to obtain prices for an additional modular unit for the Courts.

Recessed for lunch at 11:45 a.m.

Reconvened at 1:00 p.m.

ELBERT COUNTY LIBRARY DISTRICT - PUBLIC HEARING:

The Elbert County Library Board Trustees along with Mary Johnson, Library Volunteer, came before the Board to make a presentation on why the library should become its own library district. The formation of this library district would need to be approved by the vote of the people at the November 7, 2000, general election, with a proposed property tax mill levy not to exceed 2.816 mills. Also submitted was a Memorandum of Understanding between the Library District and Elbert County and would serve as an IGA, if the library district formation is approved by the electors of the County.