

RESOLUTION NO. 2007-04

(Series of 2007)

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DE BEQUE FIRE PROTECTION GENERAL IMPROVEMENT DISTRICT SUPPORTING THE FORMATION OF A NEW DE BEQUE FIRE PROTECTION DISTRICT PURSUANT TO ARTICLE 1 OF TITLE 32, C.R.S. AND AGREEING TO DISSOLVE THE EXISTING DISTRICT IN THE EVENT THE NEW SPECIAL DISTRICT IS FORMED AND THE ELECTORS APPROVE A MILL LEVY TO FUND THE DISTRICT'S OPERATIONS

WHEREAS, at the general election held on November 2, 2004, a majority of the eligible electors of the De Beque Fire Protection General Improvement District voted in favor of the question of the organization of the De Beque Fire Protection General Improvement District; and

WHEREAS, at the general election held on November 2, 2004, a majority of the eligible electors of the De Beque Fire Protection General Improvement District failed to approve the imposition of an ad valorem property tax not to exceed five mills upon all taxable real estate within the District which was necessary to fund the operations of the De Beque Fire Protection General Improvement District; and

WHEREAS, on December 13, 2004, the Board of Trustees of the Town of De Beque, Colorado adopted Ordinance No. 297, Series of 2004, declaring that the De Beque Fire Protection General Improvement District has been organized pursuant to Part 6, Article 25, Title 31, C.R.S.; and

WHEREAS, since the formation of the De Beque Fire Protection General Improvement District, the District has had no stable long term source of funding necessary to fund the operations of said District, but instead has relied on private contributions and donations as well as grants from the Town of De Beque and other sources; and

WHEREAS, interested persons have proposed the organization of a new De Beque Fire Protection District pursuant to Article 1 of Title 32, C.R.S., for the provision of fire protection as well as supplying ambulance and emergency medical and rescue services; and

WHEREAS, the proposed boundaries of the new special district are the same boundaries of the existing De Beque Fire Protection General Improvement District; and

WHEREAS, many residents of the existing District who do not reside in the Town of De Beque have expressed the concern that they cannot vote for the Board of Directors of the De Beque Fire Protection General Improvement District, yet such Board could have the power to impose ad valorem property taxes thus creating a situation of "taxation without representation"; and

WHEREAS, the Board of Directors of the De Beque Fire Protection General Improvement District finds and determines that a new special district formed pursuant to Article 1 of Title 32, C.R.S. will better serve and promote the health, safety and welfare of the inhabitants of the area than the existing De Beque Fire Protection General Improvement District; and

WHEREAS, the Board of Directors of the De Beque Fire Protection General Improvement District finds and determines that a new special district formed pursuant to Article 1 of Title 32, C.R.S. will achieve stronger support among residents of the District not residing within the Town of De Beque and will be more likely to obtain electors' consent to the imposition of an ad valorem property tax to fund the ongoing operations of said District; and

WHEREAS, it is necessary and proper to dissolve the existing De Beque Fire Protection General Improvement District in the event a new special district is formed pursuant to Article 1 of Title 32, C.R.S. and the electors of such District approve an ad valorem property tax to fund the operations of such District; and

WHEREAS, Section 31-25-625, C.R.S. provides that a general improvement district may be dissolved by ordinance following public notice and a public hearing if a district board determines that it is for the best interests of all concerned to dissolve the district.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DE BEQUE FIRE PROTECTION GENERAL IMPROVEMENT DISTRICT:

Section 1. The Board of Directors of the De Beque Fire Protection General Improvement District supports the formation of a new fire protection special district pursuant to Article 1 of Title 32, C.R.S., and the imposition of ad valorem property taxes to adequately fund the operations of said district.

Section 2. The Board of Directors of the De Beque Fire Protection General Improvement District hereby agrees to dissolve the De Beque Fire Protection General Improvement District in accordance with the requirements of Section 31-25-625, C.R.S. upon the formation of a new fire protection special district pursuant to Article 1 of Title 32, C.R.S., and approval by the eligible electors of such district of an ad valorem property tax to adequately fund the operations of said district.

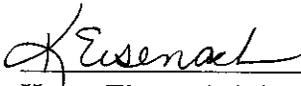
INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Board of Directors of the De Beque Fire Protection General Improvement District held on May 14, 2007.

DE BEQUE FIRE PROTECTION
GENERAL IMPROVEMENT DISTRICT

By:


Donald K. Cramer, Chairman

ATTEST:


Karen Eisenach, District Secretary