ELECTION RESOLUTION FOR 2012 REGULAR SPECIAL DISTRICT ELECTION

UPPER HUERFANO FIRE PROTECTION DISTRICT
RESOLUTION NO. 2012-01

32-1-804, 1-1-111, C.R.S.

WHEREAS, the terms of office of Directors Larry Michaels, Danny R. Been, and Roger A. Cain shall expire after their successors are elected at the regular special District election to be held on May 8, 2012 ("Election") and take office; and

WHEREAS, in accordance with the provisions of the Special District Act ("Act") and the Uniform Election Code of 1992 ("Code"), and the Election must be conducted to elect 3 Directors to serve for a term of four (4) years;

NOW, THEREFORE, be it resolved by the Board of Directors of the Upper Huerfano Fire Protection District in the County of Huerfano, State of Colorado that:

1. 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, Code, and other applicable laws. At the time, 3 Directors will be elected to serve a four-year term.

2. There shall be one election precinct for the convenience of the eligible electors of the District, the boundaries of which shall be identical to the boundaries of the District, and there shall be 1 polling place at the following location:

   Gardner Community Center
   28 County Road 632
   Gardner, CO 81040

situated in the County of Huerfano, State of Colorado. The polling place located at 28 County Road 632, Gardner, CO 81040 shall also be polling place for disabled electors and for eligible electors not residing within the District. If the Designated Election Official deems it to be more expedient for the convenience of the eligible electors of the District (who are also eligible electors in other special districts with overlapping boundaries which are conducting elections on the Election day), the Election may be held jointly with such special districts in accordance with coordinated election procedures as set forth in an agreement between all participating special districts. In such event, the election precincts and polling places shall be as set forth in such agreement. The Designated Election Official is authorized to execute such agreement on behalf of the District, which agreement shall include provisions for the allocation of responsibilities for the conduct and reasonable sharing of costs of the coordinated Election.

3. The Board of Directors hereby designate Jean-Michel Cortes as the Designated Election Official of the District, who is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and the Act, Code, TABOR or other applicable laws. The Election shall be conducted in accordance with the Act, Code, TABOR and other applicable laws. Among other matters, the Designated Election Official shall publish the call for nominations, appoint election judges as necessary, appoint the Canvass Board, arrange for the required notices of election, and printing of ballots, and direct that all other appropriate actions be accomplished.
4. Applications for mail-in ballots may be filed with the Designated Election Official at Upper Huerfano Fire Protection District Office or by calling 719-746-2385, or by faxing to 719-746-3021, no later than the close of business on the 7th day prior to the election (Tuesday, May 1, 2012), if the mail-in ballot is to be mailed to the elector, or until the close of business on the Friday immediately preceding the election (Friday, May 4, 2012), if the mail-in ballot will not be mailed to the elector.

5. Self-Nomination and Acceptance forms are available at the Designated Election Official’s office located at the above address. All candidates must file a Self-Nomination and Acceptance form with the Designated Election Official no later than the close of business (3 p.m.) on Friday, March 2, 2012.

6. If the only matter before the electors is the election of Directors of the District and if, at the close of business on March 6, 2012, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent no later than March 5, 2012, the Designated Election Official shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with the Code.

7. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board’s intention that the various provisions hereof are severable.

8. Any and all actions previously taken by the Designated Election Official or the Secretary of the Board of Directors or any other persons acting on their behalf pursuant to the Act, the Code or other applicable laws, are hereby ratified and confirmed.

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

10. The provisions of this Resolution shall take effect immediately.

ADOPTED AND APPROVED this 18th day of January, 2012.

UPPER HUERFANO FIRE PROTECTION DISTRICT

By 
Chairman

ATTEST:

By 
Secretary
Huerfano World Journal

Legal Notice

Name/Organization: Upper Huerfano Fire Protection District
Address: PO Box 116 • Gardner, CO 81040
Publication name: Notice of Cancellation
Dates to run: week 1211 • 3/15/12
Rate for 78 lines at $0.44 per line for 1 insertions for a total of $34.32
(cost determined by number of columns, number of lines and number of insertions)

1 column

NOTICE IS HEREBY GIVEN by the Upper Huerfano Fire Protection District, Huerfano County, Colorado, that at the close of business on the sixty-third day before the election, there were not more candidates for director than office to be filled, including candidates filing after the deadline, therefore, the election to be held on May 8, 2012, hereby canceled pursuant to section 1-5-208(1.5), C.R.S.

The following candidates are hereby declared elected:

Roger A. Cain 4-year term until May, 2016
Lawrence R. Michaels 4-year term until May, 2016
Jesse F. Jackson 4-year term until May, 2016

By: Jean-Michel Cortez
(Signature of the Designated Election Official)
Jean-Michel Cortez
(CEO’s Printed Name)

Contact Person for the District: Larry Michaels
Telephone Number of the District: 746-0140
Address of the District: PO Box 147
Facsimile Number: none
E-mail: none

2 columns

3 columns

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PROOF OF PUBLICATION AFFIDAVIT

Huerfano World Journal
500 Main St.
P. O. Box 346
Walsenburg, CO 81089

I, Brian Orr, of lawful age, being duly sworn upon oath, deposes and says that I am the Publisher of the Huerfano World Journal, which has a general circulation therein: that the same is a weekly publication that is a "legal newspaper" as that phrase is defined in CRS § 24-70-103 for the City of Walsenburg, for the County of Huerfano, in the State of Colorado; and has been published continuously and uninterruptedly in said County of Huerfano for a period of more than one year and for more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice; that said newspaper has been admitted to the United States mail as a second-class matter under the provisions of the Act of March 3, 1879, or any amendment thereto and that said newspaper is duly qualified to publish legal notices and advertisements within the meaning of the laws of the State of Colorado, and more particularly Chapter 109, Colorado Revised Statutes 1963 and amendments thereto; and that the attachment hereto contains a true and correct copy of what was actually published in said legal newspaper in consecutive issues on the following dates:

ITEM
Notice of Cancellation

_________________________ day of ____________________ 2012

_________________________ day of ____________________ 2012

_________________________ day of ____________________ 2012

_________________________ day of ____________________ 2012

Publication fee: $34.32

Publisher, Huerfano Journal

State of Colorado
County of Huerfano

Signed and sworn to before me this 15 day of March 2012.
By Brian Orr, Publisher.

S. Gretchen Spriester Orr
Notary Public

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN by the Upper Huerfano Fire Protection District, Huerfano County, Colorado, that at the close of business on the sixty-third day before the election, there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 8, 2012 is hereby canceled pursuant to section 1-5-208(1.5), C.R.S.

The following candidates are hereby declared elected:

Roger A. Cain  4-year term  until May, 2016
Lawrence R. Michaels  4-year term  until May, 2016
Jesse F. Jackson  4-year term  until May, 2016

(Signature of the Designated Election Official)

Jean-Michel Cortes  
(DEO's Printed Name)

Contact Person for the District: Larry Michaels
Telephone Number of the District: 746-0140
Address of the District: PO Box 147
District Facsimile Number: none
District Email: none