

(53009)

**NOTICE OF CANCELLATION
AND
CERTIFIED STATEMENT OF RESULTS**

1-5-208(1.5), C.R.S.

SOUTH FORK WATER AND SANITATION DISTRICT
RIO GRANDE COUNTY, COLORADO

WHEREAS, the Designated Election Official of the District has been duly authorized by the Board of Directors to cancel and declare candidates elected at the close of business on the sixth-third day before the election, Tuesday, March 6, 2012, **AND WHEREAS**, there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates. Now **THEREFORE**, pursuant to 1-5-208(1.5), C.R.S. the Designated Election Official **HEREBY** cancels the regular election to be conducted on **8th day of May, 2012**.

NOTICE IS HEREBY GIVEN, THE ELECTION IS CANCELED BY FORMAL RESOLUTION AND THE FOLLOWING CANDIDATES ARE DECLARED ELECTED FOR THE FOLLOWING TERMS OF OFFICE:

<u>Tyler Jay Brown Jr.</u> (name)	<u>PO Box 812</u> (address)	<u>South Fork, CO</u> (address)	<u>4 year term</u> (2 or 4 year term)
<u>William R. Morgan Jr.</u> (name)	<u>847 Aspen Dr.</u> (address)	<u>South Fork, CO</u> (address)	<u>4 year term</u> (2 or 4 year term)
<u>H. Lee Stehwien</u> (name)	<u>500 Landen Dr.</u> (address)	<u>South Fork, CO</u> (address)	<u>4 year term</u> (2 or 4 year term)
<u><i>Ted Bilberry</i></u> (Signature of the Designated Election Official)	<u>Ted Bilberry</u> (DEO's Printed Name)		<u>3/12/12</u> (Date)

Contact Person for the District: Ted Bilberry

Telephone Number of the District: (719)873-5860

Address of the District: PO Box 303 28925 Highway 160 South Fork, CO 81154

District Facsimile Number: (719)873-5235 District Email: sfsan@qwestoffice.net

Keith W. Brath
(Signature of member of the board of the directors of district) 12 March 2012
(Date)

Received
MAR 19 2012
Dept. of Local Affairs

COPY

**RESOLUTION NO. 12-03
OF THE SOUTH FORK WATER AND DISTRICT
CONCERNING THE REGULAR DISTRICT ELECTION OF 2012**

WHEREAS, the terms of office of Directors Tyler Jay Brown Jr., William R. Morgan Jr. and H. Lee Stehwien shall expire after their successors are elected at the regular Special District election to be held on May 8, 2012, and who shall, thereafter, take office; and

WHEREAS, in accordance with the provisions of the Colorado Special District Act, Part 8 of Article 1, Title 32, C.R.S., as amended (the "Act") and the and the Colorado Uniform Election Code of 1992, Article 1, Title 1, *et seq.*, C.R.S., as amended (the "Election Code"), the election must be conducted to elect three (3) Directors to serve for a term of four (4) years.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the South Fork Water and Sanitation District in Rio Grande County, State of Colorado that:

1. **Election Date and Time.** The regular election of the eligible electors of the District shall be held on *May 8, 2012, between the hours of 7:00 a.m. and 7:00 p.m.* pursuant to and in accordance with the Act, the Election Code and all other applicable laws and regulations. At that time, three (3) Directors will be elected to serve for a term of four (4) years.

2. **Designated Election Official.** Ted Bilberry is hereby appointed as the Designated Election Official on behalf of the District and is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of the Resolution and of the Act, the Election Code, or other applicable laws. The election shall be conducted in accordance with the Act, the Election Code, and other applicable laws. Among other matters, The Designated Election Official shall appoint election judges as necessary, appoint the Board of Canvassers, arrange for the required notices of election (either by mail or by publication) and printing of ballots and direct that all other appropriate actions be accomplished. The Designated Election Official shall swear or affirm an oath of office. This document will be submitted to the Board as an official part of the election record as Exhibit A hereto.

