

RESOLUTION NO. _____

WHEREAS, the Eagle County School District RE50J (the "District"), in the Counties of Eagle, Garfield, and Routt and the State of Colorado, is a public corporation duly organized and existing under the Constitution and the laws of the State of Colorado; and

WHEREAS, the members of the Board of Education of the District (the "Board") have been duly elected, chosen and qualified; and

WHEREAS, Article X, Section 20 of the Colorado Constitution ("TABOR") requires voter approval for any new tax, the creation of any debt and for spending certain moneys above limits established by TABOR; and

WHEREAS, the Board has determined that the interest of the District and the public interest and necessity demand and require that the District seek voter approval for a tax increase for District purposes as described in Section 4 below to provide additional funds for the District's general operating expenses pursuant to Section 22-54-108, C.R.S.; and

WHEREAS, the Board has determined that the total additional local property tax revenues generated by the tax increase and prior override questions will not exceed twenty-five percent (25%) of the District's total program in compliance with Section 22-54-108, C.R.S.; and

WHEREAS, TABOR requires the District to submit ballot issues (as defined in TABOR) to the District's electors on limited election days before action can be taken on such ballot issues; and

WHEREAS, November 1, 2011, is one of the election dates at which ballot issues may be submitted to the eligible electors of the District pursuant to TABOR; and

WHEREAS, the County Clerk and Recorder in Eagle, Garfield, and Routt Counties (the "County Clerks") will conduct the election on November 1, 2011 as a coordinated election (the "election"); and

WHEREAS, it is necessary to submit to the eligible electors of the District, at the election, the proposition of increasing District taxes in excess of the District's total program funding as determined pursuant to the School Finance Act, Title 22, Article 54, Part 1, C.R.S.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF EAGLE COUNTY SCHOOL DISTRICT RE50J, IN THE COUNTIES OF EAGLE, GARFIELD, AND ROUTT AND THE STATE OF COLORADO:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the District and the officers thereof, directed towards the election and the objects and purposes herein stated and the questions set forth herein are, ratified, approved and confirmed. Unless otherwise defined herein, all terms used herein shall have the meanings specified in Section 1-1-104, C.R.S.

Section 2. Pursuant to TABOR, Title 22, and the Uniform Election Code of 1992, and all laws amendatory thereof and supplemental thereto, the District hereby determines that an election shall be held on November 1, 2011 (the "election"), and that there shall be submitted to the eligible electors of the District the question set forth herein. Because the election will be held as part of the coordinated election, the Board hereby determines that the County Clerks shall conduct the election on behalf of the District. The officers of the District are hereby authorized to enter into one or more intergovernmental agreements with the County Clerks pursuant to Section 1-7-116, C.R.S. Any such intergovernmental agreement heretofore entered into in connection with the election is hereby ratified, approved and confirmed.

Section 3. The Board hereby authorizes and directs the officers of the District to certify on or before September 2, 2011, the following question in substantially the form hereinafter set forth to the County Clerks. Such question shall be submitted to the eligible electors of the District at the election.

SHALL EAGLE COUNTY SCHOOL DISTRICT RE50J TAXES BE INCREASED NO MORE THAN \$6,000,000 ANNUALLY (THE MAXIMUM ADDITIONAL AMOUNT WHICH MAY BE COLLECTED IN ANY YEAR BEGINNING IN TAX COLLECTION YEAR 2012) OR \$1,000 MULTIPLIED TIMES THE FUNDED PUPIL COUNT (AS DEFINED IN 22-54-103, C.R.S.), WHICHEVER IS LESS; SHALL THE PROCEEDS OF THE TAX INCREASE BE USED FOR EDUCATIONAL PURPOSES, INCLUDING, BUT NOT LIMITED TO:

- MITIGATING STATE FUNDING CUTS
- RETAINING QUALITY TEACHERS
- CONTINUING NECESSARY CLASSROOM SUPPORT FOR ALL STUDENTS
- MINIMIZING REDUCTIONS IN EXTRA CURRICULAR ACTIVITIES, ARTS AND ATHLETICS
- REPLACING BUSES AND COMPUTERS THAT HAVE EXCEEDED THEIR USEFUL LIFESPAN

