



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

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To: Grand Lake Board of Trustees  
From: John Crone, Town Manager  
Re: Resignation of Trustee Ernie Bjorkman  
Date: June 12, 2023

### **Trustee Bjorkman**

Effective Tuesday, May 23, 2023, Ernie Bjorkman has resigned his position as a Trustee for the Town of Grand Lake. Trustee Bjorkman's resignation was necessitated by a change in his residence.

Trustee Bjorkman has been a valuable member of the Board and a valuable contributor to our community. His efforts on behalf of the Town will be sorely missed.

### **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 Grands Lake 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.)

- Grand Lake Municipal Code § 2-3-5.



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These requirements establish Saturday, July 22, 2023, as the final date in which the Board of Trustees must appoint someone to fill the vacancy or schedule a special election. There is no requirement that the Town advertises the vacancy or solicits applications; although, traditionally, the Town has taken those actions.

Whoever is selected to fill the vacancy will only fill the vacancy until a successor is elected in the April 8, 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.

### Next Steps

Due to the burdens associated with a special election, staff recommends that the Board of Trustees take steps to appoint someone to fill the vacancy caused by Trustee Bjorkman's resignation. To accomplish this the Board of Trustees should select a due date for applications to fill the vacancy and instruct staff to post notice of the vacancy in the local newspaper and at the Post Office and Town Hall. The Board of Trustees should also set the requirements for applications (i.e. letter of interest, proof of eligibility).

The Board will also need to decide when it wants to make the appointment. The Board has regular meetings scheduled on June 26 and July 10. In order to give applicants time to respond, staff recommends that the Board set a deadline of either Wednesday, June 21, 2023, at 4:30 pm or Wednesday, July 5, 2023, at 4:30 pm for the return of applications. Staff also recommends that the Board interviews any selected candidates and makes the appointment at the regularly scheduled Board of Trustees' Meeting on either June 26, 2023, or July 10, 2023.

### Motion

Staff recommends the adoption of the following motion with any changes as directed by the Board.

*I move to have the Mayor instruct the Town Manager to post the attached Notice of Vacancy and Request for Applicants in the local newspaper, at Town Hall, the Grand Lake Post Office, and anywhere else that staff determines is appropriate; and, that the Board of Trustees adopt the timelines therein for the appointment of a Trustee to fill the current vacancy on the Grand Lake Board of Trustees.*



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### Notice of Vacancy and Request for Applicants

The Town of Grand Lake currently has one vacancy on the Board of Trustees to be filled by appointment at the \_\_\_\_\_, 2023, Board of Trustees Meeting. The term expires in April 2024.

Interested parties must be a registered elector of the Town of Grand Lake, at least 18 years of age, and have resided in the Town of Grand Lake for a period of at least 12 consecutive months immediately preceding the date of appointment.

Qualified individuals must submit a letter of interest and proof of qualification by \_\_\_\_\_, 2023, no later than 4:30 P.M. to the Town Clerk at Town Hall located at 1026 Park Avenue, P.O. Box 99, Grand Lake, CO 80447. The letter of interest may be emailed to [clerk@toglco.com](mailto:clerk@toglco.com).

Questions may be directed to the Town Manager at [manager@toglco.com](mailto:manager@toglco.com) or at 970-531-8900.