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CHAPTER 2.04

Terms of Office

2.04.010 Trustees.

The term of office of each of the Trustees of the Town shall be four (4) years or until a successor takes office. (Ord. 165 §1, 1978)

2.04.020 Mayor.

The term of office of the Mayor shall be two (2) years, and a Mayor shall be elected every two (2) years. (Ord. 165 §2, 1978)

2.04.030 Election of Trustees.

At the election held on April 4, 1978, the three (3) Trustees receiving the greatest number of votes shall be deemed elected to a term of four (4) years, and the remaining three (3) Trustees to a term of two (2) years. Thereafter, every two (2) years, three (3) Trustees shall be elected. (Ord. 165 §3, 1978)

2.04.040 Compensation.

(a) Members of the Board of Trustees and Mayor shall be compensated for their services as members of the Board of Trustees and Mayor during their term of office. The amount of monthly compensation may be amended by ordinance.

(b) No member of the Board of Trustees or Mayor elected or appointed on or before August 11, 2003, shall receive any compensation pursuant to this Section during that person's current term of office.

(c) Where this Section is amended to provide for a change in the compensation of members of the Board of Trustees or Mayor, no member of the Board of Trustees or Mayor then serving shall receive the benefits or detriments of the change in compensation until after the reelection of that person.

(d) Board members and Mayor who resign or vacate their office prior to the end of that person's elective or appointive term shall not be eligible to reelection or reappointment to the same during such term if, during such term, the compensation has been increased.

(e) A Board member or Mayor shall receive no compensation where such compensation constitutes a violation of any federal law. Each person seeking election or appointment as Board member or Mayor shall determine whether that person is prohibited from receiving compensation under this Section and provide written notice to the Town Clerk of such prohibition prior to the person's election or appointment. Where the impediment to compensation ceases to exist, the member or Mayor shall receive compensation for the remainder of that person's term of office.

(f) The Mayor shall receive compensation each month where the Mayor attends the regular monthly Board of Trustees meeting equal to the Mayor's residential municipal utility bill for that month. A member of the Board of Trustees shall receive compensation each month where the member of the Board of Trustees attends the regular monthly Board of Trustees meeting equal to that member's residential municipal utility bill for that month. (Ord. 2003-9 §1)

CHAPTER 2.08

Tree Board

2.08.010 Creation and establishment.

There is created and established a Tree Board for the Town, which shall consist of five (5) members, citizens and residents of this Town, who shall be appointed by the Mayor with the approval of the Board of Trustees. (Ord. 160 §1, 1977)

2.08.020 Term of office.

The term of the five (5) persons to be appointed by the Mayor shall be three (3) years, except that the term of three (3) of the members appointed to the first Board shall be for only one (1) year and the term of two (2) members of the first Board shall be for two (2) years. In the event that a vacancy occurs during the term of any member, his or her successor shall be appointed for the unexpired portion of the term. (Ord. 160 §2, 1977)

2.08.030 Compensation.

Members of the Board shall serve without compensation. (Ord. 160 §3, 1977)

2.08.040 Duties and responsibilities.

(a) It shall be the responsibility of the Board to study, investigate, counsel and develop and/or update annually a written plan for the care, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs in public ways, streets and alleys. Such plan will be presented annually to the Board of Trustees and upon its acceptance and approval shall constitute the official comprehensive Town tree plan for the Town.

(b) The Board, when requested by the Board of Trustees, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work.

(c) The Board, when requested by the Board of Trustees or the Town Administrator (Town Clerk), shall advise the Town Administrator (Town Clerk) as to the health and condition of any trees and shrubs located upon private property within the Town. (Ord. 160 §4, 1977; Ord. 2004-11 §7)

2.08.050 Operation.

The Board shall choose its own officers, shall make its own rules and regulations which shall become effective upon adoption by the Board of Trustees, and shall keep a journal of its proceedings. A majority of members shall be a quorum for the transaction of business. (Ord. 160 §7, 1977)

2.08.060 Duty of landowners.

If the Town Administrator (Town Clerk) finds that any tree or shrub located upon private property within the Town is diseased, dead or otherwise presents a hazard to the residents of the Town, the person owning the land upon which such tree or shrub is located shall remove the same within thirty (30) days after receiving notice of such condition from the Board of Trustees, the Town Administrator (Town Clerk) or the Town Attorney. (Ord. 160 §5, 1977; Ord. 2004-11 §7)

2.08.070 Violation; penalty.

Violation of any of the provisions of this Chapter or failure to comply with the conditions thereof shall constitute a misdemeanor and, upon conviction thereof, shall be punishable by a fine not exceeding three hundred dollars (\$300.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable under this Chapter. (Ord. 160 §6, 1977)

CHAPTER 2.10

Elections

2.10.010 Write-in candidates.

(a) Write-in candidate affidavit. No write-in vote for any municipal office in any municipal election in the Town shall be counted unless an affidavit of intent has been filed with the Town Clerk by the person whose name is written in prior to twenty (20) days before the date of election.

