

TOWN OF NEDERLAND, COLORADO

REGULAR MUNICIPAL ELECTION

TUESDAY, APRIL 6, 2010



CANDIDATE PACKET

Christi L. Icenogle
Nederland Town Clerk
Updated February, 2010

February 12, 2010

Welcome Trustee Candidates!

Thank you for your interest in participating in the Town of Nederland's upcoming Municipal Election. The election will be held on Tuesday, April 6, 2010, to fill four Trustee seats and the seat for Mayor.

The enclosed materials have been prepared by the Town Clerk to answer general questions concerning the election process, nomination information, Board meetings and the required Fair Campaign Practice Act (FCPA) report filings.

If you have **any** questions after reviewing this information, particularly with FCPA information and filings, or during any phase of the election process, **please** call me at 303-258-3266 ext 23, or by e-mail at Christi@town.nederland.co.us I will be most happy to assist you.

I look forward to working with you during this election and beyond!

Sincerely,

Christi L. Icenogle
Town Clerk

**TOWN OF NEDERLAND
MUNICIPAL ELECTION - APRIL 6, 2010**

CANDIDATE PACKET

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3. Nomination Procedure
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ATTACHMENTS:

- Nomination Petition:
 - ✓ Affidavit of Circulator - Must be signed and notarized.
 - ✓ Acceptance of Nomination – Must be signed by candidate and notarized.
 - ✓ Candidate must indicate the way their name is to appear on the ballot.
- Candidate Affidavit:
 - ✓ Must be signed, notarized and submitted within 10 days of declaring candidacy.
- Colorado Campaign and Political Finance Manual:
 - ✓ Includes the Fair Campaign Practices Act (FCPA) and required forms

1. GENERAL ELECTION INFORMATION

The election will be held on Tuesday, April 6, 2010. Key election dates are outlined in the 2010 Election Calendar included in this packet. The Town of Nederland is a statutory community whose actions are governed by the Colorado Revised Statutes (C.R.S.) Election rules covered in Title 31 - Municipal Election Code; and Article 1, Title 1, Elections, of the Colorado Revised Statutes (C.R.S). A complete set of Colorado Revised Statutes are available for review at the Town Hall.

Positions to be voted on at this election will be for four Trustee members, each to server a four-year term. The Mayor will also be elected for a 2-year term.

This election will be conducted as a polling place (walk-in) election, utilizing paper ballots. There is one polling place for the Town of Nederland - located at the Nederland Community Center at 750 Hwy 72 North.

After the election, successful candidates will be sworn at the first regular meeting of the Town Trustee after the election.

Term Limits: Nederland has not repealed term limits. Therefore, no elected member of any city, town, ... shall serve more than two consecutive terms in office, except that with respect to terms of office which are two years or shorter in duration, no such elected official shall serve more than three consecutive terms in office. (Article 18, Section 11 of the Colorado Constitution)

Election day is Tuesday, April 6, 2010.

The Polling Place will be the Nederland Community Center, 750 Hwy 72.

2. ELECTORS ELIGIBLE TO HOLD MUNICIPAL OFFICE

- Candidate must be a United States citizen.
- Candidate must be at least 18 years of age on the day of the election.
- Candidate must be a qualified elector.
- Candidate must have lived in the town limits of the Town of Nederland for at least 12 consecutive months immediately preceding the date of the election.

3. NOMINATION PROCEDURE

Candidates for municipal offices shall be nominated "at large", without regard to political party affiliation, by a petition form supplied by the Town Clerk.

Each nomination petition shall be completed with the name of the candidate as he/she wishes it to appear on the ballot, the candidate's place of residence, and the office being sought.

Candidates may use a nickname, but may not use any title or degree designation with the business or profession of the candidate.

Withdrawal from Election: Candidates may withdraw from the election by submitting a signed affidavit to the Town Clerk stating their withdrawal no later than 5:00 p.m., Friday, March 12th.

4. WRITE-IN CANDIDATES

Write-in candidate votes will not be counted unless an Affidavit of Intent has been received. An Affidavit of Intent of Write-In Candidate must be submitted to the Town Clerk no later than 5:00 p.m. Tuesday, March 16.

5. CIRCULATION OF NOMINATION PETITIONS

The candidate may circulate his/her own petition. Candidates may have others circulate petitions for them.

A nomination petition can only be circulated by one person.

Nomination petitions cannot be left unattended by the circulator.

The circulator must witness and certify by affidavit that each signature is the signature of the person whose name it purports to be, and that each signer has stated to the circulator that he is a registered elector of the municipality for which the nomination is being made.

The nominating petition must contain 10 signatures of registered electors residing within the town limits of the Town of Nederland. **It is advisable to obtain more than the required 10 signatures in the event a name is challenged, found to be ineligible, or otherwise eliminated.** Signatures will be verified by the Clerk. If signatures are eliminated by the Clerk resulting in fewer than 10 registered electors signing a petition, the petition circulator will have time in which to amend the petition. The last day to amend a nomination petition is March 15, 2010.

