

A RESOLUTION APPROVING AND RATIFYING THE SPECIAL ELECTION CALL AND SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE TOWN OF HOT SULPHUR SPRINGS, COLORADO, AT THE COORDINATED GENERAL ELECTION OF NOVEMBER 2, 2010, (1) A QUESTION OF WHETHER TO ALLOW THE OPERATION OF MEDICAL MARIJUANA CENTERS, OPTIONAL PREMISES CULTIVATION OPERATIONS AND BUSINESSES OPERATING PURSUANT TO MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS' LICENSES WITHIN THE TOWN, (2) A QUESTION OF WHETHER AND TO SUBMIT AN ADDITIONAL QUESTION OF WHETHER TO IMPOSE A FIVE PERCENT SALES TAX ON THE SALE OF MEDICAL MARIJUANA, MEDICAL MARIJUANA PARAPHERNALIA, AND MARIJUANA-INFUSED PRODUCTS AND REPEALING RESOLUTION 2010-08-6, AND (3) A QUESTION OF WHETHER TO PERMIT THE TOWN TO PUBLISH ITS ORDINANCES BY TITLE ONLY

WHEREAS, in the November 2000 general election, the voters of the State of Colorado adopted Amendment 20 to the Colorado Constitution (Article XVIII Section 14 of the Colorado Constitution) which authorizes and limits the sale of medical marijuana for use in the treatment of debilitating medical conditions; and

WHEREAS, the Town of Hot Sulphur Springs Board of Trustees, pursuant to its police power as provided for in state law and local ordinances, adopted a nine month moratorium on the issuance of licenses or permits of any nature whatsoever relating to the cultivation, possession, dispensing, or sale of medical marijuana; and

WHEREAS, since that time, the Colorado General Assembly adopted House Bill 10-1284, approved by the Governor, ("Colorado Medical Marijuana Code") which authorizes a municipality to adopt and enforce an ordinance licensing, regulating, or prohibiting the cultivation or sale of medical marijuana, as codified at C.R.S. § 12-43.3-103(2); and

WHEREAS, Colorado Medical Marijuana Code further authorizes a municipality by either a majority of registered electors of the municipality voting at a regular or special election or a majority of the members of the governing board for the municipality to vote to prohibit the operation of medical marijuana centers, optional premises cultivation operations, and medical marijuana-infused products manufacturers' licensed businesses; and

WHEREAS, the Board of Trustees wishes to take advantage of the local option provided for in Section 12-43.3-106 of the Colorado Medical Marijuana Code, by presenting to the registered electorate of the Town of Hot Sulphur Springs at the coordinated general election on November 2, 2010, the question of whether to allow or prohibit the operation of medical marijuana centers, optional premises cultivation operations, and medical marijuana-infused products manufacturers' licensed businesses; and

WHEREAS, approval of this ballot question by more "No" votes than "Yes" votes shall result in the immediate prohibition of such land uses with in the Town and the Board of Trustees shall act quickly to codify such prohibitions; and

WHEREAS, The Board of Trustee desires to present to the registered electorate of the Town of Hot Sulphur Springs a question as to whether sales of medical marijuana, medical marijuana paraphernalia, and medical marijuana-infused products should be subject to an additional tax in the amount of five percent (5%) of the gross amount of such sales; and

WHEREAS, the Town desires to present to the voters, in order to save money by reducing the cost of publishing the text of its ordinances in full in the newspaper, whether the Town may be permitted to publish its ordinances by title only as is authorized with voter

Section 1. The Board of Trustees hereby ratifies and approves the call for a special Town election to be held pursuant to the Uniform Election Code in coordination with the regular general election to be held on November 2, 2010 coordinated by the Grand County Clerk and Recorder, and refers and approves the following ballot questions for submission to the qualified electors to appear on the ballot for such election:

MEDICAL MARIJUANA QUESTION

SHALL THE TOWN OF HOT SULPHUR SPRINGS ALLOW THE OPERATION OF MEDICAL MARIJUANA CENTERS, OPTIONAL PREMISES CULTIVATION OPERATIONS, AND BUSINESSES OPERATING UNDER OR PURSUANT TO MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS' LICENSES WITHIN THE TOWN?

