

Notice
Of
Election

Huerfano County
COLORADO

Coordinated Mail Ballot Election
November 7, 2017

GENERAL INFORMATION:

THIS NOTICE IS MAILED TO EACH ADDRESS WITH ONE OR MORE ACTIVE, REGISTERED ELECTORS. RECEIPT OF THIS VOTER INFORMATION DOES NOT NECESSARILY MEAN THAT ANY RESIDENT OF YOUR HOUSEHOLD IS REGISTERED TO VOTE. FURTHER, YOU MAY NOT BE ELIGIBLE TO VOTE ON ALL ISSUES PRESENTED IN THIS NOTICE.

THE INFORMATION CONTAINED IN THIS NOTICE WAS PREPARED BY PERSONS REQUIRED BY LAW TO PROVIDE SUMMARIES OF BALLOT ISSUES AND FISCAL INFORMATION. THE POLITICAL SUBDIVISIONS PROVIDING THIS INFORMATION DO NOT WARRANT THE ACCURACY OR TRUTH OF ANY OF THE STATEMENTS PRESENTED TO THEM FOR SUMMARY; NOR ARE THEY RESPONSIBLE FOR ERRORS IN SPELLING, GRAMMAR, OR PUNCTUATION OF SUBMITTED STATEMENTS.

ALL REGISTERED VOTERS

NOTICE OF ELECTION TO INCREASE TAXES / INCREASE DEBT / ON REFERRED MEASURES

Election Date: November 7, 2017

Local Election Office: Huerfano County Clerk & Recorder's Office

**Address: 401 Main Street, Suite 204
Walsenburg, Colorado 81089**

Phone: (719) 738-2380

Fax: (719) 738-2060

**Ballot Box Drop-off location
Next to Mining Museum
Open 24/7 October 16 thru November 7, 2017**

**Type of Election: General Mail Ballot
Voter Service and Polling Center (VSPC)**

**Hours of VSPC: 8:00 a.m. – 4:00 p.m. – Monday through Friday
8:00 a.m. – 12:00 p.m. – Saturday, November 4, 2017
7:00 a.m. – 7:00 p.m. – Election Day – November 7, 2017**

HUERFANO COUNTY

Referred Issue 1A

SHALL HUERFANO COUNTY (THE "COUNTY") TAXES BE INCREASED BY \$275,000 ANNUALLY (ESTIMATED FULL FISCAL YEAR DOLLAR INCREASE), AND BY WHATEVER ADDITIONAL AMOUNTS MAY BE RAISED ANNUALLY THEREAFTER, BY THE IMPOSITION OF A COUNTYWIDE RETAIL SALES AND USE TAX, INCLUDING RECREATIONAL MARIJUANA, AT THE RATE OF ½% (ONE HALF OF ONE PERCENT), BEGINNING JANUARY 1, 2018 AND CONTINUING FOR A PERIOD OF TEN YEARS THEREAFTER. THE REVENUES FROM SUCH SALES AND USE TAX TO BE DEPOSITED WITH THE HUERFANO COUNTY TREASURER, AND PLEDGED TO AND DEDICATED PRIMARILY TO SUPPORT THE OPERATION OF THE DISTRICT ATTORNEY'S OFFICE WITHIN THE COUNTY. HOWEVER, IF ADDITIONAL FUNDS ARE GENERATED IN SUBSEQUENT YEARS, ABOVE THE CPI INDEX OF THE DENVER-BOULDER AREA, THE EXCESS REVENUE SHALL BE DEDICATED SOLELY FOR PUBLIC SAFETY PURPOSES.

PRO – YES Referred Issue 1A

The greatest single responsibility of democratic government is to assure the safety and security of citizens in their persons and their homes. When law enforcement fails to protect the public from crimes and violence, government fails taxpayers. It is no secret that the 3rd Judicial District has struggled to adequately fund public safety. During the past twenty years, two elected District Attorneys resigned because they lacked the resources to properly perform their job. Predictably, criminals have not taken a holiday; rather, they have been emboldened as they watch law enforcement struggle to adequately police and prosecute their behavior. If we are to take our communities back and feel safe in our homes and businesses, we must provide adequate resources for the investigation and aggressive prosecution of every crime.

