

Attorneys At Law

June 1, 2012

Richard W. Toussaint
Rtousaint@tnclaw.com

John D. Coaty
Jcoaty@tnclaw.com

Raule G. Nemer
of Counsel
Rnemer@tnclaw.com

Department of Local Affairs
Division of Local Government
Elections Division
1313 Sherman Street, Room 521
Denver, Colorado 80203

Via e-mail: dlg-filing@state.co.us

Re: Will-O-Wisp Metropolitan District - DLG ID #47015 - Park County
May 8, 2012 Special District Regular Biennial Election

To whom it may concern:

The 2012 Election Results documents, for the above referenced district, is as follows:

- 1) Board Resolution Appointing a DEO and Authorizing DEO to Cancel Election.
- 2) Certificate of Appointment & Oath of DEO
- 3) Board Resolution Re: Election
- 4) DEO Resolution Cancellation of Election & Deeming Candidates Elected
- 5) Notice of Cancellation
- 6) Oaths & Bonds of Newly Elected Directors Re: Eric Peterson and John S. Howell
- 7) Director's List & District Contact Data Update

Please contact me if you have any questions regarding this matter or if you need further information.

Sincerely,



Dana Retterer
DEO/Legal Assistant
dretterer@tnclaw.com

encl.

cc: WOW

303.674.0800 Tel

303.674.8492 Fax

www.tnclaw.com

32065 Castle Court

Suite 150

Centerpoint I Building

Evergreen, CO 80439

STATE OF COLORADO)
)ss
COUNTY OF PARK)

BEFORE THE BOARD OF DIRECTORS
OF THE WILL-O-WISP METROPOLITAN
DISTRICT

**BOARD RESOLUTION APPOINTING A DESIGNATED ELECTION OFFICIAL
AND AUTHORIZING DESIGNATED ELECTION OFFICIAL
TO CANCEL ELECTION**

Resolution #02/12-1

32-1-804(2), 1-1-111(2), 1-5-208(1.5), C.R.S.

WHEREAS, pursuant to 32-1-804(2), C.R.S., the Board of Directors of the Will-O-Wisp Metropolitan District, Park County, Colorado is authorized to designate a Designated Election Official to exercise the authority of the Board in conducting the election, and

WHEREAS, pursuant to 1-5-208, C.R.S., the Board can authorize the Designated Election Official to cancel the election upon certain conditions;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WILL-O-WISP METROPOLITAN DISTRICT, PARK COUNTY, COLORADO THAT:

The Board hereby has named Dana Retterer of Toussaint Nemer & Coaty, P.C., as the Designated Election Official for the regular special district election scheduled for the 8th day of May, 2012.

The Board hereby authorizes and directs the Designated Election Official, if the only matter before the electors is the election of persons to office, to cancel said election and declare the candidates elected, if at the close of business on the sixty-third day before the election there are not more candidates than offices to be filled, including candidates filing affidavits of intent to run as write-in candidates.

The Board further authorizes and directs the Designated Election Official to publish and post a Notice of Cancellation of Election at each polling place and in the offices of the Designated Election Official, the county clerk and Recorder of each county in which the district is located, and file with the Division of Local Government. The Designated Election Official

shall also notify the candidates that the election was cancelled and they are elected by acclamation.

Adopted and approved this 9th day of February, 2012, effective January 12, 2012, by the Board of Directors of the Will-O-Wisp Metropolitan District, Park County, Colorado.



President

CERTIFICATION

The undersigned secretary of the Will-O-Wisp Metropolitan District certifies that the foregoing Resolution is a true, complete and correct copy of a Resolution of the Board of Directors of the Will-O-Wisp Metropolitan District duly and regularly entered by the Board at its regular public meeting held on February 9, 2012.



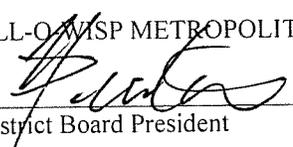
Secretary

**WILL-O-WISP METROPOLITAN DISTRICT
CERTIFICATE OF APPOINTMENT AND
OATH OF DESIGNATED ELECTION OFFICIAL**

THIS IS TO CERTIFY, that on January 12, 2012 we have appointed, and do hereby appoint Dana Retterer as designated election official for the purposes of planning and implementing our Special District Regular Biennial Election on May 8, 2012. The appointment includes the authority to act on behalf of the Board of Directors in planning and implementing the duties required in the success of an election. The Designated Election Official will, with integrity and transparency, and according to law, conduct an election for Will-O-Wisp Metropolitan District, County of Park, State of Colorado. The Designated Election Official has full power and authority to act in an official capacity prior to, during, and until the results of the May 8, 2012 Regular Biennial Election results are certified, unless this appointment should be sooner extended or revoked by resolution.

WITNESS my hand this 9th day of February 2012.

WILL-O-WISP METROPOLITAN DISTRICT



District Board President

OATH

I, Dana Retterer, do solemnly swear and affirm, that I will support the Constitution of the United States and the Constitution of the State of Colorado, and that I will faithfully perform the duties of the office of Designated Election Official for election purposes and handling of ballots for the May 8, 2012 Regular Biennial Election in and for the Will-O-Wisp Metropolitan District, Park County, State of Colorado, to the best of my skill and ability.