YES _____ NO _____

MEDICAL MARIJUANA TAX QUESTION

SHALL THE TOWN OF HOT SULPHUR SPRINGS TAXES BE INCREASED BY APPROXIMATELY \$100,000 FOR THE FIRST FULL FISCAL YEAR (2011) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION AND ASSESSMENT OF AN ADDITIONAL TAX IN THE AMOUNT OF FIVE PERCENT (5%) OF THE GROSS TAXABLE SALE AMOUNT PAID OR CHARGED FOR PURCHASING MEDICAL MARIJUANA, MEDICAL MARIJUANA PARAPHERNALIA, AND MEDICAL MARIJUANA-INFUSED PRODUCTS; AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO PROMOTE THE GENERAL PURPOSES OF THE TOWN OF HOT SULPHUR SPRINGS AS A VOTER APPROVED REVENUE CHANGE AND EXCEPTION TO ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?

YES _____ NO _____

PUBLICATION OF ORDINANCES

SHALL THE TOWN OF HOT SULPHUR SPRINGS BE AUTHORIZED TO PUBLISH ORDINANCES BY TITLE ONLY RATHER THAN BY PUBLISHING EACH ORDINANCE IN FULL, THEREBY SUBSTANTIALLY REDUCING THE COST INCURRED IN THE PUBLICATION OF ORDINANCES, WITH THE TITLE OF ALL ORDINANCES INCLUDING A STATEMENT THAT THE COMPLETE TEXT OF THE ORDINANCE IS AVAILABLE AT THE TOWN HALL AND ON THE TOWN'S OFFICIAL WEB SITE?

YES _____ NO _____

Town Clerk as the designated election official for the purposes of the coordinated election to be held on November 2, 2010.

Section 4. The Board of Trustees hereby ratifies and approves the standard form of intergovernmental agreement with the Grand County Clerk and Recorder to participate in the coordinated general election as a special election for the Town and authorizes the Mayor, in consultation with the Town Attorney, to execute the same on behalf of the Town.

Section 5. The Town Clerk is authorized to correct typographical errors and omissions and to cause to be entered the appropriate ballot question number or letter upon designation of the ballot number or letter by the appropriate election official.

Section 6. The Mayor, Town Attorney, and Town Clerk are hereby authorized and directed to take all necessary and appropriate action to effectuate the provisions of this Resolution including all reasonable and necessary action to cause such approved ballot issue to be printed and placed on the ballot for the election.

Section 7. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining issues of this Resolution.

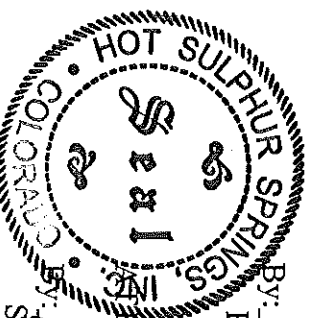
Section 9. The adoption of the Resolution shall result in the repeal of Resolution 2010-08-6.

Section 10. This Resolution shall be effective immediately upon approval of the Board of Trustees for the Town of Hot Sulphur Springs nunc pro tunc to September 2, 2010.

ADOPTED by a vote of 5 in favor and 0 against, and 0 abstaining, this 16th day of September, 2010.

TOWN OF HOT SULPHUR SPRINGS

By: [Signature]
Hershal Deputy, Mayor



TEST:

By: [Signature]
Sandy White, Town Clerk

A RESOLUTION CALLING A SPECIAL ELECTION FOR THE TOWN AND SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE TOWN OF HOT SULPHUR SPRINGS, COLORADO, AT THE COORDINATED GENERAL ELECTION OF NOVEMBER 2, 2010, (1) A QUESTION OF WHETHER TO ALLOW THE OPERATION OF MEDICAL MARIJUANA CENTERS, OPTIONAL PREMISES CULTIVATION OPERATIONS AND BUSINESSES OPERATING PURSUANT TO MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS' LICENSES WITHIN THE TOWN, (2) A QUESTION OF WHETHER AND TO SUBMIT AN ADDITIONAL QUESTION OF WHETHER TO IMPOSE A FIVE PERCENT SALES TAX ON THE SALE OF MEDICAL MARIJUANA, MEDICAL MARIJUANA PARAPHERNALIA, AND MARIJUANA-INFUSED PRODUCTS AND REPEALING RESOLUTION 2010-08-6, AND A QUESTION OF WHETHER TO PERMIT THE TOWN TO PUBLISH ITS ORDINANCES BY TITLE ONLY

