



LA PLATA COUNTY, CO • EST. 2003 • ELEV. 7942
1 Trew Creek Drive, Durango, CO 81301
www.aspentrailsmd.com • board@aspentrailsmd.com

ATMD Resolution Number 2022-10
ELECTION RESOLUTION FOR THE REGULAR DISTRICT ELECTION FOR 2023
(Pursuant to Sections 32-1-804 and 1-13.5, C.R.S.)

WHEREAS, the terms of office of Directors **Bill Grimes and Missy Thompson** shall expire after their successors are elected at the regular special district election to be held on **May 2, 2023** (“Election”) and take office; and

WHEREAS, in accordance with the provisions of the Special District Act (“Act”) and the Colorado Local Government Election Code (“Code”), the Election must be conducted to elect **two (2)** Directors to serve for a term of **four (4)** years; and

NOW, THEREFORE, be it resolved by the Board of Directors of the **ASPEN TRAILS METROPOLITAN DISTRICT** (“District”), **LA PLATA** County, Colorado that:

1. The regular election of the eligible electors of the District shall be held on **May 2, 2023**, pursuant to and in accordance with the Act, Code, and other applicable laws. At the time, **two (2)** Directors will be elected to serve a **four-year** term.
2. The Election shall be conducted as a **MAIL BALLOT** Election in accordance with all relevant provisions of the Code. The Designated Election Official shall develop a formal plan for conducting the mail ballot Election, which will be made available to the public. **There shall be no election precinct or polling place.** All mail ballots shall be returned to the Designated Election Official’s place of business at **827 Sierra Drive, Durango, CO 81301.**
3. The Board of Directors, by Resolution **2022-9**, has designated **Brad Fuhrman** as the Designated Election Official for the conduct of the election on behalf of the District, who is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and the Act, Code, and other applicable laws. The Election shall be conducted in accordance with the Act, Code, and other applicable laws. Among other matters, the Designated Election Official shall publish the call for nominations, appoint election judges as necessary, appoint the Canvass Board, arrange for the required notices of election, and printing of ballots, and direct that all other appropriate actions be accomplished.
4. If other special districts with overlapping boundaries of the District are conducting ballot issue elections on the Election day, the District is required to enter into an intergovernmental agreement with such special districts concerning the preparation and mailing of Notice to the active registered electors within the overlapping area. The Designated Election Official is authorized to enter into such agreement on behalf of the District.
5. Self-Nomination and Acceptance forms are available at the Designated Election Official’s place of business located at the above address. All candidates must file a Self-Nomination and Acceptance form with the Designated Election Official no earlier than **January 1, 2023**, nor later than the close of business (time: 5:00 p.m.) on **Friday, February 24, 2023.**
6. Affidavit of Intent To Be A Write-In-Candidate forms are available at the Designated Election Official’s place of business located at the above address. All such candidates must submit the affidavit





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form to the Designated Election Official by the close of business (time: 5:00 p.m.) on **Monday, February 27, 2023**.

7. If the only matter before the electors is the election of Directors of the District and if, at the close of business on **February 28, 2023**, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent no later than **February 27, 2023**, the Designated Election Official shall cancel the Election and declare self-nominated candidates elected. Notice of such cancellation shall be published and posted in accordance with the Code. The Notice and this Resolution, signed by the board Chair, shall be filed with the Division of Local Government.

8. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

9. Any and all actions previously taken by the Designated Election Official or the Secretary of the Board of Directors or any other persons acting on their behalf pursuant to the Act, the Code or other applicable laws, are hereby ratified and confirmed.

10. All acts, orders, and resolutions, or parts thereof, of the Board of Directors which 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.

APPROVED and ADOPTED this 7th Day of **DECEMBER 2022**.



President, Aaron Ball



ATTEST: Treasurer, Brad Fuhrman