- MAINTAINING BUILDINGS AND GROUNDS
- RESTORING STUDENT CONTACT DAYS; AND

SHALL SUCH TAX INCREASE BE IMPLEMENTED BY AN ADDITIONAL PROPERTY TAX MILL LEVY IN EXCESS OF THE LEVY AUTHORIZED FOR THE DISTRICT'S GENERAL FUND, PURSUANT TO AND IN ACCORDANCE WITH SECTION 22-54-108, C.R.S.; AND SHALL THE DISTRICT 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?

Section 4. Melissa Ford is hereby appointed as the designated election official of the District for purposes of performing acts required or permitted by law in connection with the election.

Section 5. If a majority of the votes cast on the question to authorize the tax increase submitted at the election shall be in favor of incurring such tax increase provided in such question, the District acting through the Board shall be authorized to proceed with the necessary action to levy such ad valorem property taxes in accordance with such question.

Any authority to levy ad valorem property taxes, if conferred by the results of the election, shall be deemed and considered a continuing authority to levy the ad valorem taxes so authorized at any one time, or from time to time, and neither the partial exercise of the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

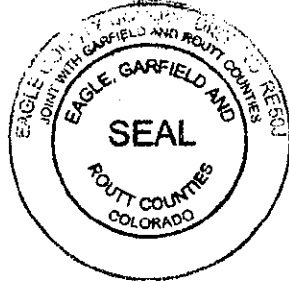
Section 6. The officers of the District are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 7. All orders, bylaws and resolutions, or parts thereof, in conflict with this resolution, are hereby repealed.

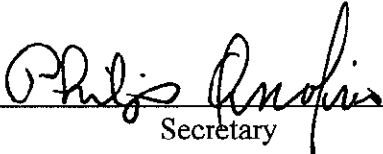
Section 8. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

ADOPTED AND APPROVED this August 24, 2011.

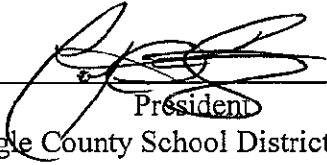
(SEAL)



ATTEST:


Secretary

Eagle County School District RE50J


President
Eagle County School District RE50J

STATE OF COLORADO)
)
 COUNTIES OF EAGLE, GARFIELD,)
 AND ROUTT) SS.
)
 EAGLE COUNTY SCHOOL DISTRICT)
 RE50J)

I, Brian Nolan, am the duly qualified and acting Secretary of Eagle County School District RE50J (the “District”), in the Counties of Eagle, Garfield, and Routt and the State of Colorado, and I do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the “Resolution”) passed and adopted by the Board of Education of the District (the “Board”) at a regular meeting of the Board held on August 24, 2011.
2. The Resolution was duly moved and seconded and the Resolution was adopted at the meeting of August 24, 2011, by an affirmative vote of a majority of the members of the Board as follows:

Name	“Yes”	“No”	Absent	Abstain
Connie Kincaid-Strahan, President	X			
Jeanne McQueeney, Vice President	X			
Brian Nolan, Secretary/Treasurer			X	
Kate Cocchiarella	X			
Carrie Benway	X			
Ross Morgan	X			
TJ Johnson	X			

3. The members of the Board were present at such meeting and voted on the passage of such Resolution as set forth above.
4. The Resolution was approved and authenticated by the signature of the President of the Board, sealed with the District seal, attested by the Secretary and recorded in the minutes of the Board.

5. Attached hereto as Exhibit A is a copy of the notice of the meeting on August 24, 2011, which notice was posted in one place within the District at least 24 hours before such meeting and which notice included agenda information, if available.

6. There are no bylaws, rules or regulations of the Board which prevent the immediate adoption of the Resolution set forth in the foregoing proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District, this August 24, 2011.


