

**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2023-62**

**A RESOLUTION AUTHORIZING A MAIL BALLOT ELECTION
FOR THE TOWN OF JOHNSTOWN'S REGULAR MUNICIPAL
ELECTION SCHEDULED ON APRIL 2, 2024**

WHEREAS, the Town of Johnstown ("Town") is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town's Home Rule Charter; and

WHEREAS, the Town Council is vested with the authority to administer the affairs of the Town; and

WHEREAS, pursuant to the Home Rule Charter, a regular municipal election is to be conducted on April 2, 2024; and

WHEREAS, except as otherwise provided in the Home Rule Charter, the election is governed by state statutes, including the Colorado Municipal Election Code of 1965, C.R.S. §§ 31-10-101, *et seq.* ("Municipal Election Code"); and

WHEREAS, C.R.S. § 31-10-908 provides that a municipality may determine that an election be conducted by mail ballot; and

WHEREAS, the conduct of a mail ballot election is governed by C.R.S. §§31-10-907-913; and

WHEREAS, the Town Council desires to utilize the mail ballot procedure to increase the likelihood that the election will result in higher voter participation; and

WHEREAS, C.R.S. § 31-10-401 provides that the Town Council may appoint election judges or may delegate such authority to the Town Clerk; and

WHEREAS, the Town Council desires to delegate the authority to appoint election judges for the April 2, 2024, regular municipal election to the Town Clerk; and

WHEREAS, C.R.S. § 31-10-801 provides that the Town Council may authorize the use of an electronic voting system; and

WHEREAS, the Town Council desires to authorize the use of an electronic voting system to count the mail ballots for the April 2, 2024, regular municipal election; and

WHEREAS, the Town's Home Rule Charter further provides that the Town Clerk shall be in charge of all activities and duties relating to the conduct of the election; and

WHEREAS, the Town Council finds that it is in the best interest of the Town of Johnstown to conduct its regular municipal election on April 2, 2024, as a mail ballot election and to adopt the procedures set forth herein.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The Town Council hereby determines that the regular election of the Town of Johnstown to be held on April 2, 2024, shall be conducted as a mail ballot election.

Section 2. The Town Council hereby delegates the authority to appoint qualified election judges for the April 2, 2024, regular municipal election to the Town Clerk. The Town Clerk shall make and keep on file in the Town Clerk’s office a list of all persons so appointed.

Section 3. The Town Council hereby authorizes the use of an electronic voting system for the April 2, 2024, regular municipal election.

Section 4. In addition to the authority otherwise set forth herein, the Town Clerk is hereby authorized and directed to take all necessary and required action for the proper conduct of the April 2, 2024, regular election, consistent with the Town’s Home Rule Charter and the Municipal Election Code.

Section 5. If any portion of this Resolution is held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such portion shall not affect any of the remaining portions of this Resolution.

Section 6. This Resolution shall be in full force and effect upon its passage and adoption.

PASSED, SIGNED, APPROVED, AND ADOPTED this ___ day of _____, 2023.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Troy D. Mellon, Mayor