



TOWN OF MINTURN  
P.O. Box 309 (302 Pine Street)  
Minturn, Colorado 81645-0309  
970-827-5645 Fax: 970-827-5545  
treasurer@minturn.org

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**FROM THE DESK OF  
JAY BRUNVAND, CLERK/TREASURER**

*MEMORANDUM*

TO: Michelle Metteer, Town Manager  
Mayor and Town Council  
FROM: Jay Brunvand, Treasurer/Clerk  
CC:  
DATE: January 17, 2024  
RE: Discussion regarding Council Appointment

**Summary:**

Section 4.6 of the Town Charter requires “the remaining Council Members shall choose by majority vote, within thirty (30) days after such a vacancy occurs, a duly qualified person to fill the unexpired term so vacant.”

**Background:**

On December 12, 2023 the Town received a resignation from Council Member Tom Sullivan effective immediately. On direction given at the 12/20/23 Council Meeting, Staff has proceeded in the advertisement opening and solicitation of applicants.

- 1) The position and qualifications were posted in the Public Posting boxes.
- 2) This same posting was added to the Town Website.
- 3) An advertisement was placed in the Vail Daily for the position. The ad refers interested citizens to the website or the Town Clerk for further information.
- 4) The notice was email blasted several times too.
- 5) The deadline for Letters of Interest are due in the Clerk’s Office by end of business on January 11, 2024.
- 6) Council would then appoint based on the received Letters of Interest on January 17.
- 7) The appointment would be effective through the April 2024 election and, upon candidacy, could be included in the April election.

At tonight’s Council Meeting you will consider appointment of the Council Seat. Currently the Council stands at six members in order to appoint a candidate to the vacant seat you will need four votes minimum.

Note: Following is a recommended sequence of events for the Mayor to follow in order to appoint the vacant Council seat.

- 1) Business Items
  - a. Discuss and Interview applicants
    - i. The Mayor will announce the Letters of Interest received.
    - ii. Qualified Letters of Interest received by the deadline date of 1/11/24:
      1. Eric Gotthelf: 541 Main St

**2) Below is the standard procedure Council has traditionally followed for appointing interim council members:**

- i. Each nominee will be allowed time to speak from the podium.
  1. They will each have a few minutes to introduce themselves and express their desire and qualifications.
  2. The Council will have time to ask interview questions.

*Note: as of packet publication we only have one Letter of Interest. In this event, Council may verify there are no further questions, skip balloting, and move directly to the Resolution appointing the applicant.*

- ii. Once all nominees have been interviewed, Council will use prepared ballots to vote for the seat.
  1. The ballots are not secret, will have your name on them for future reference, and will be numbered in the event multiple ballot votes are necessary.
  2. Ballots will be passed to the Town Clerk who will tally the votes and announce the results.
    - a. The candidate with the highest vote will be awarded the position.
    - b. In the event the first round of voting does not produce a single winning applicant, those applicants in the tie vote will stand for a revote.
  3. The Mayor will announce the voting results after each round and announce the winning applicant as determined.

b. Resolution 02 – Series 2024

- i. Based on the winning individual a single nominee or the final vote where one applicant receives a majority of votes, the Mayor will call for a motion to appoint the applicant and their name will be added to the Resolution provided.

c. Swearing in of appointed applicant

- i. Once the Resolution is approved, the Mayor will swear in the newly appointed Council Member with the following:

Nominee will raise their right hand.

*I, \_\_\_\_\_, do solemnly swear that I will support the Constitution and laws of the United States, the Constitution and laws of the State of Colorado, and the Ordinances of the Town of Minturn, and that I will faithfully perform all the duties of the office of Minturn Town Council Member, upon which I am about to enter.*

- 1) The newly seated Council Member will immediately assume their seat at the Council Table.