

**TOWN OF TIMNATH, COLORADO  
RESOLUTION NO. 09**

**Series of 2008**

**A RESOLUTION OF THE TOWN COUNCIL OF THE  
TOWN OF TIMNATH, COLORADO, CANCELING THE  
APRIL 8, 2008 REGULAR ELECTION AND DECLARING  
CANDIDATES FOR THE OFFICES OF TOWN  
COUNCILMEMBERS AND MAYOR ELECTED**

**WHEREAS**, pursuant to C.R.S. § 31-10-507, any municipality may cancel an election when the only matter before the voters is the election of persons to office, and if, at the close of business on the nineteenth (19<sup>th</sup>) day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intention to be write-in candidates, so long as the municipality has previously acted by ordinance to authorize such cancellation by resolution; and

**WHEREAS**, Timnath Municipal Code ("Code") section 2.2.2 provides for cancellation of election by resolution when the conditions set forth in C.R.S. § 31-10-507 are met; and

**WHEREAS**, the deadline for filing nomination petitions was March 7, 2008, and there were not more candidates nominated than offices to be filled as of 19 days before the election, March 20, 2008; and

**WHEREAS**, pursuant to Town Charter Section 4.8, write-in candidates must sign an affidavit of intention to serve if elected not later than 20 days before the election; and

**WHEREAS**, the deadline for filing affidavits of intent for write-in candidates was March 19, 2008, and there were no such affidavits of intent filed with the Town Clerk at the close of business on that day; and

**WHEREAS**, pursuant to Code Section 2.2.2, the Town Council ("Council") of the Town of Timnath desires to cancel the regular election scheduled for April 8, 2008 and deem all candidates elected.

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Timnath, Colorado:

**Section 1.** Pursuant to C.R.S. § 31-10-507, Timnath Municipal Code Section 2.2.2 and the Town of Timnath, Colorado Home Rule Charter Section 4.8, the Town Clerk is hereby directed to cancel the April 8, 2008 regular election for the Town of Timnath and the following candidates are deemed elected:

Donna Benson – Mayor – 4-year term  
Kim Speaker – Councilmember – 4-year term

**Section 2.** The Town Clerk shall publish notice of such cancellation of election if possible, in order to inform the electors of the Town, and notice of such cancellation shall be posted at each polling place and in not less than one (1) other public place.

**Section 3.** This resolution shall be effective upon adoption.

ADOPTED, by the Town Council of the Town of Timnath, Colorado on the \_\_\_ day of March 2008, with a motion made by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ and a by a vote of \_\_\_ in favor and \_\_\_ opposed.

TOWN OF TIMNATH, COLORADO

  
\_\_\_\_\_  
Charlie Snider, Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Linda N. Salas, Town Clerk