In Colorado our Legislature fully finances the public defenders who represent many criminal suspects, and it leaves the funding of District Attorneys to local taxpayers. So, when your District Attorney appears before a Judge and states, "I appear on behalf of the people..." they mean the residents and voters of the 3rd Judicial District. He means you. With limited resources, a pattern of plea bargaining that reduces both the charges and the penalties for criminal behavior became a bad habit that needs to be broken. The DA's office is no longer the office it was eight months ago, nor the office it will become with your help. Dollars have been stretched to their fullest and efficiencies have been introduced to provide the computer and communication systems found in modern law offices. The well-publicized shortcomings of the recent past are now a thing of the past.

The proposed half cent sales tax to support the District Attorney's office will provide a reliable source of revenue, independent of economic circumstances, for the pursuit of tougher prosecutions. In the most serious cases, where organized criminal networks of burglars, thieves and drug dealers operate in our communities, and they do; these individuals must be removed from the community if we are to successfully disrupt their criminal activity. A half cent adds just 50 cents to each \$100 dollars we spend. Winning convictions for crimes against you or your neighbors requires intensive, follow-up investigations, adherence to statutory

penalties and more jury trials. This requires additional dollars.

A sales tax offers the advantage of asking everyone: visitors and recreational marijuana purchasers to help support law enforcement. This minimizes the cost to county residents. Considering another tax is never pleasant, but it is occasionally necessary to steer revenues to our most critical public needs. This is one of those occasions. We will never get a handle on the insidious opioid epidemic and the crime it generates without a coordinated set of programs marrying both social services and law enforcement in a seamless assault on addiction. For the District Attorney's office this means more attorneys, dedicated investigators and an expanded paralegal staff. Your YES vote will reduce fear and contribute to a stronger regional economy.

CON - NO Referred Issue 1A

"No comments were filed by the constitutional deadline."

Fiscal Impact Statement of Referred Issue 1A

Fiscal Impact Statement

General Fund Revenues					
2017	2018 w/o	2018 with			
\$ 4,504,842	\$ 4,594,735	\$ 4,810,734			
\$ -	\$ 89,893	\$ 305,892	Difference over 2017		
General Fund Expenses					
2017	2018 w/o	2018 with			
\$ 4,923,363	\$ 5,021,830	\$ 5,182,827			
\$ -	\$ 98,467	\$ 259,464	Difference over 2017		

Referred Issue 2A

SHALL CITY OF WALSENBURG TAXES BE INCREASED BY \$75,000 IN 2018, THE FIRST FULL FISCAL YEAR OF SUCH TAX INCREASE, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY COLLECTING, ADMINISTERING, ENFORCING AND SPENDING AS A VOTER APPROVED REVENUE CHANGE UNDER COLO. CONST. ART. X § 20, A MUNICIPAL EXCISE TAX AT THE RATE OF FIVE-PERCENT (5.0%) OF THE AVERAGE MARKET RATE OF THE UNPROCESSED RETAIL MARIJUANA, AS DETERMINED BY THE DEPARTMENT OF REVENUE, AT THE TIME WHEN THE RETAIL MARIJUANA CULTIVATION FACILITY FIRST SELLS OR TRANSFERS UNPROCESSED RETAIL MARIJUANA FROM THE RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, A RETAIL MARIJUANA STORE, OR ANOTHER RETAIL MARIJUANA CULTIVATION FACILITY PURSUANT TO C.R.S. §29-2-114(2) AS AMENDED; AND, SHALL THE EXCISE TAX, NET OF THE COST OF COLLECTING, ADMINISTERING AND ENFORCING THE TAX, BE PLACED IN THE GENERAL FUND AND RESTRICTED TO THE FOLLOWING PURPOSES: MAKING UP ANY NET LOSS BETWEEN OPERATING REVENUES AND OPERATING EXPENSES OF THE WILD WATERS POOL, CITY PARKS' MAINTENANCE AND CONSTRUCTION, CODE ENFORCEMENT COSTS, AND YOUTH RELATED ACTIVITIES. .

