

1999 - RESOLUTION INDEX

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THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 13<sup>th</sup> day of December, 1999, with the following persons in attendance:

Commissioners: G. Eugene Story, Kent Lindsay, and  
Glenn E. Wilson, Jr.  
Commissioners Absent:  
County Administrator: Thomas J. Weaver  
County Attorney: Bob Slough  
Clerk and Recorder: Evie Ritthaler

the following proceedings, among others, were taken:

Resolution # 10-99

A RESOLUTION TO APPROPRIATE SUMS OF MONEY

WHEREAS, the Commissioners have adopted the annual budget in accordance with Local Government Budget Law on December 13, 1999, and;

WHEREAS, The Commissioners have made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget, and;

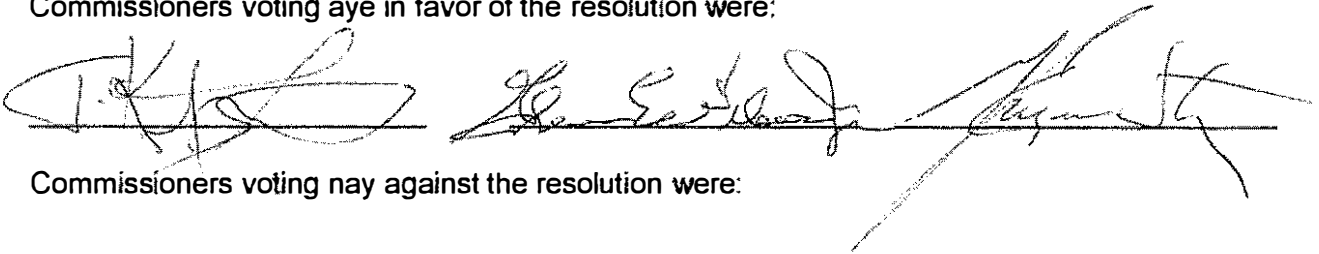
WHEREAS, it is not only required by law, but also necessary to appropriate the revenue provided in the budget to and for the purposed described below so as not to impair the operations of the County.

NOW THEREFORE BE IT RESOLVED by the Commissioners of Montezuma County, Colorado, that the following sums are hereby appropriated from the revenue of each fund, to each fund, for current operating expenses:

FUND OPERATIONS


General	\$ 5,511,776
Social Services	\$ 4,048,572
Road	\$ 3,006,800
Lodgers Tax	\$ 60,000
Conservation Trust	\$ 140,000
Landfill	\$ 540,000
Revolving Loan Fund	\$ 0
Water Rights Escrow Fund	\$ 50,000
Emergency Telephone	\$ 65,000
Capital Fund	\$ 50,000
Correctional Facility	\$ 5,500,000

Commissioners voting aye in favor of the resolution were:



Commissioners voting nay against the resolution were:

\_\_\_\_\_


  
County Clerk and Recorder  
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado and the votes upon same are true and correct.

Dated this 13<sup>th</sup> day of December, 1999.

(SEAL)



  
County Clerk and Recorder  
Montezuma County, Colorado

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 13<sup>th</sup> day of December, 1999, with the following persons in attendance:

Commissioners: G. Eugene Story, Kent Lindsay, and  
Glenn E. Wilson, Jr.  
Commissioners Absent:  
County Administrator: Thomas J. Weaver  
County Attorney: Bob Slough  
Clerk and Recorder: Evie Ritthaier

the following proceedings, among others, were taken:

Resolution # 9-99

A RESOLUTION TO SET MILL LEVIES

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 1999 TO HELP DEFRAID THE COSTS OF GOVERNMENT FOR MONTEZUMA COUNTY, COLORADO, FOR THE 2000 BUDGET.

WHEREAS, the Commissioners of Montezuma County, Colorado, have adopted the annual budget in accordance with the Local Government Budget Law on the 13<sup>th</sup> day of December, 1999, and;

WHEREAS, the 1999 valuation by the Commissioners of Montezuma County as certified by the County Assessor is \$;

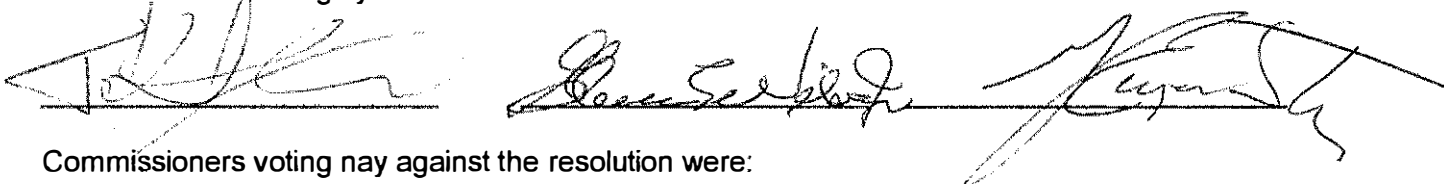
NOW THEREFORE BE IT RESOLVED by the Commissioners of Montezuma County, Colorado, that;

For the purpose of meeting all general operating expenses of Montezuma County during the 2000 budget year, there is hereby levied a tax of mills as stated below upon each dollar of the total valuation of assessment of all taxable property within the County for the year 1999.

