

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF HINSDALE, STATE OF COLORADO**

RESOLUTION NO. 12, SERIES 2018

A RESOLUTION CONCERNING THE SUBMISSION TO THE REGISTERED ELECTORS OF HINSDALE COUNTY A REFERRED BALLOT QUESTION AT THE NOVEMBER 6, 2018 GENERAL ELECTION REGARDING WHETHER HINSDALE COUNTY MAY RE-ESTABLISH ITS LEGAL ABILITY TO PROVIDE CABLE TELEVISION SERVICES, TELECOMMUNICATIONS SERVICES, AND/OR ADVANCED SERVICES

WHEREAS, affordable, reliable, and innovative telecommunication services are hereby found and determined to be essential for Hinsdale County's residents, visitors and businesses in today's economic environment and for quality of life; and

WHEREAS, in 2005 the Colorado General Assembly enacted Senate Bill 152, which is codified at § 29-27-101, C.R.S. *et seq.*, which provides that before a local government may provide telecommunications services, advanced services, or cable television services, as such services are defined in the statute, it must call an election on the question of providing such services and obtain the approval of the majority of its registered electors voting on any such ballot question; and

WHEREAS, any such ballot question must be approved by a majority of the legally eligible Hinsdale County registered electors voting on such ballot measure before becoming effective; and

WHEREAS, the Hinsdale County Board of County Commissioners deems that Hinsdale County having the ability to provide telecommunications services, advanced services, and/or cable television services to be in the best interests of the health, safety and welfare of the residents, visitors and business of Hinsdale County.

NOW, THEREFORE, BE IT RESOLVED BY THE HINSDALE COUNTY BOARD OF COUNTY COMMISSIONERS, as follows:

1. The following ballot question is hereby referred and submitted to the registered electors of Hinsdale County, Colorado, at the November 6, 2018 general election:

Without increasing taxes, shall Hinsdale County, Colorado reestablish its right to provide any or all services, which were restricted since 2005 by Title 29, Article 27, Part 1 of the Colorado Revised Statutes, specifically described as "advanced services," "telecommunications services," and "cable television services," as defined by said statute, including but not limited to, any new and improved high bandwidth services based on currently available or future technologies, utilizing community owned infrastructure, including but not limited to, any existing fiber optic network, either directly or indirectly with public sector or private sector

providers, to potential public and private subscribers? A "yes vote" authorizes the county government to pursue and/or provide "advanced services," "telecommunications services," and/or "cable television services." A "no vote" does not authorize the county government to pursue and/or provide "advanced services," "telecommunications services," and/or "cable television services."

Yes _____

No _____

2. Said ballot question shall be voted upon only by Hinsdale County registered electors legally eligible to vote at the November 6, 2018 general election.

3. Upon the Hinsdale County Board of County Commissioners certifying the ballot question to the Hinsdale County Clerk and Recorder in substantially the form set forth hereinabove, all acts required or permitted by the Colorado Election Code, C.R.S. § 1-7-101, *et seq.*, as amended, relevant to providing notice, the mailing to electors of any required information, or pertaining to the conduct of the election on such ballot question at the November 6, 2018 general election, including, but not limited to, voting by early voter's ballots, absentee ballots, and emergency absentee ballots, which are to be performed by the designated election official, shall be performed by the Hinsdale County Clerk and Recorder.

INTRODUCED by Commissioner Stan Whinnery, seconded by Commissioner Cindy Dozier, and passed this 25th day of July, 2018.



BOARD OF COUNTY COMMISSIONERS,
COUNTY OF HINSDALE,
STATE OF COLORADO

By: Susan Thompson
Susan Thompson, Chair

ATTEST:

Joan Roberts
Joan Roberts, Hinsdale County Clerk and Recorder