First day petitions may be circulated:	February 15, 2010
Last day to file nomination petitions:	March 5, 2010
Last day to amend nomination petitions:	March 15, 2010

6. VOTER REGISTRATION INFORMATION

To be eligible to vote, one must be eighteen years of age, be a citizen of the United States, have resided in this State for thirty days and in the municipal election precinct for thirty days, immediately preceding the election.

Voter registration forms are available through any municipal or county clerk's office or in Town Hall.

The last day to register to vote in this election is March 8, 2010.

7. BALLOTS

The position of names on the ballot is determined by lot. The drawing of names for the position on the ballot is conducted by the Clerk at Town Hall. Candidates will be advised of the date and time of the drawing, and are welcome to observe the process.

8. ABSENTEE BALLOTS

Individuals must request an absentee ballot in writing. Applications for absentee ballots are available at the Town Clerk's Office at the Nederland Town Hall, 45 West First St, or by calling 303-258-3266 ext 23. The Clerk will mail Absentee Ballots within 72 hours of receiving the ballots from the printer. Ballots are received approximately 10 days before the election.

9. FAIR CAMPAIGN PRACTICES ACT (FCPA)

It is the responsibility of each candidate to become familiar with, and meet, the reporting and filing provisions of the Fair Campaign Practices Act (FCPA).

A copy of the Colorado Fair Campaign Practices Act and Colorado Amendment 27 are included in this packet.

***DO NOT FILE FCPA FORMS ELECTRONICALLY. All FCPA forms in this election are filed with the Municipal Clerk.**

Deadlines for filing FCPA forms:

- | | |
|---|-------------------|
| Report of Contributions & Expenditures | – March 16 |
| Report of Contributions & Expenditures | – April 2 |
| Report of Contributions & Expenditures | – May 6 |

Even if a candidate accepts no contributions, nor expends any funds, there are FCPA forms to complete.

Failure to comply with the requirements of FCPA could result in (CRS 1-45-113), among other penalties, disqualification from the election and from any election as a candidate for 4 years following conviction.

***Within 10 days of declaring your candidacy, you MUST file the Candidate Affidavit Failure to submit this form “shall result in the disqualification of such person as a candidate”.**

10. TRUSTEE MEETINGS

The regular meetings of the Town Trustee are held the first and third Tuesday of each month. The meetings begin, generally, at 7:00 p.m. Meetings are held at the Nederland Community Center. A meal is scheduled for all meetings beginning at 6:00 p.m. or earlier.

Trustees receive information for the upcoming meeting through agenda packets. Agenda packets are prepared by staff approximately four days prior to the meeting.

Special meetings may be called occasionally to consider large projects, for special public hearings, or other matters as the Trustee deems necessary. All meetings of the Town Trustee are public, unless an Executive Session is called in accordance with CRS 24-6-401 and 402, Open Meetings Law.

At times, Trustees are asked to volunteer to represent the Trustee at other meetings of concern to the Town (i.e. county, recreational, transportation, regional, growth, etc.) based on interest and available time.

The Town also maintains a website where agendas and minutes of the Town are posted. The Town's website is located at www.town.nederland.co.us.

CANDIDATE ELECTION SCHEDULE

February 12, 2010 First day Nomination packets may be picked up from the Town Clerk's Office at 9:00 am (Candidates must file a Candidate of Affidavit form within 10 days of declaring their candidacy and thereafter accept funds or make expenditures of any kind). Forms should be delivered to the Town Clerk's Office.

THESE FORMS, INCLUDING NOMINATION FORMS, CAN ALSO BE PRINTED OFF THE INTERNET AND USED

February 15, 2010 the first day the petition may be circulated This is PRESIDENT'S DAY Town Hall will be closed.

March 5, 2010 Last day Nomination forms may be circulated
Last day Nomination forms may be dropped off at the Town Clerk's Office

March 8, 2010 Last Day to register to vote in the April 6, 2010 Election

March 12, 2010 Last Day for a candidate to withdraw from such nomination.

March 15, 2010 Last Day for nominations petitions that do not contain the requisite number of names of electors qualified to sign the petition to be amended in this respect prior to election.

March ? 2010 Town Clerk will perform a lottery for placement of candidates on the ballot.

March 16, 2010 Last day to file an affidavit of intent with the Town Clerk's Office for write-in candidate. Last day to file initial Financial Campaign expenditures report

March 22, 2010 Last day for Clerk to appoint judges

April 2, 2010 Last day to file an application for an absentee ballot with the Town Clerk
Last Day to file Campaign expenditures report

April 6, 2010 Election Day! Polls are open 7:00 am to 7:00 pm.
Last day to submit absentee ballots to the Town Clerk

April 13, 2010 Last day to certify election results

May 6, 2010 Last Day to file Campaign expenditures report

NOTE: These dates are determined according to the Municipal Election Code. Failure to meet a deadline could result in a candidate disqualification. If you are unclear on a deadline, please contact the Town Clerk's Office 303-258-3266 ext 23.

THIS FORM IS OPTIONAL AND IS USED FOR THE SOLE PURPOSE OF PROVIDING INFORMATION TO THE PUBLIC. IT WILL BECOME PART OF THE FILE WHICH IS OPEN TO PUBLIC REVIEW.