SUMMARY OF FUNDS BUDGET 2000

County General	10.118
Social Services	1.520
Road and Bridge	2.616
TOTAL COUNTY MILL LEVY	14.255

Commissioners voting aye in favor of the resolution were:

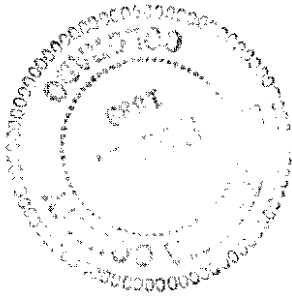


Commissioners voting nay against the resolution were:

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado and the votes upon same are true and correct.

Dated this 13th day of December, 1999.

(SEAL)



Nelda Jenkins Deputy  
County Clerk and Recorder  
Montezuma County, Colorado

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 13<sup>th</sup> day of December, 1999, with the following persons in attendance:

Commissioners: G. Eugene Story, Kent Lindsay, and  
Glenn E. Wilson, Jr.  
Commissioners Absent:  
County Administrator: Thomas J. Weaver  
County Attorney: Bob Slough  
Clerk and Recorder: Evie Ritthaler

the following proceedings, among others, were taken:

Resolution # 8-99

A RESOLUTION ADOPTING A BUDGET FOR MONTEZUMA COUNTY, COLORADO FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2000 AND ENDING ON THE LAST DAY OF DECEMBER, 2000.

WHEREAS, the Commissioners of Montezuma County, Colorado, have appointed Thomas J. Weaver to prepare and submit a proposed budget to said governing body, and;

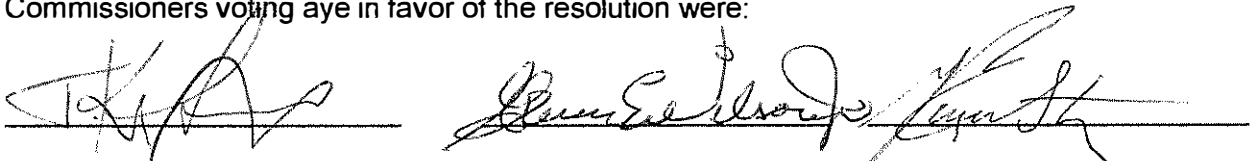
WHEREAS, Mr. Weaver has submitted a proposed budget to this governing body for its consideration, and;

WHEREAS, due to proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on December 13, 1999, and interested electors were given the opportunity to file or register any objections to said proposed budget, and;

NOW THEREFORE BE IT RESOLVED by the Commissioners of Montezuma County, Colorado, that;

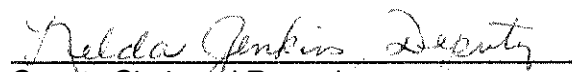
The budget as submitted hereby is approved and adopted as the budget of Montezuma County, Colorado for the year stated above.

Commissioners voting aye in favor of the resolution were:



Commissioners voting nay against the resolution were:

\_\_\_\_\_

  
County Clerk and Recorder  
Montezuma County, Colorado

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado and the votes upon same are true and correct.

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 13th day of December, 1999, with the following persons in attendance:

Commissioners: G. Eugene Story, Kent Lindsay, and  
Glenn E. Wilson, Jr.  
Commissioners Absent:  
County Administrator: Thomas J. Weaver  
County Attorney: Bob Slough  
Clerk and Recorder: Evie Ritthaler

the following proceedings, among others, were taken:

Resolution # 7-99

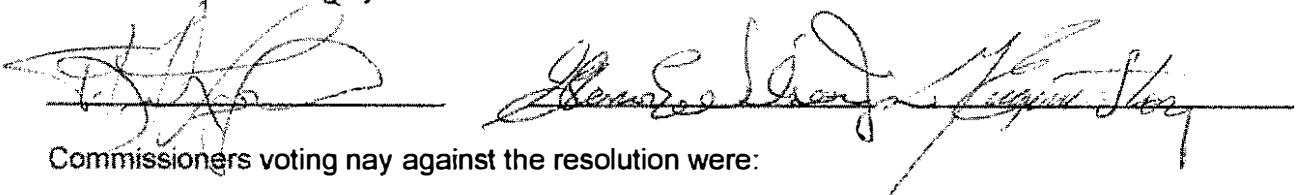
WHEREAS, Montezuma County adopted an operating budget for the General Fund, Road and Bridge Fund and Landfill Fund in December, 1998, for the ensuing year, and;

WHEREAS, Montezuma County after adoption of the 1999 budget, received unanticipated revenues or revenues not assured at the time of the adoption of the budget other than the local government's property tax mill levy;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Montezuma County, Colorado, the governing board, may authorize the expenditure of such funds by enacting a supplemental budget and appropriation as follows;

