



1026 Park Ave · PO Box 99
Grand Lake, CO 80447
970-627-3435
www.townofgrandlake.com

To: Grand Lake Board of Trustees
From: John Crone, Town Manager
Re: Appointment of a Trustee to fill a Vacancy
Date: May 22, 2023

Background

Effective April 11, 2023, Daryn Packer has resigned his position as a Trustee for the Town of Grand Lake. Trustee Packer's resignation was necessitated by a change in her residence.

Filling the Vacancy

When a vacancy occurs on the Board of Trustees, the next steps are dictated by both Colorado Revised Statute § 31-4-205 and Municipal Code § 2-3-5. The language of the state statute dictates a timeline for filling a vacancy:

- (2) Within sixty days after a vacancy occurs in the city council, the council shall:
 - (a) Appoint a person possessed of all statutory qualifications to fill the vacancy until the term of office of a successor elected at the next regular election has commenced as provided in section 31-4-105; or
 - (b) Order an election, subject to the municipal election code, to be held as soon as practicable to fill the vacancy until the term of office of a successor elected at the next regular election has commenced as provided in section 31-4-105.
- C.R.S. § 31-4-205(2)

The language governing the process is largely mirrored in the Municipal Code:

Filling Vacancies in Elective Offices

The Board of Trustees shall have power, by appointment, to fill all vacancies in the Board or in any other elected office, and the person so appointed shall hold office until the next regular election and until his successor is elected and qualified. If the term of the person creating the vacancy was to extend beyond the next regular election, the person elected to fill the vacancy shall be elected for the unexpired term. Where a vacancy or vacancies exist in the office of trustee and a successor or successors to be elected at the next election to fill the unexpired term or terms, the three candidates for trustee receiving the highest number of votes shall be elected to four-year terms and the candidate or candidates receiving the next highest number of votes, in descending order, shall be elected to fill the unexpired term or terms. (C.R.S. 31-4-301(5), 1973, 1979 Supp.)



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- Grand Lake Municipal Code § 2-3-5.

These requirements established Saturday, June 10, 2023, as the final date in which the Board of Trustees must appoint someone to fill the vacancy or schedule a special election. Whoever is selected to fill the vacancy will only fill the vacancy until a successor is elected in the April 9, 2024, election.

The Town's Municipal Code requires that all Trustees meet certain qualifications:

Trustees shall be qualified electors who have resided within the limits of the Town for a period of at least twelve (12) consecutive months immediately preceding the date of the election; provided that in case of annexation, any person who has resided within the annexed territory for the time prescribed shall be deemed to have met the residence requirements for the Town to which the territory was annexed. (C.R.S. 31-4-301(1), 1973)

- Grand Lake Municipal Code § 2-4-1.

The Board set a deadline of May 17, 2023, at 5:00 pm for the return of applications. The Board scheduled interviews with the candidates and decided to make the appointment at the regularly scheduled Board of Trustees' Meeting on May 22, 2023. Two qualified applicants turned in their paperwork by the deadline: Alex Merchant and Eric Bishop. If the Board chooses not to appoint one of the candidates, it must either select another candidate or set an election at this meeting.

Motion

If the Board would like to appoint one of the candidates, it should do so by adopting the attached resolution with the following motion.

I move to adopt Resolution 15-2023, Appointing (name) to Fill a Vacancy on the Board of Trustees.

TOWN OF GRAND LAKE
RESOLUTION NO. 15- 2023

**A RESOLUTION APPOINTING A NEW TRUSTEE TO FILL A VACANCY ON THE GRAND LAKE
BOARD OF TRUSTEES**

WHEREAS, the Town of Grand Lake Municipal Code and Colorado State Statute dictate the composition of the Board of Trustees; and

WHEREAS, the resignation of Trustee Daryn Packer has created a vacancy on the Board of Trustees; and

WHEREAS, the Town of Grand Lake has followed all steps required by law to solicit a qualified person to fill said vacancy; and,

WHEREAS, the Board of Trustees of the Town of Grand Lake has determined that (name) is a qualified candidate.

NOW THEREFORE BE IT RESOLVED BY THE GRAND LAKE BOARD OF TRUSTEES AS FOLLOWS:

The Board of Trustees of Grand Lake, Colorado appoints (name) as a Trustee to fill the vacancy created by the resignation of Daryn Packer, with all the privileges and limitations as imposed by the Grand Lake Municipal Code and Colorado State Statutes thereof.

DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THIS 22nd DAY OF MAY 2023.

(SEAL)

Votes Approving:
Votes Opposed:
Absent:
Abstained:

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

Stephan Kudron
Town Mayor