

RESOLUTION NO. 2018 - 97

**RESOLUTION REFERRING A QUESTION TO THE VOTERS REGARDING AN INCREASE  
IN COUNTY PROPERTY TAXES FOR THE SOLE PURPOSE OF OPERATING AND  
MAINTAINING THE MOFFAT COUNTY LIBRARIES AND THE MUSEUM OF  
NORTHWEST COLORADO AND SETTING BALLOT QUESTION 1A FOR THE  
NOVEMBER 6, 2018 GENERAL STATE ELECTION**

**WHEREAS**, Moffat County, is a body politic duly organized and existing as a county under Article XIV of the Colorado Constitution; and

**WHEREAS**, all legislative powers possessed by Moffat County, conferred by Article XIV of the Colorado Constitution, except as otherwise existing by operation of law, are vested in the Board of County Commissioners; and

**WHEREAS**, Section 20, Article X of the Colorado Constitution and Sections 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 registered electors of the county voting on such proposal; and

**WHEREAS**, Moffat County's decline in revenues, combined with a statutory requirement to avoid long-term deficit spending, led to significant reductions to the 2018 budget, including substantial reductions to the Museum of Northwest Colorado ("Museum") and the Moffat County Libraries ("Libraries") which have greatly affected their operations and sustainability; and

**WHEREAS**, it is understood that attracting new investments, businesses and residents into a community requires more than just basic services – it requires a defined culture with desirable amenities; and

**WHEREAS**, museums and libraries are foundational cornerstones in any community, especially remote communities such as those in Moffat County; and

**WHEREAS**, it is in the best interests of the present and future citizens of Moffat County to make a long-term commitment to stability of the Museum and Libraries; and

**WHEREAS**, both residents and visitors recognize and appreciate the values associated with our local history, heritage and culture in Moffat County; and

**WHEREAS**, the Museum of Northwest Colorado has become a nationally-acclaimed museum that gives a positive first impression to visitors and potential residents; and

**WHEREAS**, the Museum of Northwest Colorado attracts thousands of visitors to Moffat County every year by advertising in every Colorado Welcome Center, tourist establishments in Steamboat Springs, the Yampa Valley Regional Airport and on three (3) large billboards located at every major entrance to Craig; and

**WHEREAS**, the Museum of Northwest Colorado is the local repository for generations of local families with over 3,500 family and individual files and tens of thousands of artifacts; and

**WHEREAS**, the Museum of Northwest Colorado relies on its history of financial stability and perpetuity to receive donations of priceless heirlooms and photos from local families and individuals; and

**WHEREAS**, Moffat County Libraries have three (3) branches located in Craig, Maybell and Dinosaur that serve as important resources available to citizens and visitors throughout Moffat County; and

**WHEREAS**, Moffat County Libraries experience over 80,000 visitors per year and are steadily growing; and

**WHEREAS**, Moffat County Libraries currently have over 7,500 active cardholders – equivalent to 57% of the entire population of Moffat County; and

**WHEREAS**, Moffat County Libraries will continue to be a valuable resource to Moffat County schools and have an immeasurable effect on the education and betterment of county citizens; and

**WHEREAS**, Moffat County Libraries are an essential asset that provides services otherwise unavailable to our community's elderly, underprivileged, and disabled populations; and

**WHEREAS**, the Board of County Commissioners of Moffat County recognize the museum and libraries are crucial community assets and, after thorough consideration, have concluded that a dedicated mill levy will provide the best opportunity to ensure their stable future for generations to come; and

**WHEREAS**, Article X, Section 20 of the Colorado Constitution, also referred to as the Taxpayer's Bill of Rights ("TABOR"), requires voter approval for any new tax, any increase in any tax rate, the creation of any debt extension of an expiring tax and the spending of certain funds above limits established by TABOR; and

**WHEREAS**, the Board of County Commissioners of Moffat County has determined that it is appropriate and in the best interests of the citizens of Moffat County that the question of the imposition of an additional mill levy for the support of the Museum of Northwest Colorado and the Moffat County Libraries be submitted to the electors of Moffat County.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Moffat County, Colorado, that:

1. Pursuant to Section 20, Article X of the Colorado Constitution, there shall be referred to the registered electors of the County of Moffat, State of Colorado at the election to be held on Tuesday, November 6, 2018, the following ballot proposal:

SHALL MOFFAT COUNTY TAXES BE INCREASED UP TO \$1,200,000 ANNUALLY (COMMENCING IN TAX YEAR 2018, FOR COLLECTION IN 2019) AND BY WHATEVER AMOUNTS MAY BE RAISED ANNUALLY

THEREAFTER BY AN ADDITIONAL MILL LEVY OF 2.85 MILLS TO BE DEDICATED SOLELY FOR OPERATING AND MAINTAINING THE MOFFAT COUNTY LIBRARIES (CRAIG, MAYBELL, AND DINOSAUR BRANCHES) AND THE MUSEUM OF NORTHWEST COLORADO, WITH THE LIBRARIES TO RECEIVE 64% OF THE FUNDS AND THE MUSEUM TO RECEIVE 36% OF THE FUNDS, AND SHALL THE COUNTY (FOR THE PURPOSES SPECIFIED HEREIN) BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND ALL REVENUES FROM SUCH TAXES AND THE EARNINGS FROM THE INVESTMENT OF SUCH REVENUES AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

2. That the County Clerk shall include such proposal on the ballot for the next election and shall otherwise comply with the election provisions of The Colorado Constitution and the Colorado Revised Statutes.
3. That the exact ballot proposal to be submitted to the qualified electors of the County of Moffat, State of Colorado, shall read as follows:

SHALL MOFFAT COUNTY TAXES BE INCREASED UP TO \$1,200,000 ANNUALLY (COMMENCING IN TAX YEAR 2018, FOR COLLECTION IN 2019) AND BY WHATEVER AMOUNTS MAY BE RAISED ANNUALLY THEREAFTER BY AN ADDITIONAL MILL LEVY OF 2.85 MILLS TO BE DEDICATED SOLELY FOR OPERATING AND MAINTAINING THE MOFFAT COUNTY LIBRARIES (CRAIG, MAYBELL, AND DINOSAUR BRANCHES) AND THE MUSEUM OF NORTHWEST COLORADO, WITH THE LIBRARIES TO RECEIVE 64% OF THE FUNDS AND THE MUSEUM TO RECEIVE 36% OF THE FUNDS, AND SHALL THE COUNTY (FOR THE PURPOSES SPECIFIED HEREIN) BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND ALL REVENUES FROM SUCH TAXES AND THE EARNINGS FROM THE INVESTMENT OF SUCH REVENUES AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

Yes [ ]      No [ ]

1. The County Clerk and Recorder and other County officials and employees as necessary are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.
2. All actions not inconsistent with the provisions of this Resolution heretofore taken by the members of the Board of County Commissioners and the officers and employees of the County and directed toward holding the election for the purposes stated herein are hereby ratified, approved and confirmed.

3. The Board of County Commissioners finds and declares that this Resolution is promulgated and adopted for the public health, safety and welfare and this Resolution bears a rational relationship to the legislative object sought to be obtained.

ADOPTED and SIGNED this 6<sup>th</sup> day of September, 2018.

THE BOARD OF COUNTY COMMISSIONERS OF  
MOFFAT COUNTY, COLORADO


  
\_\_\_\_\_  
Ray Beck, Chairman

STATE OF COLORADO )  
  ) ss.  
COUNTY OF MOFFAT )

I, Lila Herod, County Clerk and Ex-officio to the Board of Commissioners, do hereby certify that the above and foregoing is a true and complete copy of the resolution as adopted by the Board of County Commissioners on the date stated.

Witness my hand and seal of the said County this 6<sup>th</sup> day of September, 2018.



  
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County Clerk and Ex-officio to County  
Commissioners, Moffat County,  
State of Colorado, Lila Herod

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