(b) Content of affidavit. The affidavit of intent must contain information including, but not limited to, the person's name and address, the person's indication of desire to hold the office for which he or she is a write-in candidate, an indication that he or she is qualified to assume the duties of that office if elected, and his or her intention to be considered as a write-in candidate. (Ord. 216, 1992; Ord. 203, 1988)

2.10.020 Cancellation of election.

If there is only the election of persons to office to be decided, and if there are not more candidates than offices to be filled by nineteen (19) days before the election, the Town Clerk, if instructed by a resolution of the Board of Trustees, may cancel the election and declare the candidates elected. (Ord. 217, 1992)

CHAPTER 2.12

Water Board

2.12.010 Creation.

A nonpolitical Water Board is hereby established. (Ord. 2004-4 §1)

2.12.020 Membership.

The Water Board shall consist of up to five (5) members. Each member shall be appointed by the Board of Trustees. Members shall be appointed based on their expertise. The Board of Trustees may, at its sole discretion, appoint not more than two (2) members of the Board of Trustees to the Water Board. The term *Board of Trustees* in this Section shall include the Mayor. The Town Administrator shall serve as an ex officio member without vote. (Ord. 2004-4 §2)

2.12.030 Term of office.

All voting members shall be appointed to serve for a staggered term of office as follows for the first term of the existence of the Water Board: one (1) member shall be appointed for a one-year term; one (1) member shall be appointed for a two-year term; one (1) member shall be appointed for a three-year term; and two (2) members shall be appointed for a four-year term. Thereafter, each member shall be appointed

to a four-year term in a manner calculated to continue the staggered terms of office. Any member appointed upon occurrence of a vacancy shall be appointed to serve for the remainder of the term of office vacated and may thereafter be appointed for a full term. (Ord. 2004-4 §3)

2.12.040 Officers.

At its first meeting and annually thereafter, the members shall elect a Chairman and a Secretary. The Chairman shall chair all meetings of the Water Board and make regular reports and recommendations to the Board of Trustees. The Secretary shall keep minutes of each meeting and a written record of all recommendations to the Board of Trustees. (Ord. 2004-4 §4)

2.12.050 Purpose and authority.

The Water Board shall study the municipal water system, supply, conservation, rules, regulations and any other matters involving water and the Town. The Water Board shall make regular reports to the Board of Trustees. The Water Board shall make recommendations to the Board of Trustees regarding the municipal water system, supply, conservation, rules, regulations and any other matters involving water and the Town. (Ord. 2004-4 §5)

2.12.060 Meetings.

The Water Board shall meet at least quarterly. The Water Board shall fix its regular meeting dates and times at its first meeting and at least annually thereafter. The Water Board may hold special meetings. Special meetings may be called by the Chairman and shall be called at the request of two (2) members of the Water Board. Unless an emergency is declared, at least twenty-four (24) hours' notice shall be given to each member prior to a special meeting. Where an emergency is declared, the Water Board may meet following a reasonable attempt to give actual notice to each member. No action may be taken at an emergency meeting except in response to the actual emergency. (Ord. 2004-4 §6)

2.12.070 Conflict of interest.

Members shall disclose to the Water Board and to the Board of Trustees any conflict of interest with the Town involving water and shall not vote on or participate in any decision-making process involving the area of conflict. (Ord. 2004-4 §7)

CHAPTER 2.16

Recreation Advisory Board

2.16.010 Established.

The Recreation Advisory Board is hereby established. (Ord. 2004-13)

2.16.020 Nature of Board.

The Recreation Advisory Board shall be advisory in nature and shall have no powers other than those enumerated in this Chapter. (Ord. 2004-13)

2.16.030 Effective date; termination.

The existence of the Recreation Advisory Board shall continue from the effective date of the ordinance codified herein until such time as amended, changed or terminated by act of the Board of Trustees. (Ord. 2004-13)

2.16.040 Powers and duties.

The Recreation Advisory Board shall:

- (1) Schedule meetings to collect and evaluate user input from the community concerning the functions of the Town's recreational activities;
- (2) Provide the Board of Trustees with input of the desires of the users of recreational activities;
- (3) Provide the Board of Trustees, through the Mayor, with input concerning the desires of the users of the Town's recreational activities;
- (4) Make recommendations to the Mayor concerning possible capital expenditures for the recreational facilities;
- (5) Supervise and coordinate team activities for various recreational pursuits of the inhabitants of the Town;
- (6) Conduct regular meetings of the Board;
- (7) Assist the Town by expanding recreational activities to the community; and
- (8) Develop rules and regulations for consideration by the Board of Trustees concerning the Recreation Department. (Ord. 2004-13)

2.16.050 Powers and duties excluded or reserved.

The following powers and duties shall be specifically reserved to the Board of Trustees:

- (1) Ownership of any facilities and all recreational personal property of the Town.
- (2) Determination of any capital expenditures for the recreational programs.
- (3) Decisions, in its sole discretion, concerning all matters of budget with regard to the recreational programs.
- (4) Controlling all aspects of any Town employees who may assist with recreational activities.
- (5) Appointing representatives to the Recreation Advisory Board. (Ord. 2004-13)

2.16.060 Membership.

- (a) The membership of the Recreation Advisory Board shall consist of the following:

(1) One (1) appointee from the Board of Trustees whose term shall commence with the appointment hereof and continue during the elected term of that Board member's tenure as an elected official.

(2) Eight (8) members selected from the Town or its surrounding area, as may be appointed by the Board of Trustees for terms of two (2) years each, except as to the initial terms as defined in Subsection (b) below.

(b) Four (4) members shall be appointed for an initial term to expire on April 1, 2006, and four (4) members shall be appointed for a term to expire on April 1, 2007. Thereafter, the provisions of Paragraph (a)(2) above shall apply. (Ord. 2004-13)

2.16.070 Annual report to Board of Trustees.

On an annual basis, the Recreation Advisory Board shall report the following to the Board of Trustees:

- (1) The number of persons served.
- (2) Recommendations, if any, concerning the operation of local community recreational facilities.
- (3) Recommendations, if any, concerning the use of entities with which the Town may contract with regard to the operation of recreational facilities. (Ord. 2004-13)

2.16.080 Meeting compliance.

All meetings of said Recreation Advisory Board shall comply with the open session requirements as set forth in Title 24, C.R.S. (Ord. 2004-13)