GENERAL FUND	\$ 443,376.00
Commissioners	\$ 3,600.00
Clerk	1,917.00
Jail	10,068.00
Sheriff	157,693.00
District Attorney	9,585.00
County Fair	200.00
Extension	1,351.00
Health	18,630.00
Administration	15,640.00
Misc.	23,692.00
J.B.	201,000.00
ROAD AND BRIDGE FUND	\$ 317,307.00
LANDFILL	\$ 25,000.00

Commissioners voting aye in favor of the resolution were:

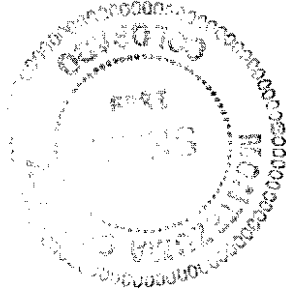


Commissioners voting nay against the resolution were:

I certify that the above Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado and the votes upon same are true and correct.

Dated this 13th day of December, 1999.

(SEAL)



Nelda Jenkins Deputy  
County Clerk and Recorder  
Montezuma County, Colorado



**RESOLUTION # 6-99**

**A RESOLUTION APPROVING THE LAW ENFORCEMENT ASSISTANCE  
FUND (LEAF) CONTRACT # L-17-00**

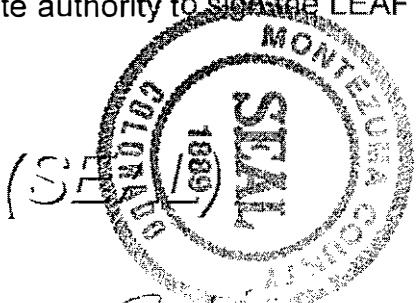
**WHEREAS**, the County of Montezuma, on behalf of the Montezuma County Sheriff's Office, has submitted an application to the Colorado Department of Transportation, Office of Transportation Safety for funding a LEAF project for the enforcement of laws pertaining to the driving under the influence of alcohol or other drugs, pursuant to §43-4-401 through 404, CRS and to LEAF Rules at 2CCR 602.1; and

**WHEREAS**, the State has approved an application and has prepared LEAF Contract which provides \$31,000; and

**WHEREAS**, the County of Montezuma has the authority and responsibility to fund the Montezuma County Sheriff's Office and to sign contracts on behalf of the Montezuma County Sheriff's Office; and

**WHEREAS**, a resolution by the County of Montezuma formally approving the LEAF Contract and authorizing the proper signature to be affixed to the Contract indicating such approval is required by the State of Colorado.

**NOW, THEREFORE, BE IT RESOLVED**, the County of Montezuma hereby approves the term, conditions and obligations of LEAF Contract and hereby authorizes the appropriate authority to sign the LEAF Contract on behalf of the County of Montezuma.



Nelda Jenkins  
Attest

Deputy Clerk  
Title 10-18-99

[Signature]  
Name  
Chairman BOCC  
Title

Resolution No. 5 - 99

A RESOLUTION OF MONTEZUMA COUNTY IMPOSING A COUNTY-WIDE SALES AND USE TAX; RESTRICTING THE REVENUES GENERATED FROM THE SALES AND USE TAX FOR THE PURPOSE OF CONSTRUCTING AND EQUIPPING A COUNTY JAIL, INCLUDING THE REMODEL OF EXISTING FACILITIES TO ACCOMMODATE THE JUSTICE BUILDING TREATMENT UNIT, AND FUNDING THE OPERATION, MAINTENANCE, REPAIR AND IMPROVEMENT OF THE COUNTY JAIL; AUTHORIZING THE ISSUANCE OF SALES AND USE TAX REVENUE BONDS, ESTABLISHING A CAPITAL IMPROVEMENT FUND FOR DEPOSIT OF SUCH AMOUNT OF SALES AND USE TAX REVENUES AS DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS TO BE NECESSARY FOR THE PAYMENT OF THE BONDS AND PROVIDING FOR THE REMAINING PORTION OF SUCH REVENUES; SETTING THE BALLOT TITLE AND BALLOT QUESTION REFERRING THIS RESOLUTION AT AN ELECTION TO BE HELD NOVEMBER 2, 1999; TERMINATING THE SALES AND USE TAX FOLLOWING THE PAYMENT OF ALL BONDS OR REFUNDING BONDS AUTHORIZED BY THE BALLOT ISSUE; PROVIDING THE EFFECTIVE DATE OF THIS RESOLUTION; AND SETTING FORTH OTHER DETAILS IN RELATION THERETO.

