

## RESOLUTION NO. 23 - 24

### THE BOARD OF COUNTY COMMISSIONERS OF HUERFANO COUNTY, COLORADO

#### A RESOLUTION AUTHORIZING LEASE-PURCHASE FINANCING FOR THE PURPOSE OF AGREEMENT WITH HUERFANO COUNTY ASSET MANAGEMENT CORPORATION INC.

WHEREAS, Huerfano County, Colorado (the "County"), is a duly and regularly created, organized and existing political subdivision and public body corporate of the State of Colorado (the "State"); and

WHEREAS, the Board of County Commissioners serve as the governing body of Huerfano County and are vested with administering the affairs of the County pursuant to state statutes; and,

WHEREAS, the County is authorized (i) by Section 30-11-101(1)(c), Colorado Revised statutes, as amended ("C.R.S."), to purchase, sell, convey and lease, as lessor or as lessee, real and personal property and (ii) by Section 30-11-104.1, C.R.S., to enter into lease purchase agreements to provide for the financing of any county building or equipment used, or to be used, for governmental purposes provided (A) such agreements include an option for the County to acquire title to such property within a period not exceeding the useful life of such property and any improvements, but in no case exceeding thirty years, (B) the obligation of the county under the lease is only from year to year and does not constitute a mandatory charge or requirement in any ensuing budget year and (C) the obligation of the county to make payments under such lease and to pay any other charges incident to any such agreement does not constitute or give rise to an indebtedness within the meaning of any constitutional or statutory debt limitation; and

WHEREAS, the Board of County Commissioners has determined it is in the best interests of the County and its residents that the County finance the acquisition equipment, software, upgrades of the same, extended warranties and other support, and other personal property described within the agreement (together "the equipment") and its attachments by means of a lease-purchase financing.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Huerfano County, Colorado that the following is hereby adopted:

1. **Determination of Need.** The Governing Body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment or other personal property described in the Lease between Huerfano County, CO (Lessee) and Huerfano County Asset Management Corporation, Inc. (Lessor).
2. **Approval and Authorization.** The Governing body of Lessee has determined that the Lease, substantially in the form presented to this meeting, is in the best interests of the Lessee for the acquisition of such Equipment or other personal property, and the Governing Board hereby approves the entering into of the Lease by the Lessee and hereby designates and authorizes the Chairman of the Board of County Commissioners to execute and deliver the Lease on Lessee's behalf with such changes

thereto as such person deems appropriate, and any related documents, including any escrow agreement, necessary to the consummation of the transactions contemplated by the Lease.

3. **Adoption of Resolution.** The signatures in the Lease from the designated individuals for the Governing Body of the Lessee evidence the adoption by the Governing Body of this Resolution.

INTRODUCED, READ, APPROVED AND ADOPTED ON THIS 23<sup>rd</sup> day of MAY 2023.



ATTEST:

\_\_\_\_\_  
County Clerk and Recorder and  
Ex-Officio Clerk to said Board

BOARD OF COUNTY COMMISSIONERS  
OF HUERFANO COUNTY, COLORADO

BY \_\_\_\_\_  
John Galusha, Chairman

\_\_\_\_\_  
Arica Andreatta, Commissioner

\_\_\_\_\_  
Karl Sporleder, Commissioner