WHEREAS, in the November 2000 general election, the voters of the State of Colorado adopted Amendment 20 to the Colorado Constitution (Article XVIII Section 14 of the Colorado Constitution) which authorizes and limits the sale of medical marijuana for use in the treatment of debilitating medical conditions; and

WHEREAS, the Town of Hot Sulphur Springs Board of Trustees, pursuant to its police power as provided for in state law and local ordinances, adopted a nine month moratorium on the issuance of licenses or permits of any nature whatsoever relating to the cultivation, possession, dispensing, or sale of medical marijuana; and

WHEREAS, since that time, the Colorado General Assembly adopted House Bill 10-1284, approved by the Governor, ("Colorado Medical Marijuana Code") which authorizes a municipality to adopt and enforce an ordinance licensing, regulating, or prohibiting the cultivation or sale of medical marijuana, as codified at C.R.S. § 12-43.3-103(2); and

WHEREAS, Colorado Medical Marijuana Code further authorizes a municipality by either a majority of registered electors of the municipality voting at a regular or special election or a majority of the members of the governing board for the municipality to vote to prohibit the operation of medical marijuana centers, optional premises cultivation operations, and medical marijuana-infused products manufacturers' licensed businesses; and

WHEREAS, the Board of Trustees wishes to take advantage of the local option provided for in Section 12-43.3-106 of the Colorado Medical Marijuana Code, by presenting to the registered electorate of the Town of Hot Sulphur Springs at the coordinated general election on November 2, 2010, the question of whether to allow or prohibit the operation of medical marijuana centers, optional premises cultivation operations, and medical marijuana-infused products manufacturers' licensed businesses; and

WHEREAS, approval of this ballot question by more "No" votes than "Yes" votes shall result in the immediate prohibition of such land uses with in the Town and the Board of Trustees shall act quickly to codify such prohibitions; and

WHEREAS, The Board of Trustee desires to present to the registered electorate of the Town of Hot Sulphur Springs a question as to whether sales of medical marijuana, medical marijuana paraphernalia, and medical marijuana-infused products should be subject to an additional tax in the amount of five percent (5%) of the gross amount of such sales; and

WHEREAS, the Town desires to present to the voters, in order to save money by reducing the cost of publishing the text of its ordinances in full in the newspaper, whether the Town may be permitted to publish its ordinances by title only as is authorized with voter

Hot Sulphur Springs as follows:

Section 1. The Board of Trustees hereby calls a special Town election to be held pursuant to the Uniform Election Code in coordination with the regular general election to be held on November 2, 2010 coordinated by the Grand County Clerk and Recorder, and refers and approves the following ballot questions for submission to the qualified electors to appear on the ballot for such election:

MEDICAL MARIJUANA QUESTION

SHALL THE TOWN OF HOT SULPHUR SPRINGS ALLOW THE OPERATION OF MEDICAL MARIJUANA CENTERS, OPTIONAL PREMISES CULTIVATION OPERATIONS, AND BUSINESSES OPERATING UNDER OR PURSUANT TO MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURERS' LICENSES WITHIN THE TOWN?

YES _____ NO _____

MEDICAL MARIJUANA TAX QUESTION

SHALL THE TOWN OF HOT SULPHUR SPRINGS TAXES BE INCREASED BY APPROXIMATELY \$100,000 FOR THE FIRST FULL FISCAL YEAR (2011) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION AND ASSESSMENT OF AN ADDITIONAL TAX IN THE AMOUNT OF FIVE PERCENT (5%) OF THE GROSS TAXABLE SALE AMOUNT PAID OR CHARGED FOR PURCHASING MEDICAL MARIJUANA, MEDICAL MARIJUANA PARAPHERNALIA, AND MEDICAL MARIJUANA-INFUSED PRODUCTS; AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO PROMOTE THE GENERAL PURPOSES OF THE TOWN OF HOT SULPHUR SPRINGS AS A VOTER APPROVED REVENUE CHANGE AND EXCEPTION TO ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?

YES _____ NO _____

PUBLICATION OF ORDINANCES

SHALL THE TOWN OF HOT SULPHUR SPRINGS BE AUTHORIZED TO PUBLISH ORDINANCES BY TITLE ONLY RATHER THAN BY PUBLISHING EACH ORDINANCE IN FULL, THEREBY SUBSTANTIALLY REDUCING THE COST INCURRED IN THE PUBLICATION OF ORDINANCES, WITH THE TITLE OF ALL ORDINANCES INCLUDING A STATEMENT THAT THE COMPLETE TEXT OF THE ORDINANCE IS AVAILABLE AT THE TOWN HALL AND ON THE TOWN'S OFFICIAL WEB SITE?

