

RESOLUTION NO. 2007-051

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
REFERRING TO THE NOVEMBER 2007 ELECTION BALLOT
THE ISSUE OF THE ELIMINATION OF TERM LIMITS
FOR THE OFFICE OF COUNTY COMMISSIONER**

WHEREAS, Article XVIII, Section 11, of the Colorado Constitution, added in 1994, imposed term limits on every state and local elected office, including county offices; and

WHEREAS, by the terms of subsection 2 of that constitutional provision, the voters of a county can vote to eliminate or modify by total or partial exemption the state-imposed term limits if a majority vote in favor of such an issue referred to the ballot by the board of county commissioners of that county; and

WHEREAS, members of the public had previously requested that the Board place on the November, 2001 ballot a question seeking to eliminate the limit of two consecutive terms of office for the offices of County Assessor, County Clerk and Recorder, County Coroner, County Sheriff, County Surveyor, and County Treasurer and such ballot question was passed by the voters of Ouray County in November, 2001; and

WHEREAS, the issue of eliminating term limits for the office of County Commissioner was previously placed on the November 2001 ballot, as requested by the voters of Ouray County, and such ballot issue was defeated by a vote of 766 to 765;

WHEREAS, the Board has again received a petition including the names of approximately 164 Ouray County citizens requesting that the issue of eliminating the term limits set forth in Article XVIII, Section 11, Colo. Const. for County Commissioners be placed on the November, 2007 ballot; and

WHEREAS, after holding a public meeting on this matter on July 23, 2007 and hearing public comment and reviewing the petitions supporting this issue, and after further consideration of this matter, this Board finds that it is in the public interest to place the question on the ballot in order to allow the voters of Ouray County to decide this issue;

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby refer to the November 6, 2007 election ballot a ballot issue concerning the elimination of term limits for Ouray County Commissioner:

BE IT FURTHER RESOLVED that this Board finds that the following language for the ballot title should be set forth on the ballot for the November 6, 2007 ballot:

SHALL THE TERM LIMITS FOR THE OFFICE OF COUNTY COMMISSIONER BE MODIFIED
SO AS TO ELIMINATE THE TERM LIMITS FOR SUCH OFFICE AS IMPOSED BY STATE LAW
AND ARTICLE XVIII, SECTION 11(2), OF THE COLORADO CONSTITUTION?

_____ YES

_____ NO

BE IT FURTHER RESOLVED that, pursuant to the criteria for ballot titles set forth in Section 31-11-111, C.R.S., in fixing this ballot title, this Board finds that said titles are not misleading, clearly identify the effect of a "yes" or "no" vote, do not conflict with the title of any other measure on the Ouray County ballot, and correctly and fairly express the true intent and meaning of the measures.

Adopted this ____ day of August, 2007.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:

Don Batchelder, Chair

Heidi M. Albritton, Vice Chair

Michelle Nauer, Clerk and Recorder
By: Linda Munson-Haley, Deputy Clerk of the Board

K. Keith Meinert, Commissioner Member