

RESOLUTION NO. 2022 - 58

**BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO**

A RESOLUTION PROVIDING FOR THE SUBMISSION OF A REFERRED MEASURE TO THE REGISTERED QUALIFIED ELECTORS OF SUMMIT COUNTY, COLORADO, AUTHORIZING, WITHOUT IMPOSING ANY NEW TAX OR INCREASE IN TAX RATES, THE CONTINUED COLLECTION OF REVENUES FOR THE PROTECTION OF SUMMIT COUNTY CITIZENS FROM WILDFIRES, FOR 911 DISPATCH, AND FOR OTHER PUBLIC PURPOSES PREVIOUSLY APPROVED BY THE VOTERS; AND AUTHORIZING THE COLLECTION AND SPENDING OF SUMMIT COUNTY PROPERTY TAX REVENUES AS A VOTER APPROVED REVENUE CHANGE, TO BE SUBMITTED AT THE GENERAL ELECTION HELD ON NOVEMBER 8, 2022; PRESCRIBING THE FORM OF THE BALLOT MEASURE FOR SUBMISSION AT SAID ELECTION; AND PROVIDING FOR CERTIFICATION OF THE BALLOT MEASURE TO THE COUNTY CLERK AND RECORDER.

WHEREAS, in 2014 the voters of Summit County approved a mill levy of 2.391 mills for the public purposes authorized by Summit County Referred Measure 1(A), which is the mill levy proposed to be extended by this Resolution and vote; and

WHEREAS, Summit County communities have been built in a wildland urban interface zone, which means our homes and infrastructure coexist in areas surrounded by forest fuels, making the threat of wildfire Summit County's greatest hazard risk; and

WHEREAS, millions of trees have died from the mountain pine beetle infestation, creating the potential for a catastrophic fire which could threaten homes, businesses, the local economy and the lives of residents, visitors, and first responders in Summit County; and

WHEREAS, we all witnessed the need for adequate emergency communications during the disastrous Marshall Fire on Colorado's Front Range that confirmed Summit County's need to continue modernizing our dispatch technology so that our emergency responders can help everyone quickly and safely; and

WHEREAS, this proposed extension of the existing mill levy is not just about protecting our residents, homes and businesses, it's also about protecting our firefighters and other emergency personnel; first responders deserve to be able to effectively communicate with each other during an emergency when every second counts; and

WHEREAS, funding for 911 services has historically come primarily from a fee on land line telephone users but that funding has declined dramatically as more residents and second-home owners rely exclusively on cell phones and many of those cell phone numbers originate from prior residences in other communities so that taxes or fees on those numbers are not paid to Summit County at all; and

WHEREAS, Summit County continues to have a significant need to ensure adequate emergency response times as our community experiences increases in emergency call volumes dispatched by the 911 center including but not limited to emergency services use of mental health co-responders, known as the SMART team, who accompany law enforcement on calls related to mental health to help deescalate situations and provide needed services; and

WHEREAS, our community has made the decision to protect the County's scenic, rural mountain characteristics, clean water, and other public purposes and values that make Summit County a special place to live and we need to continue this important commitment; and

WHEREAS, the existing mill levy can be extended and these benefits and protections provided without any increased tax rate or additional taxes beyond existing levels; and

WHEREAS, the Board of County Commissioners of Summit County, Colorado, desires to refer a ballot measure to the registered qualified electors of Summit County regarding the extension and continuing authorization of the existing mill levy approved by the voters of Summit County in 2014 on an ongoing basis in perpetuity, subject to the annual levy and appropriation authority of the Board that is also subject to an annual audit; and

WHEREAS, Section 20, Article 10 of the Colorado Constitution requires voter approval for the extension of an expiring tax levy; and

WHEREAS, Colorado Revised Statutes Section 29-1-301 requires voter approval for the imposition of any and all tax levies to the extent that such levy or levies may otherwise exceed the annual property tax increase limitation of 5.5 percent (of the amount of revenue levied in the prior year) contained therein; and

WHEREAS, the Board of County Commissioners of Summit County, Colorado desires to place a question before the registered qualified electors of Summit County which will authorize the imposition of a property tax levy and collection and spending of property tax levies in general and for the purposes described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO THAT:

1. The referred measure contained on Exhibit A, attached and incorporated herein, is hereby certified and shall be presented in substantially such form to the registered electors of Summit County at the coordinated election to be held on November 8, 2022, in accordance with the "Uniform Election Code of 1992," Articles 1 to 13 of Title 1, C.R.S. and all applicable laws. The Board of County Commissioners hereby directs that a copy of this Resolution be certified and filed in the Office of the Clerk and Recorder immediately and authorizes and directs the Clerk and Recorder to certify the referred measure and ballot content as provided by law.

2. The name of the designated election official who will be responsible for conducting the election pursuant to the Uniform Election Code is Kathleen Neel, Summit County Clerk and Recorder.

3. The officials and employees of Summit County are hereby authorized and directed to take all actions necessary or appropriate to effect the provisions of this Resolution.

4. This Resolution shall take effect immediately upon its adoption so as to ensure compliance with all applicable election requirements. If any section, paragraph, clause or provision is held to be invalid or unenforceable, such invalidity or lack of enforceability shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution.

ADOPTED THIS 23RD DAY OF AUGUST 2022.



ATTEST:

Kathleen Neel, Clerk & Recorder

Caitlin Johnson, Deputy Clerk

**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS**

Tamara Pogue, Chair

Commissioner Blanchard moved for adoption of the foregoing resolution and Commissioner Lawrence seconded adoption of the foregoing resolution. The roll having been called, the vote was as follows:

| | |
|------------------------|-----|
| Commissioner Blanchard | Yea |
| Commissioner Lawrence | Yea |
| Commissioner Pogue | Yea |

This Resolution passed by 3 to 0 vote of the Board of County Commissioners of the County of Summit, State of Colorado

EXHIBIT A

SUMMIT COUNTY REFERRED BALLOT MEASURE 1(B) – WITHOUT IMPOSING ANY NEW TAX OR INCREASING RATES, AUTHORIZING THE CONTINUED COLLECTION OF REVENUES FOR WILDFIRE PROTECTION, 911 DISPATCH, AND OTHER APPROVED PUBLIC PURPOSES; AND AUTHORIZING THE COLLECTION AND SPENDING OF PROPERTY TAX REVENUES AS A VOTER APPROVED REVENUE CHANGE

WITHOUT IMPOSING ANY NEW TAX OR INCREASING RATES, SHALL SUMMIT COUNTY BE AUTHORIZED TO CONTINUE COLLECTING REVENUES FOR THE PROTECTION OF SUMMIT COUNTY CITIZENS FROM WILDFIRES AND OTHER THREATS TO PUBLIC HEALTH AND SAFETY, FOR 911 DISPATCH, AND FOR SUCH OTHER PURPOSES PROVIDED IN SUMMIT COUNTY REFERRED MEASURE 2014 1(A) BY THE ONGOING EXTENSION OF THE EXISTING 2.391 MILL PROPERTY TAX LEVY; AND SHALL ALL SUMMIT COUNTY PROPERTY TAX REVENUES RECEIVED BY THE COUNTY IN 2022 AND SUBSEQUENT YEARS BE COLLECTED AND SPENT AS A VOTER APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION UNDER ARTICLE 10 SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER PROVISION OF LAW?