Secretary

(SEAL)

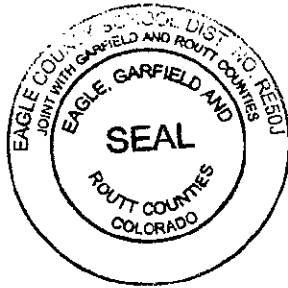
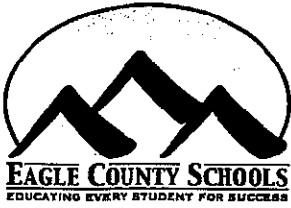


EXHIBIT A

(Attach Notice of Meeting)



Sandra B. Smyser, Ph.D.
Superintendent

NOTICE OF MEETING

Eagle County School District RE 50J
BOARD OF EDUCATION
At Board Room, 757 E. Third Street, Eagle

Wednesday, August 24, 2011

Work Session Begins @ 4:30 P.M.
Executive Session Begins @ 5:15 P.M.
Regular Session Begins @ 6:00 P.M.

Estimated Time: 3.75 hours

District Values
(From Strategic Plan)

Strategic Meeting

A. General Functions.

08-24-1

Work Session. (4:30 P.M.)

08-24-1.1 AV2 - Fiscally sound school district

Info.

1. Mill Levy Override Discussion. (45 min)

08-24-2 AG1 - Recognize and reward those who contribute to student achievement.

08-24-2

Executive Session. (5:15 P.M.)

• Superintendent Performance Pay/CSAP Results. (15 min)

08-24-3

Regular Session. (6:00 P.M.)

Info.

1. Call to Order & Pledge of Allegiance.

B. Public Participation.

(5-minute limit, please)

Questions and comments are welcomed at this time. Each person shall normally have five minutes to address the Board on consent or non-agenda items, but the time can be adjusted at the discretion of the Board or the Board President. Persons may speak on any agenda item for 3 minutes at the time of the specific agenda item. The Board is not obligated to respond to items even though the information has been presented by a participant and the Board may also ask for this item to be placed on a future agenda.

<u>08-24-4</u>	Approval of Consent Agenda Items.*	(2 min)	
Action.	Items of a routine and non-controversial nature are placed on the Consent Agenda to allow the Board of Education to focus on other items contained in a lengthy agenda. An item may be "removed" from the Consent Agenda and considered separately by any member of the Board of Education.		
	<u>08-24-5*</u> Approval of Agenda.		
	<u>08-24-6*</u> Approval of Minutes.		
	<u>08-24-10*</u> Approval of Red Table Lease.		
	<u>08-24-12*</u> Approval of Monitoring Report for Governance Policy, EL-8, Fiscal Management		
	<u>08-24-13*</u> Personnel Settlement.		
<u>08-24-5*</u>	Approval of Agenda.	(Consent)	
Action.			
<u>08-24-6*</u>	Approval of Minutes.	(Consent)	
Action.	Minutes from August 10, 2011 Board Meeting and August 17, 2011 Work Session.		
	<u>C. Report of Superintendent.</u>	(15 min)	
	<u>D. Board Reports.</u>	(15 min)	
	<u>E. General Administration.</u>		
<u>08-24-7</u>	New/Old Business.	(2 min)	
	<u>F. Business and Operations.</u>		
08-24-8 AV2 - Fiscally sound school district	<u>08-24-8</u>	Approval of Mill Levy Override Ballot Question. (Phil Onofrio presenting.) (Attachment 08-24-8)	(60 min)
	Action.		
08-24-9 AV2 - Fiscally sound school district	<u>08-24-9</u>	Approval of Ski and Snowboard Club Vail - Building Use - Amendment 1, Kitchen Use. (Ray Scott/Todd Goulding presenting.) (Attachment 08-24-9)	(15 min)
	Action.		
08-24-10* AV2 - Fiscally sound school district	<u>08-24-10*</u>	Approval of Red Table Lease. (Phil Onofrio presenting.) (Attachment 08-24-10*)	(Consent)
	Action.		
	<u>G. Public Interest Items for Discussion.</u>		
08-24-11 AV1 - Professional excellence, accountability and recognition	<u>08-24-11</u>	Update on Performance Pay. (Brian Childress presenting.) (Attachment 08-24-11)	(20 min)
	Info.		

