

**TOWN OF TIMNATH, COLORADO
RESOLUTION NO. 35, SERIES 2024**

A RESOLUTION DETERMINING A VACANCY EXISTS ON TOWN COUNCIL

WHEREAS, the Town Council of the Town of Timnath (“Town”) pursuant to C.R.S. § 31-15-103, has the power to pass resolutions; and

WHEREAS, pursuant to Section 2.6 of the Town of Timnath Home Rule Charter (the “Town Charter”), “An elected office shall become vacant before the expiration of the term of office, on the happening of any one (1) of the following events: ... Resignation of the officer ...”; and

WHEREAS, at the Election on April 2, 2024, Robert Axmacher was elected to the position of Mayor of the Town; and

WHEREAS, on April 16, 2024, Robert Axmacher submitted a letter of resignation from his position as Councilmember on the Town Council, prior to being sworn into office as Mayor of the Town; and

WHEREAS, pursuant to Sec. 2.6.2 of the Town Charter, “The existence of a vacancy shall be established by competent evidence thereof placed on record in the Council minutes. The Council shall determine the validity of the evidence and decide when a vacancy exists;”

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH AS FOLLOWS:

The Town Council has examined the letter of resignation from the Councilmember position submitted by Robert Axmacher and finds it to be valid. The Town Council hereby finds that a vacancy exists on the Town Council, as of April 16, 2024. The Town Council may appoint a replacement to fill the vacancy between May 3, 2024 and July 22, 2024.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 23rd day of April 2024.

THE TOWN OF TIMNATH



Robert Axmacher, Mayor



ATTEST:

A handwritten signature in blue ink, reading "Milissa Peters Garcia", is written over a horizontal line.

Milissa Peters-Garcia, CMC, Town Clerk