



Request for Board Action

Meeting Date: 8/12/2024

Agenda Item No: 9A	Department: Administration	Presenter: Carrell
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ITEM:

Approve/Deny Resolution 47-2024, Appointing _____ to Fill the Vacancy on the Board of Trustees.

BACKGROUND:

On June 19, 2024, Trustee Bishop resigned from the Board of Trustees.

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.



These requirements establish Friday, August 16, 2024, as the final date on which the Board of Trustees must appoint someone to fill the vacancy or schedule a special election. Since our next Board of Trustees meeting falls after the final date in which someone must be appointed, the vacancy will be filled at the August 12, 2024, Board of Trustees meeting. 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 2026, 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.

SUGGESTED MOTIONS

*I make a motion to approve/(deny) **Resolution 47-2024, Appointing_____ to Fill the Vacancy on the Board of Trustees.***