PRO – YES Referred Issue 2A

The City is asking voter approval in order to begin imposing a 5% excise tax on the sale and transfer of unprocessed retail marijuana. Early estimates indicate that such a tax could yield up to \$75,000 in new revenue in the first year (2018), but only for certain dedicated City uses. Voters should be aware that this is not an additional tax, but a replacement to the tax that is currently being charged by Huerfano County. This tax will only be applicable to those retail marijuana cultivation facilities that are located, or will be located, within City Limits, so the County maintains its taxing authority over those facilities located within their jurisdiction. City Council has designated that this tax can only be used for purposes that currently need additional City support, such as off-setting the operating costs at the Wild Waters Pool, which is widely supported, but always operating at a deficit in order to make the pool affordable to the general public. Additionally, excise tax revenues can be used to provide much needed support for maintaining and improving the City's numerous parks, including serving as match money to grant dollars that are available to the City for such projects, covering costs related to Code Enforcement issues, such as removing abandoned buildings, and also youth-related activities.

CON – NO Referred Issue 2A

“No comments were filed by the constitutional deadline.”

I, Nancy C. Cruz, Huerfano County Clerk and Recorder, certify that the ballot issue notice is complete as submitted by the political subdivisions.

Estimate of Financial Impact of Referred Issue 2A:

Revenue and Spending. Ordinance 1102 imposes a 5% excise tax on the sale and other transfer of unprocessed retail marijuana as provided in C.R.S. 29-2-114(2). The City is estimating to generate \$75,000 of excise tax revenue in 2018, the first full year of such a tax and by whatever additional amounts are raised annually thereafter.

The excise tax will be placed in the General Fund and will be restricted to making up any net loss between operation revenues and operating expenses of the Wild Waters pool, city parks maintenance and construction, code enforcement costs, and youth related activities. The current 2017 adopted budget for the City estimates the net operating loss for the Wild Waters pool that the General Fund subsidizes is \$56,000.

Most of the City's services are funded by the General Fund – building and code enforcement, parks and recreation, law enforcement and animal control, youth programs, streets and drainage, downtown revitalization, planning and economic development. Due to mismanagement in the past, the City's General Fund ran at a significant deficit in 2008 (\$1.4 million dollars) and did not recover until one year ago. From 2012 on, the City laid off employees, slashed remaining employee salaries and cut expenses to bare bones levels to help the General Fund recover and finally in 2016, it appears the City will end the year with the General Fund in the black.

Walsenburg is still operating at those “slashed” levels in its General Fund services and this has further hampered its ability to clean up the City and get the economy going. A “yes” vote for 2A will allow the City to invest in a higher level of streets and parks maintenance, replace old and unsafe equipment, tear down condemned and unsafe buildings (with property liens so the property owners are forced reimburse the city), make public improvements to our downtown to help stimulate business and grow the economy, hire someone to work directly with new and expanding businesses to create more jobs and more revenue, and restore the police department to 2 officers per shift day and night.

The City now has the professional staff and know-how to move things forward without unnecessary or inappropriate spending of the past.

Sales tax is mostly paid for by out of town residents. The cost to residents would be insignificant and residents would get 100% of the benefits. We can use the money to increase tourism and business thus increase the sales tax revenue not only in this area – but 2/3s of our existing 3 cent sales tax is restricted to street improvements and capital improvements. Utility funds are in separate business type accounts and the utility fees and revenues from those funds can't go to General Fund activities.

NANCY C. CRUZ

Huerfano County Clerk & Recorder
401 Main Street, Suite 204
Walsenburg, Colorado 81089

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2017 ELECTION INFORMATION – HUERFANO COUNTY

For All Registered Voters in this Household