YES _____ NO _____

Section 3. THE BOARD OF TRUSTEES HEREBY APPROVES THE TOWN OF HOT SULPHUR SPRINGS, INDIANA, COORDINATED ELECTION FOR THE PURPOSES OF THE COORDINATED ELECTION TO BE HELD ON NOVEMBER 2, 2010.

Section 4. The Board of Trustees hereby approves the standard form of intergovernmental agreement with the Grand County Clerk and Recorder to participate in the coordinated general election as a special election for the Town and authorizes the Mayor, in consultation with the Town Attorney, to execute the same on behalf of the Town.

Section 5. The Town Clerk is authorized to correct typographical errors and omissions and to cause to be entered the appropriate ballot question number or letter upon designation of the ballot number or letter by the appropriate election official.

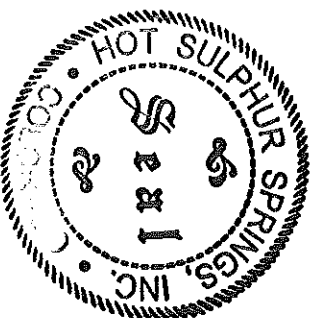
Section 6. The Mayor, Town Attorney, and Town Clerk are hereby authorized and directed to take all necessary and appropriate action to effectuate the provisions of this Resolution including all reasonable and necessary action to cause such approved ballot issue to be printed and placed on the ballot for the election.

Section 7. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining issues of this Resolution.

Section 9. The adoption of the Resolution shall result in the repeal of Resolution 2010-08-6.

Section 10. This Resolution shall be effective immediately upon approval of the Board of Trustees for the Town of Hot Sulphur Springs.

ADOPTED by a vote of ___ in favor and ___ against, and ___ abstaining, this 2nd day of September, 2010.



TOWN OF HOT SULPHUR SPRINGS

By: Lucy Meirose
Lucy Meirose, Mayor Pro Tem

ATTEST:

By: Sandy White
Sandy White, Town Clerk

Active Contests Options List

GRAND COUNTY — GENERAL ELECTION 11/02/2010 — Ballot Preparation

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English

Party	Option	Party	Option	Party	Option
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1 TOWN OF HOT SULPHUR SPRINGS REFERRED MEASURE
 2E, Proposition, 2 Options
 (Vote YES or NO)

SHALL THE TOWN OF HOT SULPHUR SPRINGS TAXES BE INCREASED BY APPROXIMATELY \$100,000 FOR THE FIRST FULL FISCAL YEAR (2011) AND BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION AND ASSESSMENT OF AN ADDITIONAL TAX IN THE AMOUNT OF FIVE PERCENT (5%) OF THE GROSS TAXABLE SALE AMOUNT PAID OR CHARGED FOR PURCHASING MEDICAL MARIJUANA, MEDICAL MARIJUANA PARAPHERNALIA, AND MEDICAL MARIJUANA-INFUSED PRODUCTS; AND SHALL ALL REVENUES DERIVED FROM SUCH TAX BE COLLECTED AND SPENT TO PROMOTE THE GENERAL PURPOSES OF THE TOWN OF HOT SULPHUR SPRINGS AS A VOTER APPROVED REVENUE CHANGE AND EXCEPTION TO ANY REVENUE OR EXPENDITURE LIMITATIONS CONTAINED IN ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?

NP YES
 NP NO
 1 TOWN OF HOT SULPHUR SPRINGS REFERRED MEASURE
 2F HEADER, Ballot Text, 0 Option
 1 TOWN OF HOT SULPHUR SPRINGS REFERRED MEASURE
 2F, Proposition, 2 Options
 (Vote YES or NO)

Shall the Town of Hot Sulphur Springs allow the operation of medical marijuana centers, optional premises cultivation operations, and businesses operating under or pursuant to medical marijuana-infused products manufacturers' licenses within the town?

NP YES
 NP NO

1 TOWN OF HOT SULPHUR SPRINGS REFERRED MEASURE
 2G HEADER, Ballot Text, 0 Option
 1 TOWN OF HOT SULPHUR SPRINGS REFERRED MEASURE
 2G, Proposition, 2 Options
 (Vote YES or NO)

Shall the Town of Hot Sulphur Springs be authorized to publish ordinances by title only rather than by publishing each ordinance in full, thereby substantially reducing the cost incurred in the publication of ordinances, with the title of all ordinances including a statement that the complete text of the ordinance is available at the Town Hall and on the Town's official web site?