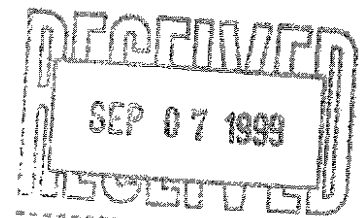
WHEREAS, the Board of County Commissioners (the "Board") of the County of Montezuma (the "County") and the State of Colorado (the "State"), desires to establish a secure funding source for the construction and equipping of a County jail, including the remodel of existing facilities to accommodate the justice building treatment unit, and for the operation, maintenance, repair and improvement of the jail over a determined period of time; and

WHEREAS, pursuant to part 1 of article 2 of section 29 of the Colorado Revised Statutes, Montezuma County, Colorado (the "County"), is authorized to levy a county sales tax and use tax; and

WHEREAS, the Board has formulated a plan to fund such capital improvements and expenses from a temporary county sales tax and use tax and from the issuance of sales and use tax revenue bonds; and

WHEREAS, no proposal for a county sales tax and use tax shall become effective until approved by a majority of the registered electors of the county voting on such proposal pursuant to section 29-2-104, C.R.S.; and

WHEREAS, the Board has determined to set the ballot title and ballot question for the question to be submitted at the election called by this Resolution.



NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado, that the following proposal for a county-wide sales tax and use tax is hereby referred to the registered electors of Montezuma County.

1. Amount of tax and deposit of revenue.
  - (a) The amount of tax shall be forty-five one hundredths (0.45%) percent and all revenue received by Montezuma County from said tax shall be deposited (i) into the "Montezuma County Sales and Use Tax Capital Improvement Trust Fund", hereby created pursuant to section 29-2-111, and expended solely for the purpose of constructing and equipping a County jail, including the remodel of existing facilities to accommodate the justice building treatment unit, and all necessary or incidental costs related thereto, or for the payment of bonds or other obligations issued for such purpose, or (ii) into the "Montezuma County Jail Operations Fund", hereby created, and expended solely for the purpose of paying the costs of operating, maintaining, repairing and improving the County jail. Said tax shall terminate on the earliest permitted date following the payment of all bonds or refunding bonds authorized by the Ballot Question set forth hereafter.
  - (b) The Board, in its sole discretion, shall annually determine the amount of sales and use tax revenues to be deposited into the Montezuma County Sales and Use Tax Capital Improvement Trust Fund; provided however, such amount shall not be less than the amount necessary for payment, when due, of the bonds authorized by the Ballot Question set forth hereafter.
  - (c) In calendar year 2001, no greater than \$266,170 of the sales and use tax revenue shall be deposited in the Montezuma County Jail Operations Fund, such deposits to be allocated as follows: 58% to be used for jail operations and 42% to be used for the justice building treatment unit. After calendar year 2001, the maximum annual amount of the tax revenue which may be deposited in the Montezuma County Jail Operations Fund shall not exceed the maximum amount which is permitted in the previous calendar year plus 3% of such amount.

2. Description of the sales tax

- (a) Approval by the registered electors shall impose a sales tax as provided by law in the amount of forty-five one hundredths (0.45%) percent on the sale of tangible personal property at retail and the furnishing of services, as provided in paragraph (d) of this subsection, in Montezuma County.
- (b) For the purpose of this sales tax proposal, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to a destination outside the limits of Montezuma County or to a common carrier for delivery to a destination outside the limits of Montezuma County. The gross receipts from such sales shall include

delivery charges when such charges are subject to the State sales and use tax imposed by article 26 of title 39, C.R.S., regardless of the place to which delivery is made. If a retailer has no permanent place of business in Montezuma County, or has more than one place of business, the place at which the retail sale are consummated for the purpose of a sales tax imposed hereby shall be determined by the provisions of article 26 of title 39, C.R.S., and by rules and regulations promulgated by the department of revenue.

- (c) The amount subject to tax shall not include the amount of any sales or use tax imposed by article 26 of title 39, C.R.S.
- (d) The tangible personal property and services taxable pursuant hereto shall be the same as the tangible personal property and services taxable pursuant to section 39-26-104, C.R.S., and subject to the same exemptions as those specified in section 39-26-114, C.R.S., except section 39-26-114(18), C.R.S. Sales of food, as defined in section 39-26-102(4.5), C.R.S., shall be exempt. Purchases of machinery or machine tools as provided in section 39-26-114(11), C.R.S., shall be exempt. Sales and purchases of farm equipment or farm equipment under lease or contract as provided in section 39-26-114(20), C.R.S., shall be exempt. Pesticides that are registered by the State Commissioner of Agriculture for use in the production of agriculture and livestock products pursuant to the provisions of the "Pesticide Act", article 9 of title 35, C.R.S., and offered for sale by dealers licensed to sell such pesticides pursuant to section 35-9-115, C.R.S., as provided in section 39-26-114(23), C.R.S., shall be exempt. And the sales and purchases of those items in section 39-26-114(1)(a)(XXI), C.R.S., shall be exempt, said items being electricity, coal, wood, gas, fuel oil, and coke sold, but not for resale, to occupants of residences, whether owned, leased, or rented by said occupants, for the purpose of operating residential fixtures and appliances which provide light, heat, and power for such residences. "Gas" includes natural, manufactured, and liquefied petroleum gas.
- (e) All sales of personal property on which a specific ownership tax has been paid or is payable shall be exempt from said sales tax when such sales meet both the following conditions:
  - (I) The purchaser is a nonresident of or has his principal place of business outside of Montezuma County; and
  - (II) Such personal property is registered or required to be registered outside the limits of Montezuma County under the laws of this State.
- (f) The seven percent limitation provided in section 29-2-108, C.R.S., will not be exceeded in any municipality within Montezuma County.

