

**RESOLUTION OF THE BOARD OF TRUSTEES  
OF THE TOWN OF STRATTON, COLORADO  
CONCERNING SPECIAL ELECTION TO BE HELD NOVEMBER 4, 1997**

WHEREAS, the Town of Stratton, Colorado (hereinafter referred to as the "Town") is a duly organized and existing municipal corporation and political subdivision of the state of Colorado, existing and operating under and by virtue of the Constitution and laws of the state of Colorado; and,

WHEREAS, the Board of Trustees of the Town (the "Board") shall determine in each year the amount of money necessary to be raised by property taxes, the Town's non-federal grants and from all other rates, fees, tolls and charges, to supply funds for capital projects and municipal services; and,

WHEREAS, the Town constructs and maintains the basic support infrastructure and provides for other municipal services necessary for the functioning of the Town; and,

WHEREAS, the continued ability of the Town to install and maintain such municipal facilities and services will serve to enhance and protect the overall function and attractiveness of the Town and strengthen property values; and,

WHEREAS, in order to maintain the high standard of facilities and services provided by the Town, the financial needs of the Town require that the Town, without increasing or adding any taxes of any kind, be permitted to collect, retain, and expend the full proceeds of the Town's property taxes, non-federal grants and the revenue from all other rates, fees, tolls and charges of the Town; and,

WHEREAS, the Board deems and hereby declares it to be in the best interest of the Town and its inhabitants that an election be held within the Town and that there be placed before the eligible electors of the Town a question which, if approved by said eligible electors, would authorize the Town to collect, retain and expend said revenues for the year 1997 and each subsequent year, notwithstanding any state restriction on fiscal year spending, including without limitation, the restrictions of Article X, Section 20 of the Colorado Constitution; and,

WHEREAS, Const. Colo. Art. X, Sec. 20 decrees that elections concerning ballot issues shall be decided, inter alia, in a state general election, biennial local district election, or on the first Tuesday in November of odd-numbered years; and,

WHEREAS, the Clerk and Recorder of Kit Carson County, Colorado (the "County") is holding a county-wide election on November 4, 1997, and,

WHEREAS, the Town wishes to coordinate the election with the County for the state general election; and,

WHEREAS, the Town desires to participate in the coordinated election with the County in accordance with an Intergovernmental Agreement to be provided to the Town by the County (the "IGA").

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Town of Stratton, Kit Carson County, Colorado:

1. That an election be called and held within the Town on Tuesday, the 4<sup>th</sup> day of November, 1997, at which election the eligible electors shall vote on the ballot question set forth in Exhibit A attached hereto to permit the Town to collect, retain, and expend the full proceeds of the Town's property taxes, non-federal grants and from all other rates, fees, tolls and charges of the Town for capital projects and municipal services for the year 1997 and each subsequent year, notwithstanding any state restriction on fiscal year spending, including, without limitation, the restriction of Article X, Section 20 of the Colorado Constitution.
2. That the Town Clerk shall certify the ballot question to the Kit Carson County Clerk and Recorder not later than September 9, 1997.
3. That the election shall be held and conducted in accordance with the Uniform Election Code of 1992, as amended and supplemented by Const. Colo. Art. X, Sec. 20, Colorado Revised Statutes, and other relevant Colorado and federal law (collectively, hereafter all such law and rules shall be referred to as the "Relevant Law").
4. That the Town shall enter into the IGA with the Kit Carson County Clerk and Recorder for coordination of the notice and the election required by Const. Colo. Article X, Section 20.
5. The Town hereby adopts the "Uniform Election Code of 1992" in lieu of the "Colorado Municipal Election Code of 1965," Article 10 of Title 31, C.R.S. for the election to be held on November 4, 1997 only.
6. The Town hereby designates the Town Clerk as the designated election official who shall act as primary liaison between the Town and the County and to receive notices as required in the IGA.
7. The Town hereby authorizes the Mayor to execute the IGA on behalf of the Town.
8. The Board of Trustees may make such further resolutions as may be necessary or convenient to implement this Resolution.
9. That should any part or provision of this Resolution be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the intention that the various provisions hereof are severable.



10. That all acts, orders, resolutions, or parts thereof, of the Town that are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

11. The provisions of this Resolution shall take effect immediately.

Adopted and approved this 10 day of July, 1997

TOWN OF STRATTON, COLORADO

By Donald E. Peter  
Mayor

(SEAL)

ATTESTED:

Vallette Thompson  
Town Clerk

***EXHIBIT A***

**FORM OF THE BALLOT QUESTION**

SHALL THE TOWN OF STRATTON, COLORADO, WITHOUT INCREASING OR ADDING ANY TAXES OF ANY KIND, BE PERMITTED TO COLLECT, RETAIN AND EXPEND THE FULL PROCEEDS OF THE TOWN'S PROPERTY TAXES, NON-FEDERAL GRANTS, AND FROM ALL OTHER RATES, FEES, TOLLS AND CHARGES, FOR CAPITAL PROJECTS AND MUNICIPAL SERVICES, FOR THE YEAR 1997 AND EACH SUBSEQUENT YEAR, NOTWITHSTANDING ANY STATE RESTRICTION ON FISCAL YEAR SPENDING, INCLUDING, WITHOUT LIMITATION, THE RESTRICTIONS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION? NOTHING HEREIN SHALL PERMIT ANY INCREASE IN THE PROPERTY TAX MILL LEVY IMPOSED BY THE TOWN OF STRATTON

282