

Posted on September 4, 2021 at: _____



**TOWN OF WIGGINS
WORK SESSION AGENDA**

September 8, 2021 at 7:00 P.M.

**304 CENTRAL AVENUE
WIGGINS, CO 80654**

***NOTE: THE PUBLIC IS HIGHLY ENCOURAGED TO ATTEND THE MEETING
VIA ZOOM DUE TO LIMITED SEATING CAPACITY***

GO TO FOLLOWING SITE <https://us06web.zoom.us/j/88202736268> FOR THE MEETING LINK

MEETING AGENDA

<u>AGENDA TOPIC</u>	<u>ESTIMATED TIME</u>
1. Discussion Regarding 2022 Town of Wiggins Budget	60 minutes
2. Discussion Regarding Filling Vacant Trustee Position	20 minutes
3. Discussion Regarding Planning and Zoning Commission Composition	20 minutes
4. Other Items/Updates	15 minutes
5. Future Agenda Topics	5 minutes

The Board of Trustees may adjourn for a brief Special Meeting after the Work Session.



STAFF SUMMARY

Board of Trustees Board Work Session

September 8, 2021

DATE: September 4, 2021

AGENDA ITEM NUMBER: 2

TOPIC: Discussion and Consideration of Resolution 29-2021 – Declaring a Vacancy on the Board of Trustees and Appointment to Fill the Position

STAFF MEMBER RESPONSIBLE: Tom Acre, Town Manager

BACKGROUND:

Trustee Patricia Musgrave submitted her resignation effective August 25, 2021. The Colorado Revised Statute Title 31 section 31-4-108 (2)(b) requires the Board of Trustees appoint to fill the position within sixty days after the vacancy occurs, or it shall order an election, subject to the municipal election code, 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.

SUMMARY:

Staff has prepared the attached resolution for the Board of Trustees' discussion and consideration. The resolution declares the vacancy on the Board and suggests a process to fill the vacant position. The process presented would have interested eligible individuals submit a letter of interest and resume via email to the Town Clerk. Following the submission deadline, the Board of Trustees would be provided the applications for review, may interview the applicants, and then would select and appoint an individual to fill the vacancy.

The two sections of the Colorado Revised Statute referenced above are attached to this staff summary.

FISCAL IMPACT:

The adoption of Resolution No. 29-2021 and appointing to fill the vacant position has no impact on the adopted 2021 Town Budget. If the Board is required to hold a special election, the

budget would potentially be negatively impacted by approximately \$5,000 for the cost of the special election.

APPLICABILITY TO TOWN OBJECTIVES AND GOALS TO PROVIDE SERVICES:

This Resolution supports the Board of Trustees' desire to provide the opportunity for eligible residents to be involved in the governance of the Town of Wiggins.

QUESTIONS/INFORMATION REQUESTED FROM THE BOARD OF TRUSTEES:

- Does the Board of Trustees agree with the suggested process to fill the vacant Trustee position?
- Is the proposed time frame to accomplish the appointment to fill the vacancy acceptable to the Trustees?
- Do the Trustees have any questions for staff?

Colorado Revised Statutes 2020

TITLE 31

GOVERNMENT - MUNICIPAL

PART 1

ORGANIZATIONAL STRUCTURE AND OFFICERS OF STATUTORY CITIES

31-4-105. Election of officers - terms. The registered electors of each city shall elect, at the regular election, a mayor, a clerk, and a city treasurer from the city at large. At the same election, the registered electors of each ward of the city shall elect two members of the city council. The election shall be conducted in accordance with the provisions of the "Colorado Municipal Election Code of 1965". The officers shall hold their respective offices for terms of two years, commencing at the first meeting of the governing body following the survey of election returns, unless the governing body provides by ordinance or resolution that terms shall commence on the first Monday after the first Tuesday in January following their election.

31-4-108. Expulsion from city council - vacancies in other offices. (1) Any member of the city council may be expelled or removed from office, for good cause shown, by a vote of two-thirds of all the members elected to the city council, but he may not be removed a second time for the same offense.

(2) (a) In case any office of an appointive officer becomes vacant before the regular expiration of the term thereof, the vacancy shall be filled by the city council by appointment.

(b) In case any office of an elective officer becomes vacant before the regular expiration of the term thereof, the vacancy may be filled by the city council by appointment or by election until the term of office of a successor elected at the next regular election has commenced as provided in section 31-4-105. If the city council does not fill the vacancy by appointment or order an election within sixty days after the vacancy occurs, it shall order an election, subject to the municipal election code, 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.

RESOLUTION 29-2021

A RESOLUTION DECLARING A VACANCY ON THE BOARD OF TRUSTEES FOR THE TOWN OF WIGGINS AND SEEKING ELIGIBLE APPLICANTS TO FILL THE VACANT POSITION

WHEREAS, Trustee Patricia Musgrave submitted a resignation letter, effective August 25, 2021; and,

WHEREAS, the Board of Trustees of the Town of Wiggins has accepted the letter of resignation from Trustee Musgrave; and,

WHEREAS, the resignation of Trustee Musgrave creates a vacancy on the Board of Trustees; and,

WHEREAS, section 31-4-108 (2)(b) C.R.S. requires the Board of Trustees appoint to fill the position within sixty days after the vacancy occurs, or it shall order an election, subject to the municipal election code, 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.

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

Section 1. The position of Trustee-at-Large for the Town of Wiggins is declared vacant, and the Board of Trustees is seeking applications from eligible citizens having resided in the Town of Wiggins for 12 consecutive months.

Section 2. Applicants are required to submit a letter of intent expressing their interest and reason(s) for applying for the vacant Trustee position. Applications are to be submitted electronically as a single PDF (portable document format) file, emailed to the Town of Wiggins Town Clerk at clerk@wigginsco.com by 4:00 p.m. on October 1, 2021.

Section 3. The Board of Trustees will review the applications of eligible constituents, may request to interview the applicants, and plan to make an appointment to fill the vacancy on October 13, 2021.

INTRODUCED, ADOPTED AND RESOLVED THIS 8th DAY OF SEPTEMBER, 2021.

Jeffrey W. Palmer, Mayor

ATTEST:

Deborah Lee, Town Clerk