TOWN OF PARACHUTE, COLORADO
RESOLUTION NO. 2015-24

A RESOLUTION SETTING AN ELECTION DATE ON THE PETITIONS FOR RECALL OF MAYOR ROY MCLUNG, TRUSTEE TIMOTHY OLK, TRUSTEE JOHN LOSCHKE, AND TRUSTEE THOMAS RUGAARD FROM THEIR RESPECTIVE OFFICES OF MAYOR AND TOWN TRUSTEES AND ELECTION OF SUCCESSOR MAYOR AND TOWN TRUSTEES.

WHEREAS, the provisions of Section 5-8 of the Town Charter provide the electors of the Town of Parachute the power to recall elected officials of the Town;

WHEREAS, on September 29, 2015, a Petitioners Committee was formed and the Committee submitted to the Town Clerk petitions for approval as to form;

WHEREAS, on October 8, 2015, the Town Clerk approved as to form the "Petition to recall Roy McClung from the office of Mayor of the Town of Parachute, Colorado," "Petition to recall Timothy Olk from the office of Trustee of the Town of Parachute, Colorado," "Petition to recall John Loschke from the office of Trustee of the Town of Parachute, Colorado," and "Petition to recall Thomas Rugaard from the office of Trustee of the Town of Parachute, Colorado" and the Petitioners Committee began circulation the Petitions for signatures from electors;

WHEREAS, on October 14, 2015, the Petitioners Committee filed with the Town Clerk signed Petitions demanding the recall of Mayor McClung, Trustee Olk, Trustee Loschke, and Trustee Rugaard;

WHEREAS, on October 28, 2015, the Town Clerk issued Statements of Sufficiency determining that a sufficient number of signatures were valid and, therefore, was required to call an election on the Petitions subject to Protest;

WHEREAS, the period for filing of Protest began October 29, 2015, ran for fifteen days, and ended on November 12, 2015 without any Protest filed with the Town Clerk;

WHEREAS, on November 19, 2015, the Town Clerk determined that the Petition to recall Roy McClung from the office of Mayor of the Town of Parachute, Colorado, Petition to recall Timothy Olk from the office of Trustee of the Town of Parachute, Colorado, Petition to recall John Loschke from the office of Trustee of the Town of Parachute, Colorado, and Petition to recall Thomas Rugaard from the office of Trustee of the Town of Parachute, Colorado contained a sufficient number of valid electors' signatures to require an election on the questions of recall and issued a Final Determination of Sufficiency;

WHEREAS, signed Petitions were submitted within 180 days of the next regular election and, therefore, pursuant to C.R.S. § 31-4-503(4), the recall election on said Petitions shall be held as part of the regular election;

WHEREAS, pursuant to Section 5-3 of the Town Charter, the regular election of the Town is the first Tuesday of April;

WHEREAS, pursuant to C.R.S. § 31-4-504(3)(a), the official election ballot shall contain, in not more than two hundred words, the reasons set forth in the Petitions for demanding recall of the Mayor and Trustees, and, in not more than three hundred words, there shall also be printed, if desired by the recalled Mayor and Trustees, the officer's justification of his course in office;

WHEREAS, for inclusion on the election ballot, the recalled officers must file their statements with the Town Clerk no later than 5:00 P.M. on February 19, 2015;

WHEREAS, candidates to succeed to the offices of Mayor and Town Trustees, in the event the "YES" votes exceed the "NO" votes, shall file with the Town Clerk nominating petitions on forms provided by the Town Clerk no later than 5:00 P.M. on February 19, 2015 for inclusion on the second section of the election ballot; and

WHEREAS, the Board of Trustees finds that the adoption of this Resolution is necessary to conduct the recall elections, as prescribed by Colorado law.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Date of Election.

The Board of Trustees hereby accepts, approves, and ratifies the determinations made by the Town Clerk regarding the sufficiency of the Petition to recall Roy McClung from the office of Mayor of the Town of Parachute, Petition to recall Timothy Olk from the office of Trustee of the Town of Parachute, Petition to recall John Loschke from the office of Trustee of the Town of Parachute, and Petition to recall Thomas Rugaard from the office of Trustee of the Town of Parachute and hereby sets **April 5, 2016** as the date of an election on the following questions:

"Shall Roy McClung be recalled from the office of Mayor of the Town of Parachute?"

Yes _____

No _____

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"Shall Timothy Olk be recalled from the office of Trustee of the Town of Parachute?"

Yes _____

No _____

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"Shall John Loschke be recalled from the office of Trustee of the Town of Parachute?"

Yes _____

No _____

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"Shall Thomas Rugaard be recalled from the office of Trustee of the Town of Parachute?"

Yes _____

No _____

Section 3. Direction to Town Staff.

Town Staff is hereby authorized and directed to take such actions as are necessary and proper to conduct a recall election, including but not limited to, preparing official ballots in accordance with C.R.S. § 31-4-504, conducting this election as part of a coordinated election, and all other necessary and prudent actions and/or obligations of the Town to conduct an election in accordance with Colorado law.

INTRODUCED, PASSED, APPROVED, AND ADOPTED by a vote of 5 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a special meeting held at the Town Hall in the Town of Parachute, Colorado on the 10th day of December, 2015 and approved by the Mayor on the 10th day of December, 2015.

TOWN OF PARACHUTE SEAL COLORADO

BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO

By _____
Roy B. McClung
Mayor

ATTEST:

_____
S. Denise Chiaretta
Town Clerk