- (g) That a vendor's fee for the collection of said sales tax shall be allowed pursuant to 39-26-105, C.R.S.

3. Description of the use tax

Approval by the registered electors shall impose a use tax as provided by law in the amount of forty-five one hundredths (0.45%) percent on the storing, using or consuming in Montezuma County any motor and other vehicles purchased at retail outside Montezuma County on which registration is required.

- (a) Said use tax shall not apply to the storage, use, or consumption of any tangible personal property the sale of which is subject to a retail sales tax imposed by Montezuma County.
- (b) Said use tax shall not apply to the storage, use, or consumption of any tangible personal property purchased for resale in Montezuma County, either in its original form or as an ingredient of a manufactured or compounded product, in the regular course of business.
- (c) Said use tax shall not apply to the storage, use, or consumption of tangible personal property brought into Montezuma County by a nonresident thereof for his own storage, use, or consumption while temporarily within Montezuma County; however, this exemption does not apply to the storage, use, or consumption of tangible personal property brought into this State by a nonresident to be used in conduct the of a business in this State.
- (d) Said use tax shall not apply to the storage, use, or consumption of tangible personal property by the United States government, or the State of Colorado, or its institutions, or its political subdivisions in their governmental capacities only or by religious or charitable corporations in the conduct of their regular religious or charitable functions.
- (e) Said use tax shall not apply to the storage, use, or consumption of tangible personal property by a person engaged in the business of manufacturing or compounding for sale, profit, or use any article, substance, or commodity, which tangible personal property enters into the processing of or becomes an ingredient or component part of the product or service which is manufactured, compounded or furnished and the container, label, or the furnished shipping case thereof.
- (f) Said use tax shall not apply to the storage, use, or consumption of any article of tangible personal property the sale or use of which has already been subjected to a legally imposed sales or use tax of another county equal to or in excess of that imposed hereby. A credit shall be granted against the use tax imposed hereby with respect to a person's storage, use, or consumption in the subsequent county of tangible personal property purchased by him in a previous county. The amount of

the credit shall be equal to the tax paid by him by reason of the imposition of a sales or use tax of the previous county on his purchase or use of the property. The amount of the credit shall not exceed the tax imposed hereby.

- (g) Said use tax shall not apply to the storage, use, or consumption of tangible personal property and household effects acquired outside Montezuma County and brought into it by a nonresidential acquiring residency.
- (h) Said use tax shall not apply to the storage or use of a motor vehicle if the owner is or was, at the time of purchase, a nonresident of Montezuma County and he purchased the vehicle outside of Montezuma County for use outside the county and actually so used it for a substantial and primary purpose for which it was acquired and he registered, titled, and licensed said motor vehicle outside Montezuma County.
- (i) Said use tax shall not apply to the storage, use, or consumption of any construction and building materials and motor and other vehicles on which registration is required if a written contract for the purchase thereof was entered into prior to the effective date of such use tax.
- (j) Said use tax shall not apply to the storage, use, or consumption of any construction and building materials required or made necessary in the performance of any construction contract bid, let, or entered into at any time prior to the effective date of such use tax.
- (k) That the Montezuma County Clerk and Recorder shall collect said use tax for Montezuma County and that no registration shall be made of any motor or other vehicle for which registration is required, and no certificate of title shall be issued for such vehicle by the Department of Revenue or its authorized agents until any tax due upon the use, storage, or consumption thereof pursuant to this Resolution has been paid. Said Montezuma County Clerk and Recorder may enter into agreements with the Colorado Department of Revenue for the collection of said tax.

4 That the revenue and spending limits of Art. 10, Section 20, Colorado Constitution or any other law shall not apply to or limit said sales and use tax and revenue therefrom or expenditure thereof and said revenue and expenditures shall not be included in any revenue and spending limitation and shall be collected and spent without limitation or condition except as herein provided.

5. An election shall be held on Tuesday, November 2, 1999 at which there shall be submitted to the eligible electors of the County a question authorizing a debt and tax increase (the "Ballot Question"), which question shall be in substantially the form set forth hereafter.