Contact information for such Designated Election Official is as follows:

Designated Election Official: Ted Bilberry
District Office: 28925 West Highway 160, South Fork, Colorado, 81154
District Office Telephone No. 1-719-873-5860
District Office Facsimile No. 1-719-873-5235
District Office E-mail: sfsan@qwestoffice.net
Business Office Hours: 10:00 a.m. to 4:00 p.m., Monday through Thursday

3. **Voting Place.** One (1) walk-in voting place is established as set forth below:

District Offices: 28925 West Highway 160, South Fork, Colorado, 81154.

4. **Mail-In Ballots.** Applications for mail-in ballots may be filed with the Designated Election Official at 28925 West Highway 160, South Fork, Colorado, 81154, or PO Box 303, South Fork, Colorado, 81154, not earlier than Monday, January 2, 2012, nor later than

5:00 p.m. on Friday, April 20, 2012, except that, if applicant wishes to receive mail-in ballot by mail, the application shall be filed no later than 5:00 p.m., on Tuesday, May 1, 2012.

5. **Emergency Ballots.** If an applicant is eligible for an emergency mail-in ballot, pursuant to C.R.S. § 1-8-115, a request for such ballot shall be made before 5:00 p.m., on Tuesday, May 1, 2012, and such emergency mail-in ballot shall be returned no later than 7:00 p.m., on Tuesday, May 8, 2012.

6. **Self Nomination Petitions.** Self Nomination and Acceptance petitions are available at the Designated Election Official's office at the above-described location. All candidates must file such Self Nomination Petition with the Designated Election Official not later than 3:00 p.m., Friday, March 2, 2012. Any person who misses such deadline, but desires to become a write-in candidate for the office of Director, shall file an Affidavit of Intent with the Designated Election Official not later than 5:00 p.m., Monday, March 5, 2012.

7. **Cancellation of Election.** If the only matter before the electors is the election of persons to the office of Director, and if at the close of business on March 6, 2012, there are not more candidates than offices to be filled at said election, including those candidates filing Affidavits of Intent to run as a write-in candidate, the Designated Election Official is hereby authorized to and shall cancel the election and the Board, by resolution, shall declare the candidates elected. Notice of such cancellation of election shall be duly published and posted in accordance with the Act and the Election Code.

8. **Severability.** If any part of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of the Resolution, it being the Board's intention that the versions provisions hereof are severable.

9. **Repealer.** All acts, orders, and resolutions or parts thereof, of the Board which are inconsistent or in conflict with the Resolution are hereby repealed to the extent only of such inconsistency or conflict.

10. **Effective Date.** The provisions of this Resolution shall take effect immediately.

ADOPTED AND APPROVED this 18th day of January 2012.

South Fork Water and Sanitation District

By: 
Byron David, President

ATTEST:


T.J. Brown, Secretary

Exhibit A

OATH OF DESIGNATED ELECTION OFFICIAL

I, Ted Bilberry, do solemnly swear or affirm, that I will perform the duties of Designated Election Official according to law; that I will studiously endeavor to prevent fraud, deceit, and abuse in conducting the same; that I will not try to ascertain how any elector voted, nor will I disclose how any elector voted if in the discharge of my duties as Designated Election Official such knowledge shall come to me, unless called upon to disclose the same before some court of justice; that I have never been convicted of any election fraud, any other election offense or fraud, and that I will not disclose the results of votes until the polls have closed. I will support the Constitution of the United States and the Constitution of the State of Colorado; I will implement the rules established by the Colorado Secretary of State as they pertain to the conduct of this election, and I will faithfully perform the duties of the office of Designated Election Official as steward of the people of this district. I will act in good faith, and without bias, for the duration of my employment as Designated Election Official for the May 8, 2012 regular biennial election in and for the South Fork Water and Sanitation District, Rio Grande County, State of Colorado, to the best of my skill and ability.



Designated Election Official's Signature

State of Colorado)
) ss.
County of Rio Grande)

Subscribed and sworn to before me this 18th day of January, 2012, by Ted Bilberry.



Notary/Official Signature

[S E A L]

My commission expires: 10/5/2014