



STATE OF COLORADO )
) ss.
COUNTY OF ROUTT )

RESOLUTION NO. 2005-072

A RESOLUTION CALLING FOR AN ELECTION BY THE VOTERS TO AUTHORIZE THE IMPOSITION OF A COUNTYWIDE PROPERTY TAX OF 1.5 MILLS (.0015) TO CONTINUE THE FUNDING OF THE ROUTT COUNTY PURCHASE OF DEVELOPMENT RIGHTS FUND; PROVIDING FOR THE DEPOSIT AND EXPENDITURE OF THE REVENUES DERIVED FROM SAID TAX; PROVIDING OTHER DETAILS RELATING TO SUCH TAX; AND AMENDING ROUTT COUNTY RESOLUTION NUMBER 96-059

WHEREAS, Section 20, Article X of the Colorado Constitution and Sections 29-1-302(3), 30-11-107 (d) and 39-1-111, Colorado Revised Statutes ("C.R.S."), authorize counties to levy a property tax upon the approval of a majority of the registered electors of the county voting on such proposal; and

WHEREAS, the Routt County Purchase of Development Rights Fund (the "Fund") was established in accordance with Routt County Resolution Number 96-059, as corrected by Routt County Resolution Number 96-063 and pursuant to an affirmative vote of the electors of Routt County on November 5, 1996, which vote also approved the levy of a 1 mill tax to expire at the end of tax year 2006; and

WHEREAS, since the establishment of the Fund and the Purchase of Development Rights program (the "PDR Program") in 1996, the Program has conserved over 7400 acres of land in Routt County having significant agricultural, ranching, riparian, open space and wildlife habitat values; and

WHEREAS, there continues to be a critical need to conserve and protect ranch and agricultural lands and natural areas to ensure the quality of life of the citizens of Routt County; and

WHEREAS, agriculture and ranching are important local industries that directly and indirectly provide jobs and revenue, and it is in the best interests of the present and future citizens of Routt County to encourage landowners to make a long-term commitment to agriculture and ranching by offering financial incentives and security of land use; and

WHEREAS, the continued purchase of development rights from willing landowners will help to manage growth and ensure that the ranches, rural heritage, wildlife, riparian and open spaces of Routt County are preserved for future generations; and

WHEREAS, the Board of County Commissioners of Routt County has determined that it is appropriate and in the best interests of the citizens of Routt County that the question of the renewal of and increase in the mill rate of a mill levy for the funding of the Program be submitted to the electors of Routt County.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

**Section 1. Ballot Issue**

Pursuant to Section 20, Article X of the Colorado Constitution, the following issue (the “Ballot Issue”) shall be submitted to the registered electors of Routt County at the election to be held on Tuesday, November 1, 2005:

SHALL ROUTT COUNTY TAXES BE INCREASED UP TO \$1,250,000 ANNUALLY (FOR TAX YEAR 2005- COLLECTIBLE IN 2006) AND BY WHATEVER AMOUNTS RAISED ANNUALLY THROUGH TAX YEAR 2024 (COLLECTIBLE IN 2025), TO BE USED SOLELY FOR THE PRESERVATION OF NATURAL LANDS, INCLUDING LANDS THAT PRESERVE WATER QUALITY, WILDLIFE HABITAT, WORKING RANCHES AND SCENIC LANDSCAPES AND VISTAS, FROM A 1.5 MILL PROPERTY TAX LEVY WITH NO MORE THAN TWO PERCENT (2%) TO BE USED FOR ADMINISTRATION AND ALL EXPENDITURES SUBJECT TO THE RECOMMENDATIONS OF A CITIZEN ADVISORY COMMITTEE AND TO BE ADMINISTERED IN ACCORDANCE WITH ROUTT COUNTY RESOLUTION NO. 96-059, AS CORRECTED BY ROUTT COUNTY RESOLUTION NO. 96-063 AND AMENDED BY ROUTT COUNTY RESOLUTION NO. 2005-072; AND, IN CONNECTION THEREWITH SHALL ROUTT COUNTY BE ENTITLED TO COLLECT AND SPEND ALL REVENUES FROM SUCH TAX REGARDLESS OF WHETHER THE ANNUAL REVENUES FROM SUCH TAX IN ANY YEAR AFTER THE FIRST FULL YEAR IN WHICH IT IS IN EFFECT EXCEED THE ESTIMATED DOLLAR AMOUNT STATED ABOVE, AND WITHOUT LIMITATION OR CONDITION, AND WITHOUT LIMITING THE COLLECTION OR SPENDING OF ANY OTHER REVENUES OR FUNDS BY ROUTT COUNTY UNDER ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

**Section 2: Deposit and Expenditure of Proceeds of Mill Levy, If Approved**

If the ballot question set forth in Section 1 hereof is approved, then the proceeds of the approved mill levy shall be distributed to and held in the previously established Program Fund and shall be held and used in accordance with the provisions of Routt County Resolution Number 96-059 as amended by this Resolution.

**Section 3. Amendment of Portions of Routt County Resolution Number 96-059**

Routt County Resolution Number 96-059 is hereby amended as follows:

Section 4.3 is amended to provide in its entirety:

“4.3. The Board shall budget no more than two percent (2%) of the revenues anticipated to be received in the relevant budget year from the property tax authorized by the Ballot Issue for the County’s costs of administration, auditing, consulting and for reimbursement of expenses to members of the Citizens Advisory Board and planning of expenditures from the Fund. This limitation shall not apply to transaction costs listed in Section 8 of Resolution Number 96-059.”



Except as so amended, Routt County Resolution Number 96-059 shall remain in full force and effect.

**Section 4. Effective Date-Expiration Date**

The property tax provided for in the PDR Ballot Issue shall expire at midnight on December 31, 2025 with the last tax year for which the mill levy is to be collected being 2024. Notwithstanding said expiration, all moneys remaining in the Fund shall be retained in the Fund and shall continue to be expended only pursuant to and for the purposes set forth in this Resolution until completely exhausted.

**Section 5. Miscellaneous**

- 5.1. If the Ballot Issue is approved at the election to be held on November 1, 2005, its provisions shall not be repealed or amended except by a majority vote of the registered electors of the County.
- 5.2. 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.
- 5.3. This Resolution shall be effective immediately upon its adoption.

**PASSED AND ADOPTED** at a regular meeting of the Board of County Commissioners of the County of Routt, Colorado, this 16th day of August, 2005.

ATTEST:

*Kay Weinland*  
Kay Weinland, County Clerk

BY THE BOARD OF COUNTY COMMISSIONERS

*Daniel R. Ellison*  
Daniel R. Ellison, Chairman

RESOLUTION VOTE:

<i>by: Judy Wegard</i> <i>Deputy Clerk</i>	Douglas B. Monger:	<input checked="" type="radio"/> Yes	No	Abstain	Absent
	Nancy J. Stahoviak:	<input checked="" type="radio"/> Yes	No	Abstain	Absent
	Daniel R. Ellison:	<input checked="" type="radio"/> Yes	No	Abstain	Absent