SHALL MONTEZUMA COUNTY DEBT BE INCREASED BY AN AMOUNT NOT TO EXCEED \$6,260,000, WITH A MAXIMUM REPAYMENT COST OF \$10,950,000, AND SHALL MONTEZUMA COUNTY TAXES BE INCREASED \$975,000 (FIRST FULL FISCAL YEAR DOLLAR INCREASE); SUCH DEBT TO CONSIST OF SALES AND USE TAX REVENUE BONDS OR OTHER FINANCIAL OBLIGATIONS ISSUED SOLELY FOR THE PURPOSE OF CONSTRUCTING AND EQUIPPING A COUNTY JAIL, INCLUDING THE REMODEL OF EXISTING FACILITIES TO ACCOMMODATE THE JUSTICE BUILDING TREATMENT UNIT, AND ALL NECESSARY OR INCIDENTAL COSTS RELATED THERETO, AND TO BE ISSUED, DATED AND SOLD AT SUCH TIMES, AND AT SUCH PRICES (AT OR ABOVE PAR) AND CONTAINING SUCH TERMS, NOT INCONSISTENT HEREWITH, AS THE BOARD OF COUNTY COMMISSIONERS MAY DETERMINE; SUCH TAX INCREASE TO CONSIST OF A COUNTY-WIDE SALES AND USE TAX OF 0.45% (FORTY-FIVE ONE-HUNDREDTHS OF ONE PERCENT, WHICH REPRESENTS 45 CENTS ON EACH 100 DOLLAR PURCHASE) BEGINNING JANUARY 1, 2000, WITH A TERMINATION OF SUCH TAX INCREASE FOLLOWING THE PAYMENT OF ALL BONDS OR REFUNDING BONDS AUTHORIZED BY THIS BALLOT ISSUE; SHALL THE COUNTY BE AUTHORIZED TO ESTABLISH A CAPITAL IMPROVEMENT FUND AND TO DEPOSIT INTO SAID FUND SUCH AMOUNT OF SALES AND USE TAX REVENUES AS DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS TO BE NECESSARY FOR PAYMENT OF THE BONDS AUTHORIZED HEREIN; SHALL THE REMAINING PORTION OF THE SALE AND USE TAX REVENUES BE DEPOSITED INTO A COUNTY JAIL OPERATIONS FUND TO BE UTILIZED SOLELY FOR THE PURPOSE OF FUNDING OPERATION, MAINTENANCE, REPAIR AND IMPROVEMENT OF THE COUNTY JAIL; SHALL RESOLUTION NO. 5 - 99 OF THE COUNTY PROVIDING FOR THE IMPOSITION OF THE SALES AND USE TAX BE APPROVED; AND SHALL ALL TAX REVENUES GENERATED FROM THE SALES AND USE TAX AUTHORIZED HEREIN AND FROM ANY EARNINGS FROM THE INVESTMENT OF SUCH REVENUES AND THE PROCEEDS OF SUCH BONDS CONSTITUTE A VOTER-APPROVED REVENUE CHANGE, AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE 10, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW?

6. The election shall be conducted as a coordinated election in Montezuma County in accordance with articles 1 to 13 of title 1, C.R.S. For purposes of C.R.S. § 1-11-203.5, this Resolution shall serve to set the ballot title and the ballot question for the question set forth herein and the ballot title for such question shall be the text of the question itself. 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.

7. Should any one or more sections or provisions of this Resolution be judicially determined invalid or unenforceable, such determination shall not affect, impair, or invalidate the remaining provisions hereof, the intention being that the various provisions hereof are severable.

8. Upon approval by a majority of the registered electors voting thereon at said election, this proposal for a sales tax and use tax shall be effective throughout the incorporated

and unincorporated portions of Montezuma County on January 1, 2000, and continuing said tax terminates on the earliest permitted date following the payment of all bonds or refunding bonds authorized by the Ballot Question set forth herein.

9. That this Resolution and the sales and use tax provided for herein shall conform to the constitutional and statutory provisions cited herein and as amended hereafter.

10. The Montezuma County Clerk and Recorder shall publish the text of this proposal as provided in section 29-2-104(5), C.R.S., and the Montezuma County Clerk and Recorder shall be the "designated election official" responsible for the running of said election. Upon approval by a majority of the registered electors voting thereon at said election, the Montezuma County Clerk and Recorder shall notify the State Executive Director of the Department of Revenue in accordance with section 29-2-106(2), C.R.S.

This Resolution is adopted this 7 day of Sept, 1999, at 9 o'clock P.M.

BOARD OF COUNTY COMMISSIONERS  
OF MONTEZUMA COUNTY,  
COLORADO

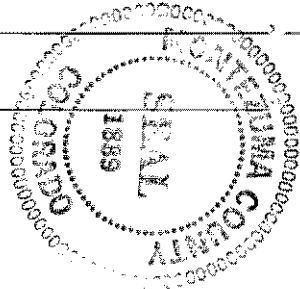
\_\_\_\_\_  
\_\_\_\_\_  
*Eugene Steyer*

Commissioners voting aye in favor of this Resolution were:

*Thomas Weir* and *[Signature]*  
*Eugene Steyer*

Commissioners voting no against this Resolution were:

\_\_\_\_\_ and \_\_\_\_\_



*Thomas Weir*  
Deputy County Clerk and Recorder  
Montezuma County, Colorado



RESOLUTION NO. 4-99

**A RESOLUTION SUSPENDING THE BAN ON OPEN FIRES**


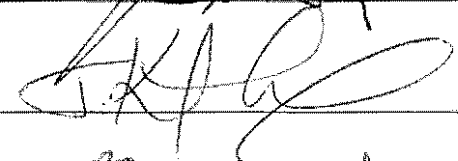
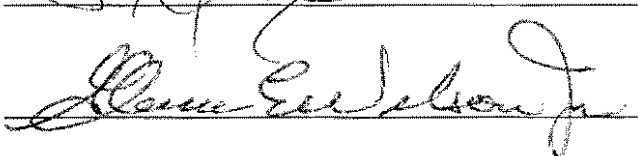
WHEREAS, Montezuma County Ordinance No. 1-96 prohibits open fires in the unincorporated areas of Montezuma County, except as the Board of County Commissioners of Montezuma County based upon competent evidence may by resolution suspend said ban on open fires from time to time to the degree and manner consistent with existing wildfire dangers; and

