

**RESOLUTION 2014-3**

**A RESOLUTION TO CANCEL THE TOWN ELECTION THAT WAS TO BE HELD ON APRIL 1, 2014, AS PROVIDED FOR IN TOWN ORDINANCE NO. 339**

**WHEREAS**, C.R.S. § 31-10-507 provides that if a municipality has adopted an ordinance addressing cancellation of elections, it may cancel an election where there are not more candidates than offices to be filled; and

**WHEREAS**, Town of Holly Ordinance No. 339 provides that the Board of Trustees ("Board") may, by resolution, direct the Town Clerk to cancel a municipal election and declare the candidates elected if the only matter before the voters is the election of persons to office, and if at the close of business on the nineteenth day before said municipal election, there is not more than one (1) candidate per seat to be filled at such election, including candidates filing affidavits of intent; and

**WHEREAS**, C.R.S. § 31-10-507, upon such declaration, the candidates shall be deemed elected; and

**WHEREAS**, the nineteenth day before the regular municipal election to be held on April 1, 2014 is March 13, 2014; and

**WHEREAS**, the deadline for filing nomination petitions was February 28, 2014, and there were not more candidates nominated than offices to be filled at the April 1, 2014 election; and

**WHEREAS**, the deadline for filing affidavits of intent for write-in candidates is March 11, 2014; and

**WHEREAS**, there are currently no more than one (1) candidate for each seat to be filled based upon those filing nomination petitions, and if there remains not more than one (1) candidate per seat after the deadline for candidates filing affidavits of intent to be write-in candidates as of close of business on March 11, 2014, the Board desires to cancel the election and declare the candidates elected, as provided by C.R.S. § 31-10-507; and

**WHEREAS**, the only matter before the voters is the election of candidates to office.

**THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF HOLLY, COLORADO:**

Section 1. Effective at the close of business on March 13, 2014: If there are not more candidates than offices to be filled, including candidates filing affidavits of intent to be write-in candidates, the Town Clerk is hereby directed to cancel the April 1, 2014 regular municipal election for the Town of Holly.

If the Town Clerk cancels the election as set forth in Section 1, the following individuals are hereby deemed elected to the subsequent positions and terms:

One (4) year term for Trustee	Jerry Jones
One (4) year term for Trustee	Johnnie L. Lyons
One (4) year term for Trustee	Anthony (Skip) H. Moldenhauer
One (2) year term for Mayor	Bradley J. Simon

Section 2. The election scheduled for the 1<sup>st</sup> day of April, 2014, shall be canceled on March 14, 2014 at the close of business, nineteen days prior to the scheduled April 1, 2014 election, if no affidavit of intent has been filed by an eligible write-in candidate by the 20<sup>th</sup> day prior to the election.

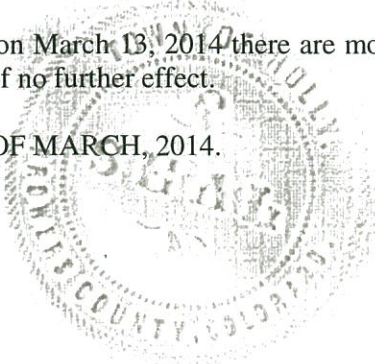
Section 3. Notice of cancellation of the election shall be published, if possible, and notice of such cancellation shall be posted at each polling place and in not less than one (1) other public place.

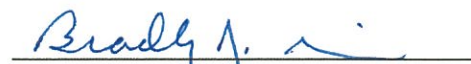
Section 4. If, as of the close of business on March 13, 2014 there are more candidates than offices to be filled, this Resolution 2014-3 shall be null and void, and of no further effect.

PASSED AND APPROVED THIS 11<sup>th</sup> DAY OF MARCH, 2014.

ATTEST:

  
Mary Rushton, Clerk/Treasurer



  
Bradley J. Simon, Mayor