NP YES

1 WEST GRAND SCHOOL DISTRICT NO. 1-JT REFERRED MEASURE 3A, Proposition, 0 Option
 (Vote YES or NO)

SHALL WEST GRAND SCHOOL DISTRICT NO. 1-JT TAXES BE INCREASED \$420,000 IN TAX COLLECTION YEAR 2011, AND ANNUALLY THEREAFTER FOR EDUCATIONAL PURPOSES TO BE APPROVED BY THE BOARD OF EDUCATION WHICH MAY INCLUDE, BUT WILL NOT BE LIMITED TO FUNDING COSTS NECESSARY FOR MAINTAINING SMALL CLASS SIZES, VOCATIONAL AND CAREER OPPORTUNITIES, ADVANCED COURSE OFFERINGS, QUALITY STAFF, STUDENT ACTIVITIES, AND FACILITY MAINTENANCE, BY AN YEAR FINANCIAL OBLIGATIONS WHICH SHALL BEAR INTEREST, MATURE AND BE SUBJECT TO REDEMPTION, WITH OR WITHOUT PREMIUM, AND SHALL BE ISSUED AT SUCH TIME OR TIMES, AT SUCH PRICES (AT, ABOVE OR BELOW PAR) AND IN SUCH MANNER AND CONTAINING SUCH TERMS, NOT INCONSISTENT HERewith, AS THE BOARD OF EDUCATION MAY DETERMINE; SHALL AD VALOREM PROPERTY TAXES BE LEVIED IN ANY YEAR, WITHOUT LIMITATION AS TO RATE AND IN AN AMOUNT SUFFICIENT TO PAY THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST CHANGE THAT MAY BE COLLECTED AND SPENT WITHOUT FURTHER VOTER APPROVAL, NOTWITHSTANDING THE LIMITATIONS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

NP YES
 NP NO
 1 EAST GRAND SCHOOL DISTRICT NO. 2 REFERRED MEASURE 3B, Proposition, 2 Options
 (Vote YES or NO)

SHALL EAST GRAND SCHOOL DISTRICT NO. 2 DEBT BE INCREASED \$4,000,000, WITH A REPAYMENT COST OF UP TO \$8,600,000, AND SHALL DISTRICT TAXES BE INCREASED BY UP TO \$350,000 ANNUALLY (PROVIDED THAT SUCH AUTHORIZATION IS EFFECTIVE ONLY IF AMENDMENT 61 IS APPROVED BY THE VOTERS OF THE STATE ON NOVEMBER 2, 2010), FOR THE PURPOSE OF CREATING A RESTRICTED RESERVE TO ALLEVIATE THE ANNUAL TEMPORARY CASH FLOW DEFICITS REALIZED BY THE DISTRICT DUE TO THE RECEIPT OF PROPERTY TAX REVENUES LATE IN THE DISTRICT'S FISCAL YEAR, BY THE ISSUANCE OF GENERAL OBLIGATION BONDS, NOTES, OR OTHER MULTIPLE-FISCAL YEAR FINANCIAL OBLIGATIONS WHICH SHALL BEAR INTEREST, MATURE AND BE SUBJECT TO REDEMPTION, WITH OR WITHOUT PREMIUM, AND SHALL BE ISSUED AT SUCH TIME OR TIMES, AT SUCH PRICES (AT, ABOVE OR BELOW PAR) AND IN SUCH MANNER AND CONTAINING SUCH TERMS, NOT INCONSISTENT HERewith, AS THE BOARD OF EDUCATION MAY DETERMINE; SHALL AD VALOREM PROPERTY TAXES BE LEVIED IN ANY YEAR, WITHOUT LIMITATION AS TO RATE AND IN AN AMOUNT SUFFICIENT TO PAY THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST CHANGE THAT MAY BE COLLECTED AND SPENT WITHOUT FURTHER VOTER APPROVAL, NOTWITHSTANDING THE LIMITATIONS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

NP YES
 NP NO
 1 EAST GRAND SCHOOL DISTRICT NO. 2 REFERRED MEASURE 3B HEADER, Ballot Text, 0 Option
 (Vote YES or NO)

Options: 89
 Contests: 93
 NP YES
 NP NO