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Debra A Green
Park County Clerk

**PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
Resolution No. 2014- 29**

A RESOLUTION AMENDING SECTION 6 OF RESOLUTION NO. 2013- 23 ADOPTING A PARK COUNTY INCENTIVE PROGRAM FOR NEW BUSINESSES, EXPANDING BUSINESSES AND CERTAIN EXISTING BUSINESS FACILITES.

WHEREAS, C.R.S. § 30-11-123 provides that any county may negotiate agreements for incentive payments with any Taxpayer who establishes a New Business Facility, or who expands an existing business Facility, located in such county; and

WHEREAS, C.R.S. § 30-11-123 further provides that no such negotiation shall result in an annual incentive payment or credit the amount of which exceeds the amount of the taxes levied by the county upon the taxable personal property located at or within the new business facility for the current property tax year or, as to expanding business facilities, the amount of taxes levied by the county upon the taxable personal property directly attributable to the expansion; and

WHEREAS, C.R.S. § 30-11-123 provides that no incentive agreement authorized by that statute shall exceed ten years in duration; and

WHEREAS, in the 2013 session of the Colorado General Assembly the legislature enacted House Bill 13-1206 which amended C.R.S. § 30-11-123 to extend the incentive program authorized by C.R.S. § 30-11-123 to Taxpayers that have an existing business located in a county if, based on verifiable documentation, the county is satisfied that there is a substantial risk that the Taxpayer will locate the business Facility out of state; and

WHEREAS, by the adoption of Resolution No. 2013- 23 the Board of County Commissioners of Park County in 2013 created a program implementing the incentives allowed by C.R.S. § 30-11-123 as amended; and

WHEREAS, the Board of County Commissioners wishes to amend Section 6 of Resolution No. 2013- to provide for consultation with the Park County Assessor's Office in determining whether the granting of any application for participation in the Park County Business Incentive Program (PCBIP) will result in a net loss of personal property tax revenues.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PARK, THAT:

Section 6 of Park County Resolution No. 2013- 23 is hereby amended to read as follows:

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Section 6. Existing personal property taxes not impaired.

It is an overriding consideration and determination of the Board of County Commissioners that existing sources of County tax revenues shall not be used, impaired, or otherwise affected by this Park County Business Incentive Program. Therefore, it is hereby conclusively determined that only new sources of personal property tax attributable to New Business Facilities and Enlarged Facilities shall be used to fund the PCBIP. It shall be the affirmative duty of the Park County Finance Director, in consultation with the Park County Assessor, to assure that this PCBIP does not result in any net loss of existing personal property tax revenues to the County.

Moved, seconded, and approved this 21 day of August, 2014.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS



Mark Dowaliby, Chairperson

ATTEST:


County Clerk, CHIEF DEPUTY

