

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 22 – SERIES 2017**

**RESOLUTION SUPPORTING BALLOT ISSUE 2A – CONCERNING THE
LOCAL AUTHORITY TO PROVIDE BROADBAND SERVICES IN
MINTURN**

WHEREAS, the Minturn Town Council has submitted to the registered, qualified electors of the Town of Minturn, at the general election to be held on November 7, 2017, a question authorizing the Town of Minturn the authority to provide broadband services within the Town boundaries; and

WHEREAS, until 2005, municipalities throughout Colorado enjoyed the right and authority to provide high-speed internet, advanced telecommunications, and cable television services to their residences and businesses, either directly or indirectly with public or private partnerships; and

WHEREAS, in 2005, the State Legislature enacted Senate Bill 05-152 (codified in Article 27 of Title 29, C.R.S.) to revoke and deny all Colorado municipalities the right to provide directly or indirectly high-speed internet, advanced telecommunications, and cable television services to residents and businesses; and

WHEREAS, the Trustees for the Town of Minturn desire to support the Town of Minturn's efforts in this regard and encourage our constituents to vote yes on Ballot Issue 2A; and

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF MINTURN, COLORADO:**

That, the Town Council of the Town of Minturn, Colorado that we affirmatively support Minturn ballot issue 2A, and further demonstrate our support by approving this Resolution.

That, the registered, qualified electors of Minturn are encouraged to vote yes on Ballot Issue 2A.

**INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 4th
day of October, 2017**

TOWN OF MINTURN

By: _____

Mayor Pro Tem

ATTEST:

Town Clerk



November 7, 2017 MINTURN BALLOT QUESTION

Exemption from SB 152
Voters residing in Minturn will be asked
the following ballot question:

**WITHOUT INCREASING TAXES,
SHALL THE TOWN OF MINTURN
HAVE THE AUTHORITY TO
PROVIDE, FACILITATE, PARTNER
OR COORDINATE WITH SERVICE
PROVIDERS FOR THE PROVISION
OF, "ADVANCED (HIGH-SPEED
INTERNET) SERVICE," "CABLE
TELEVISION SERVICE," AND
"TELECOMMUNICATION SERVICE,"
EITHER DIRECTLY, INDIRECTLY, OR
BY CONTRACT, TO RESIDENTIAL,
COMMERCIAL, NONPROFIT,
GOVERNMENT OR OTHER
"SUBSCRIBERS" AND TO
ACQUIRE, OPERATE AND
MAINTAIN ANY FACILITY FOR THE
PURPOSE OF PROVIDING SUCH
SERVICES, AND THEREBY
RESTORING LOCAL AUTHORITY
AND FLEXIBILITY THAT WAS
RESTRICTED BY TITLE 29,
ARTICLE 27, PART 1 OF THE
COLORADO REVISED STATUTES?**

This ballot item is:

If voters approve this ballot item, Minturn would be exempted from a state law that otherwise purports to limit local governments from improving broadband capabilities. With this exemption, the Town would be permitted to establish business partnerships with private companies to increase access to high-speed broadband internet, opt to provide this service itself, or develop a combined strategy to benefit residents and business users.

This ballot item is not:

This ballot item would not prevent any private business, including existing broadband providers, from initiating or continuing to provide these services. Avon has no plans to create a public broadband utility. Passage of this measure would allow the town to explore a variety of options to make assets available to serve the broadband needs of residents, students and businesses.

What is fiber-optic broadband?

Fiber-optic broadband cable can run underground or in the air on existing poles. Pulses of light allow very reliable connections and can quickly carry large amounts of data over long distances. Fiber-optic cable is a dedicated internet connection and is not shared with cable services. Fiber-optic network speeds are typically 100 megabits to 10 gigabits per

second, compared to 20 to 100 megabits per second for a typical cable internet connection, or 3 megabits per second or less for traditional copper phone service.

Are other Colorado cities exempt from SB 152?

Voters in many Colorado towns, cities, and counties have exempted themselves from SB 152, passing measures that affirm their local choice to decide how broadband services develop in these communities.

Exemptions have been approved in:

- Arvada	- Aspen
- Basalt	- Bayfield
- Black Hawk	- Breckenridge
- Carbondale	- Cripple Creek
- Dolores	- Durango
- Golden	- Green Mountain Falls
- Hudson	- Ignacio
- Lafayette	- Mancos
- New Castle	- Palisade
- Parachute	- Silt
- Silverton	- Superior
- Telluride	- Victor
- Woodland Park	- Archuleta County
- Dolores County	- El Paso County
- Garfield County	- La Plata County
- Larimer County	- Montrose County
- Montezuma County	- Teller County

Tell me more about Colorado Senate Bill 152...

Colorado Senate Bill 05-152 (SB 152) is a measure passed by the Colorado Legislature in 2005. Its intent was to limit governments from competing with the private sector. Among other provisions, it requires local governments to secure voter approval before entering into the broadband partnerships or business. Without such approval, the law limits the ability of Colorado local governments to provide a wide spectrum of services, including:

- free Internet service in city libraries, parks and community centers;
- leveraging government infrastructure and partnering with private businesses to provide affordable and high-speed Internet service throughout the entire community;
- direct provision of broadband services by municipal governments where needed.

How would an exemption from SB 152 benefit Minturn?

A voter-approved exemption from SB 152 would restore local independence and ability to evaluate all possibilities for next-generation broadband services in Minturn.

An exemption supports local choice and options, allowing citizens to make the best decisions based on the needs of our own community, without raising taxes.

When is the election and how can I vote?

The election is November 7th. Ballots will be mailed out from the Eagle County Clerk & Recorder on October 17th. This is a mail-in ballot only. The deadline to return a voted ballot is November 7, 2017; by 7:00 p.m. Ballots may be mailed or dropped off at the Avon Center or other locations in Eagle County. The ballot is posted on the Eagle County Clerk & Recorder's webpage, www.eaglecounty.us/clerk/, under "Upcoming Elections."

Register to vote online at www.govotecolorado.com. If you are currently registered in Colorado, you may also make changes online.