

RESOLUTION NO. 431

A RESOLUTION TO REFER A BALLOT QUESTION FOR THE APRIL 1996 ELECTION.

WHEREAS, Article X, Section 20 of the Colorado Constitution and C.R.S. 1-41-101 et seq. authorized the Board of Trustees, hereinafter referred to as the "Board", of the Town of Sugar City, Colorado, hereinafter referred to as the "Town", to refer the question contained herein and submit it to a vote of the registered electors of the Town of Sugar City; and

WHEREAS, on the first Tuesday in April, 1996, a municipal election will be conducted; and

WHEREAS, the Board is of the opinion that it is in the best interest of the citizens of the Town that all revenues accruing to the Town from any source, except revenues generated by the Town's mill levy during 1996 and each subsequent year, should be collected and expended by the Town notwithstanding the limitations of Article X, Section 20 of the Colorado Constitution; and

WHEREAS, the Board is of the opinion that such question should properly be decided by the registered electors of the Town.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. At the municipal election to be held in precinct one and at the polling place of the Town, on the first Tuesday of April, 1996, between the hours of 7:00 a.m. and 7:00 p.m., there shall be submitted to the vote of the registered electors of the Town the question herein authorized.

2. At said election the official ballot, including absentee ballots, shall state the substance of the question to be voted upon and so stated shall constitute the ballot title, designation and submission clause, and each registered elector voting at the election shall indicate his or her choice on the question submitted, which shall be in the following form:

SHALL THE TOWN OF SUGAR CITY, COLORADO, BE
AUTHORIZED TO COLLECT, RETAIN AND EXPEND ALL
REVENUES AND OTHER FUNDS COLLECTED DURING 1996
AND EACH SUBSEQUENT YEAR FROM ANY SOURCE, NOT
WITHSTANDING THE LIMITATIONS OF ARTICLE X,
SECTION 20 OF THE COLORADO CONSTITUTION,
EFFECTIVE JANUARY 1, 1996, PROVIDED THAT NO LOCAL
TAX RATE OR MILL LEVY SHALL BE INCREASED WITHOUT
FURTHER VOTER APPROVAL.

YES _____ NO _____

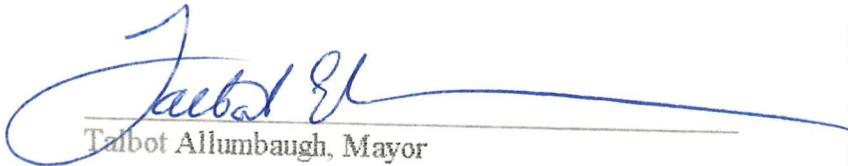
3. If a majority of all votes cast at the elections shall be for the measure, the measure shall be deemed passed, and the Town shall be authorized to collect and expend all revenues in accordance with the approved measure and to budget and appropriate such revenue and expenditures apart from any other expenditures of the Town which may be limited pursuant to Article X, Section 20 the Colorado Constitution and notwithstanding the passage of any

expenditure, and the revenues authorized for expenditure by the passage of this measure shall not be counted in any such expenditure limitation.

4. The election shall be conducted under the provisions of the Colorado Election Code.

5. The Town Clerk and Recorder of the Town of Sugar City, State of Colorado, shall give public notice of the election on the question hereby submitted by causing a notice to be published in the Ordway New Era as provided by law, and by mailing to "all registered voters" at each address within the Town of Sugar City, Colorado, at which a voter is registered, within such time limits as permitted by law, a notice entitled "Notice of Election on a Referred Measure". The Notice shall include only (a) the election date and hours for voting, (b) the ballot title, (c) the text of the measure to be voted upon, (d) the office address and the telephone number of the Town Clerk and Recorder, and (e) two summaries, not more than five hundred words each, one for and one against the measure, of written comments filed with the Town Clerk no later than thirty days before the election. No summary shall mention names of persons or private groups, nor any endorsement of the resolution against the measure to be voted upon. The Town Clerk and Recorder shall maintain on file and accurately summarize all relevant written comments.

6. The officers of the Town are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.


Talbot Allumbaugh, Mayor

Attest:


Sugar City Clerk