WHEREAS, competent evidence having been presented of sufficient rainfall throughout Montezuma County temporarily reducing existing wildfire dangers to more normal conditions;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County that said ban on open fires should be and is hereby suspended. Said suspension shall continue in effect until canceled pursuant to Montezuma County Ordinance No. 1-96.

This Resolution is adopted this 2nd day of August, 1999, at 10:40 o'clock A.m.

BOARD OF COUNTY COMMISSIONERS  
OF MONTEZUMA COUNTY, COLORADO

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_


Commissioners voting aye in favor of this Resolution were:

G. Eugene Story, Kent Lindsay and  
Glenn E. Wilson, Jr.

Commissioners voting no against this Resolution were:

\_\_\_\_\_, \_\_\_\_\_ and  
\_\_\_\_\_.



  
\_\_\_\_\_  
County Clerk and Recorder  
Montezuma County, Colorado

RESOLUTION NO. 3-99

A RESOLUTION CANCELLING THE SUSPENSION  
OF THE BAN ON OPEN FIRES

WHEREAS, the Board of County Commissioners of Montezuma County, State of Colorado, based upon competent evidence, finds that the danger of forest and grass fires is high throughout the unincorporated areas of Montezuma County and that to protect the public health, safety and welfare it is necessary to reduce the danger of wildfires within those areas;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County as follows:

1. That Resolution No. 7-98 and the suspension of the ban on open fires is hereby canceled pursuant to Montezuma County Ordinance No. 1-96.
2. That the ban on open fires pursuant to Ordinance No. 1-96 continues in full force and effect.

NOW THEREFORE BE IT RESOLVED that this resolution is hereby adopted effective immediately.

Adopted this 6th day of July, 1999, at 11:14 o'clock A. m.

BOARD OF COUNTY COMMISSIONERS OF  
MONTEZUMA COUNTY, COLORADO

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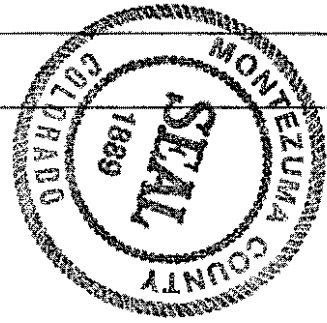
[Signature]  
\_\_\_\_\_

Commissioners voting aye in favor of this Resolution were:

[Signature], [Signature] and  
[Signature]

Commissioners voting no against this Resolution were:

\_\_\_\_\_, \_\_\_\_\_ and  
\_\_\_\_\_



[Signature]  
County Clerk and Recorder  
Montezuma County, Colorado

RESOLUTION NO. 3-99

**A RESOLUTION CANCELLING THE SUSPENSION  
OF THE BAN ON OPEN FIRES**

**WHEREAS**, the Board of County Commissioners of Montezuma County, State of Colorado, based upon competent evidence, finds that the danger of forest and grass fires is high throughout the unincorporated areas of Montezuma County and that to protect the public health, safety and welfare it is necessary to reduce the danger of wildfires within those areas;

**NOW THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Montezuma County as follows:


1. That Resolution No. 7-98 and the suspension of the ban on open fires is hereby canceled pursuant to Montezuma County Ordinance No. 1-96.
2. That the ban on open fires pursuant to Ordinance No. 1-96 continues in full force and effect.

**NOW THEREFORE BE IT RESOLVED** that this resolution is hereby adopted effective immediately.

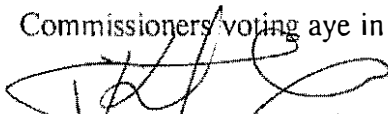

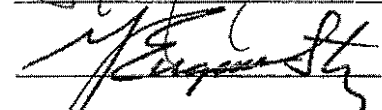
Adopted this 6~~th~~ day of July, 1999, at 11:14 o'clock A. m.

