

Town of Marble
Ordinance Number 2
Series of 2013

AN ORDINANCE ADOPTING A SUPPLEMENTAL BUDGET AND MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE TOWN OF MARBLE FOR THE 2012 FISCAL YEAR.

WHEREAS:

- A. The Town of Marble is a statutory town organized pursuant to Colorado Law; C.R.S. §31-1-101 *et seq.*;
- B. In accordance with the Local Government Budget Law of Colorado, C.R.S. § 29-1-101 *et seq.*, the Town of Marble adopted a budget and appropriated funds for the 2012 fiscal year (the "2012 Budget").
- C. C.R.S. § 29-1-109(1)(b) provides: "If, after adoption of the budget, the local government receives unanticipated revenues or revenues not assured at the time of the adoption of the budget from any source other than the local government's property tax mill levy, the governing body may authorize the expenditure of such funds by enacting a supplemental budget and appropriation."
- D. In the 2012 fiscal year, the Town of Marble received unanticipated revenues of \$150,000 from insurance proceeds paid by the Colorado Intergovernmental Risk Sharing Agency ("CIRSA") relating to misconduct by former Town Clerk Karen Buchanan Mulhall. The Town has also been required to incur legal expenses beyond those contained in the 2012 Budget, primarily as a result of the same misconduct by the former Town Clerk.
- E. The 2012 Budget provided for expenditure of \$10,000 for "Legal-General," and \$10,000 for "Legal-Special," for a total of \$20,000. Given that the firm of Wilderson Lock & Hill, LLC has now been retained as the Town's general counsel, there is no longer a need for the General / Special distinction regarding Legal expenditures.
- F. The Town desires to appropriate an additional \$20,000 to cover legal expenses incurred in the 2012 Fiscal Year, as such fees are expected to total between \$38,000 and \$40,000.
- G. The Town desire to appropriate \$1,100 for payment to the Marble Community Church for use of church facilities for Town meetings, such appropriation appearing to have been inadvertently omitted from the 2012 Budget.
- H. The Town desire that the remainder of the \$150,000 be carried forward to the Town's beginning balance for the 2013 fiscal year.
- I. C.R.S. § 29-1-109(2)(a) provides that any supplemental appropriation shall be made only by ordinance or resolution which complies with the notice provisions of C.R.S. § 29-1-106.

J. In accordance with C.R.S. § 29-1-106, the Board of Trustees caused notice of a proposed supplemental budget ("Supplemental Budget") to be published in the Glenwood Springs Post Independent;

K. In accordance with C.R.S. § 29-1-108(1), the Board of Trustees held a public hearing to consider the adoption of the proposed Supplemental Budget on January 17, 2013;

L. The Board of Trustees finds and determines that the hearing on the proposed Supplemental Budget is now complete.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MARBLE, COLORADO THAT:

1. The proposed Supplemental Budget presented to the Board of Trustees, as amended at the public hearing held on January 17, 2013, is hereby adopted. The adopted Supplemental Budget is attached hereto as Exhibit A.

2. In accordance with such Supplemental Budget, the following additional expenditures are authorized, and the following additional revenue is recognized for fiscal year 2012:

Fund	Expenditures	Revenue
General Fund	\$21,100.00	\$150,000.00
Park Fund	\$0.00	\$0.00
Water Fee for Service	\$0.00	\$0.00
Total	\$21,100.00	\$150,000.00

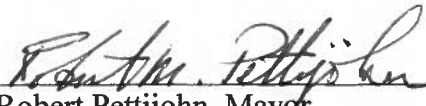
3. The following Supplemental Appropriations are made for the 2012 fiscal year:

Fund	Amount Appropriated
General Fund	\$21,100.00
Park Fund	\$0.00
Water Fee for Service	\$0.00
Total	\$21,100.00

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED BY TITLE this 17 day January, 2013 by a vote of 5 in favor and 0 opposed.

TOWN OF MARBLE:

ATTEST:


Robert Pettijohn, Mayor


Ron Leach, Clerk

Exhibit A

**Town of Marble
Supplemental Budget
Fiscal Year 2012**

General Fund	
Additional Revenues	
Other	
Non-Specified	\$150,000.00
Additional Expenditures	
Purchased Professional Services	
Legal	\$20,000.00
General Government-Operating	
Use of Church space	\$1,100.00
Change to Ending Balance	\$128,900.00
Park Fund	
Additional Revenues	\$0.00
Additional Expenditures	\$0.00
Change to Ending Balance	\$0.00
Water Fee Fund	
Additional Revenues	\$0.00
Additional Expenditures	\$0.00
Change to Ending Balance	\$0.00