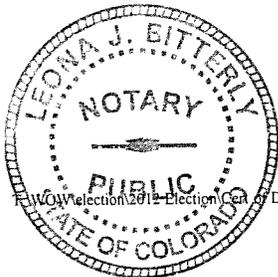


Designated Election Official's Signature

STATE OF COLORADO)
) ss.
COUNTY OF JEFFERSON)

Subscribed and sworn to before me this 10th day of February, 2012.

Witness my hand and official seal.





Notary Public
My Commission Expires: 4-28-16

STATE OF COLORADO)
)ss
COUNTY OF PARK)

BEFORE THE BOARD OF DIRECTORS
OF THE WILL-O-WISP METROPOLITAN
DISTRICT

**BOARD RESOLUTION FOR 2012 SPECIAL DISTRICT
REGULAR BIENNIAL ELECTION MAY 8, 2012**

Resolution #02/12-2

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

WHEREAS, the terms of office of Directors for Richard Angelica and John Howell shall expire after their successors are elected at the Special District Regular Biennial 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 two (2) Directors, each to serve for a term of four (4) years; and

NOW, THEREFORE, be it resolved by the Board of Directors of the Will-O-Wisp Metropolitan District in the County of Park, State of Colorado that:

1. The regular biennial 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, two (2) Directors will be elected, each to serve a four (4) year term.
2. The Election shall be conducted as a mail ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall notify the Colorado Secretary of State of the District’s determination and submit a Plan for conducting the mail ballot Election, which may be based on the standard plan adopted by the Secretary of State. There shall be no election precinct or polling place. All mail ballots shall be returned to the Designated Election Official’s office.
3. The Board of Directors designated Dana Retterer of Toussaint, Nemer & Coaty, P.C. 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, or other applicable laws. The Election shall be conducted in accordance with the Act, Code, 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 Toussaint, Nemer & Coaty, P.C., 32065 Castle Court, Suite 150, Evergreen, Colorado 80439, 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 (time: 5:00 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 9th day of February, 2012, by the Board of Directors of the Will-O-Wisp Metropolitan District, Park County, Colorado.



President

CERTIFICATION

The undersigned secretary of the Will-O-Wisp Metropolitan District certifies that the foregoing Resolution is a true, complete and correct copy of a Resolution of the Board of Directors of the Will-O-Wisp Metropolitan District duly and regularly entered by the Board at its regular public meeting held on February 9, 2012.



Secretary

**RESOLUTION
CANCELLATION OF ELECTION and
DECLARATION DEEMING CANDIDATES ELECTED**

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

**WILL-O-WISP METROPOLITAN DISTRICT
PARK COUNTY, COLORADO**

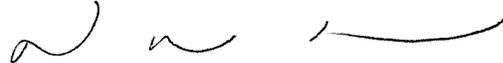
WHEREAS, the Designated Election Official of the District has been duly authorized by the Board of Directors to cancel the election and declare candidates elected at the close of business on the sixty-third before the election to be conducted on May 8, 2012; and

WHEREAS, the Designated Election Official has duly certified that 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 the 8th day of May, 2012 by formal resolution and:

THE DESIGNATED ELECTION OFFICIAL DECLARES THE FOLLOWING CANDIDATES ELECTED FOR THE FOLLOWING TERMS OF OFFICE:

<u>John S. Howell</u> (Name)	<u>701 Wisp Creek Drive, Bailey, CO 80421</u> (Address)	<u>Four Year</u> (Term)
<u>Eric Peterson</u> (Name)	<u>212 Wisp Creek Drive, Bailey, CO 80421</u> (Address)	<u>Four Year</u> (Term)

Signed by:  3. 8-12
Dana Retterer, Designated Election Official (Date)

Contact Person for the District: Judy Reinhold-Kirby, Administrator

Telephone Number of the District: (303) 838-3990

Address of the District: 956 Wisp Creek Drive
Bailey, Colorado 80421

District e-mail: info@will-o-wisp.net

**NOTICE OF CANCELLATION
WILL-O-WISP METROPOLITAN DISTRICT
PARK COUNTY, COLORADO
MAY 8, 2012 SPECIAL DISTRICT REGULAR BIENNIAL ELECTION**

1-5-208(1.5), 32-1-104, C.R.S.

NOTICE IS HEREBY GIVEN by the Will-O-Wisp Metropolitan District, Park 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 by acclamation:

John S. Howell	Four (4) Year Term	until May, 2016
Eric Peterson	Four (4) Year Term	until May, 2016



03/08/12

(Signature of the Designated Election Official)

(Date)

Dana Retterer
(DEO's Printed Name)

Contact Person for the District:	Judy Reinhold-Kirby, Administrator
Telephone Number of the District:	(303) 838-3990
Address of the District:	956 Wisp Creek Drive Bailey, Colorado 80421
District e-mail:	info@will-o-wisp.net