BOARD OF COUNTY COMMISSIONERS OF  
MONTEZUMA COUNTY, COLORADO

\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_

Commissioners voting aye in favor of this Resolution were:

 \_\_\_\_\_,  \_\_\_\_\_ and  
 \_\_\_\_\_

Commissioners voting no against this Resolution were:

RESOLUTION NO. 1999 <sup>#</sup> 2-99

**RESOLUTION TO IMPOSE E911 SURCHARGE ON WIRELESS  
COMMUNICATION USERS**

WHEREAS, the Emergency Telephone Service Association (E911 Association) of Montezuma County was previously established and authorized pursuant to that certain Intergovernmental Agreement to which Montezuma County is a party, to provide emergency telephone service to hard wire telephone users and wireless users; and

WHEREAS, the E911 Association is authorized to impose and collect a surcharge from hard wire telephone lines to fund the cost of operating and maintaining the emergency communication center and the cost of acquiring needed capital and equipment, as determined by the E911 Association; and

WHEREAS, the surcharges presently authorized only apply to hard wire telephone lines and do not apply to wireless telephone service; and

WHEREAS, wireless telephone companies are licensed and regulated under the jurisdiction of the Federal Communication Commission which has previously entered an order requiring the implementation of E911 emergency telephone service to wireless customers in two separate phases (FCC Docket No. 94-102); and

WHEREAS, C.R.S. § 29-11-100.5 et seq. authorizes the imposition by the County of a surcharge on all telephone exchanges, including wireless communication accesses, for the provision of emergency telephone service; and

WHEREAS, it is the desire of the County to impose a surcharge of fifty cents (\$.50) per month against each wireless communications access within Montezuma County for purposes of providing funding to assist wireless communication providers in obtaining the necessary equipment to provide emergency telephone service to wireless customers in accordance with the requirements of FCC Docket No. 94-102.

**IT IS HEREBY RESOLVED THAT:**

I. E911 Association is hereby authorized to implement and collect a surcharge amount not to exceed fifty cents (\$.50) per month per exchange access facility or per wireless communication access in those areas of Montezuma County for which emergency telephone service will be provided. E911 Association, in its discretion, may establish such surcharge at a lesser amount provided such amount is sufficient to defray the expenses of the emergency telephone services provided. However, the amount of the

charge imposed per exchange access facility and the amount of the charge imposed per wireless communications access shall be equal.

2. The foregoing charges may be imposed only upon service users whose address is in those portions of Montezuma County's jurisdiction for which emergency telephone service is provided and shall not be imposed upon any state or local governmental entity.


3. Such charges may be imposed on a date to be determined by the E911 Association but no sooner than the effective date of this resolution which shall be the date of its adoption.

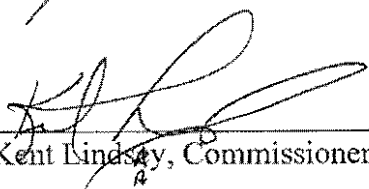
4. The proceeds of the foregoing charge shall be utilized to pay for emergency telephone service as set forth in C.R.S. § 29-11-104 (2).

5. The process for collecting such surcharges and any legal action to enforce the collection thereof shall be as set forth in C.R.S. § 29-11-102 and 29-11-103.

DONE this 8th day of March, 1999 in Cortez, Montezuma County, Colorado.

**Board of County Commissioners**

  
\_\_\_\_\_  
Eugene Story, Chairman

  
\_\_\_\_\_  
Kent Lindsay, Commissioner

  
\_\_\_\_\_  
Kelly Wilson, Commissioner

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA, STATE OF COLORADO  
RESOLUTION # 1-99

REGARDING DEPOSIT OF FUNDS BY COUNTY TREASURER

WHEREAS, the provisions of 30-10-708, as amended, and of Article 47 of Title 11, of the Colorado Revised Statutes, provide that the County Treasurer shall deposit all funds and monies of whatever kind that come into her possession by virtue of her office, in her name as such treasurer, in one or more state banks or national banks having their principal offices in the State of Colorado; and


WHEREAS, pursuant to Part 7 of Article 75 of Title 24, CRS, Montezuma County may pool certain monies in its treasury with similar monies of other Colorado jurisdictions, according to the conditions and requirements of the statute; and


NOW, THEREFORE, BE IT RESOLVED that the County Treasurer of Montezuma County be, and she hereby is, authorized and approved to deposit all the funds and monies of whatever kind that comes into her possession by virtue of her office in her names as such Treasurer in Citizens State Bank of Cortez, Dolores State Bank, Mancos Valley Bank, Vectra Bank Colorado, First National Bank of Cortez, Basin Industrial Bank, Centennial Savings and Loan, Valley National Bank Cortez-Dolores or in any local government surplus funds trust fund formed in accordance with the provisions of Part 7 of Article 75 of Title 24, CRS

BE IT FURTHER RESOLVED that the Treasurer shall ensure that no Montezuma County monies are deposited, or continue to be deposited, in any state bank, or other institution or invest (1) which is not in full compliance with applicable provisions of Article 10.5 and 47 of Title 11, CRS as amended, concerning protection of deposits of public monies, (2) which is not properly insured pursuant to Section 24-75-603, CRS, as applicable, or (3) which is not otherwise in full compliance with any other applicable statute or law concerning investments or deposits by counties.

This Resolution is in effect until rescinded.

ADOPTED AT A REGULAR MEETING OF THE MONTEZUMA COUNTY BOARD OF COMMISSIONERS THIS 18<sup>TH</sup> DAY OF JANUARY, 1999, AT CORTEZ, COLORADO.

By:   
Chairman of Board of County Commissioners

Attest:   
Clerk and Recorder

