

**RESOLUTION #2006-2**

**A RESOLUTION TO REFER A BALLOT QUESTION TO THE REGISTERED ELECTORS OF THE TOWN OF PONCHA SPRINGS AND PARTICULARLY CONCERNING SECTION 20, ARTICLE X OF THE COLORADO CONSTITUTION**

**WHEREAS**, the Poncha Springs Town Board finds that the voters of the State of Colorado have amended the State Constitution by the addition of Article X, Section 20 which is commonly referred to as the “TABOR” Amendment; and

**WHEREAS**, the voters of the Town of Poncha Springs, in 1994, approved the Town of Poncha Springs retaining revenues in excess of the limitations of Article X, Section 20 of the Colorado Constitution; and

**WHEREAS**, the Board of Trustees finds that the Town of Poncha Springs 2006 mill levy on real property is 2.271 mills, and results in the Town of Poncha Springs receiving \$22,143 in total revenue from the mill levy; and

**WHEREAS**, the mill levy for the Town of Poncha Springs has been decreased each year by the Board of Trustees in order not to exceed revenue limits imposed by Article X, Section 20 of the Colorado Constitution; and

**WHEREAS**, additional lands have been annexed to the Town of Poncha Springs, and the revenue limits imposed by Article X, Section 20 of the Colorado Constitution and CRS 29-1-301, will result in further decreases of the mill levy and impair the Town’s ability to meet the demand for municipal services for the existing Town and the annexed area; and

**WHEREAS**, by freezing the mill levy at the current level of 2.271 mills will result in additional revenue to the Town from property appreciation, annexations and new construction without regard to the revenue limits of Article X, Section 20 of the Colorado Constitution and CRS 29-1-301.

**NOW THEREFORE BE IT RESOLVED**, by the Poncha Springs Board of Trustees that the following question shall be submitted to the registered electors of the Town of Poncha Springs at the election to be held the first Tuesday, in April 2006.

**A REFERRED MEASURE**

**PONCHA SPRINGS REVENUE AND SPENDING LIMITS QUESTION**

**Shall the Town of Poncha Springs, Colorado be permitted to collect, retain, and spend all revenues from the current mill levy on real property of 2.271 mills for the year beginning January 1, 2006, and each succeeding year thereafter;**

**And, pursuant to Section 20 of Article X of the Constitution of the State of Colorado, the registered electors of the Town of Poncha Springs hereby approve that fiscal year spending for the Town of Poncha Springs may be increased or decreased in accordance with the increases or decreases in the amount of revenues received from the aforementioned source may be spent by the Town of Poncha Springs in the fiscal year in which they are received, or in following fiscal years, without regard to previous years' fiscal spending?**

**YES** \_\_\_\_\_

**NO** \_\_\_\_\_

and, the Town Board hereby directs the Clerk to take all steps necessary to cause the aforementioned ballot measure to be placed on the ballot for election and is authorized to spend all necessary funds to accomplish the same.

The Town Board further determines that the terms of the "Uniform Election Code" shall apply to said election.

PASSED AND ADOPTED, at a regular meeting of the Poncha Springs Board of Trustees this 13<sup>th</sup> day of February, 2006.

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Mark F. Thonhoff, Mayor

ATTEST:

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Diana K. Heeney  
Clerk/Treasurer