CANDIDATE BIOGRAPHICAL INFORMATION

1. **NAME (including any nickname):**

2. **ADDRESS:**

3. **AGE:** _____

4. **OCCUPATION:**

5. **LENGTH OF TIME AS A TOWN RESIDENT:**

6. **PREVIOUS POLITICAL EXPERIENCE:**

7. **ANY OTHER INFORMATION THAT YOU WOULD LIKE TO INCLUDE:**

DECLARATION OF CANDIDACY

**OFFICE OF _____
TOWN OF NEDERLAND, COLORADO
AT-LARGE**

**To the Municipal Clerk
PO Box 396
45 West First St
Nederland, CO 80466**

I, _____, being an eligible elector as defined by the Colorado Election Statutes and a resident of the Town of Nederland for the required twelve (12) months prior to the election, hereby give written notice of my intent to be a candidate for the Office of _____ At Large for the Town of Nederland, Colorado at the regular municipal election on April 1, 2010 to serve a term of four (4) years (or two if for Mayor), or until a successor is elected and qualified as provided by Colorado Election Statutes.

Date: _____

Candidate's Signature

Residence Address

Home Phone: _____

Work Phone _____

Received in the Office of the Town Clerk	
Date: _____	Time: _____
_____ By	

CANDIDATE'S AFFIDAVIT OF ACCEPTANCE

I, _____, residing at _____, Nederland Colorado, certify that I am a citizen of the United States, at least eighteen (18) years of age by or on the date of the election, and have resided in the municipality for which I am a candidate for the twelve (12) consecutive months preceding the date of the election to be held on April 1, 2010, and I hereby accept the nomination for the Office of _____ of the Town of Nederland, the petition for which was filed in the Office of the Town Clerk of the said town on _____, 20_____. I hereby make affidavit to the fact that I have not become a candidate as the nominee or representative of or because of any promised support from any political party, committee, convention or organization representing or acting for any political party.

Candidate's Signature

My name as it shall appear on the election ballot shall be:

STATE OF COLORADO
COUNTY OF BOULDER

Subscribed and affirmed to before me this _____ day of _____, 20_____

Signature of Notary/Official

My Commission Expires

**CANDIDATE STATEMENT OF NON-RECEIPT OF CONTRIBUTIONS
OR
NON-EXPENDITURE OF FUNDS**

(C.R.S. 1-45-108(1) & C.R.S. 1-45-109, SOS Rules 24.5 & 24.9)

(For use by a candidate who has not received any contributions nor made any expenditures.
No expenditures have been made on behalf of the candidate. This form is also for use by
candidates that do not have a campaign committee.)

Name of Candidate:

Address of Candidate:

City, State, Zip Code:

Report Period: _____	Beginning Date: _____	Ending Date: _____
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CONTRIBUTIONS RECEIVED OR RECEIVABLE DURING THIS REPORTING PERIOD

\$ 0.00

EXPENDITURES MADE OR INCURRED DURING THIS REPORTING PERIOD

\$ 0.00

I, _____, affirm pursuant to CRS 1-45-103(9) that no person received contributions on my behalf or made any expenditure on my behalf. No contributions have been pledged to me nor on my behalf. I have not received any contributions nor have I made or incurred any expenditures on my own behalf during this election reporting period.

Candidate Signature

Date

INSTRUCTIONS FOR PETITION CIRCULATORS

1. USE BLACK INK. It will read more clearly in the signature blocks that follow.
2. READ THE WARNING at the top of each page
3. TO SIGN A PETITION, a person must be an eligible voter as shown by the records of the Boulder County Clerk and Recorder.
4. A person can sign only one candidate petition for each separate office. Each Trustee position which is up for election is considered a separate office.
5. A petition circulator must personally observe every eligible voter who signs his/her petition. (Petition cannot be left on counters or desks unattended.)
6. There can be only ONE CIRCULATOR FOR EACH PETITION.
7. Do not take apart a petition. If the original staples are removed, the petition may be invalidated.
8. The petition has two (2) lines that each signer must complete.
9. Make certain that all required information is complete. A SIGNER MUST USE THE ADDRESS WHERE HE/SHE IS REGISTERED TO VOTE.
10. A POST OFFICE BOX IS NOT A PLACE OF RESIDENCE. Street number and street name must be provided.
11. If a small correction is made, the signer should initial the change. If a large correction is needed, the signer should cross out the incorrect information and proceed to the next two lines.
12. If the signer is disabled and needs assistance, a THIRD PARTY should provide that assistance. THE CIRCULATOR CANNOT ASSIST THE SIGNER. The person providing assistance shall both SIGN AND STATE THAT ASSISTANCE was given.
13. NO PERSON MAY SIGN FOR ANOTHER.
14. EVERY VALID SIGNATURE COUNTS.
15. When a circulator has finished collecting signatures, he/she should take the petition to a Notary Public. The affidavit on the last page should be signed and dated IN THE PRESENCE OF THE NOTARY PUBLIC, who will then notarize the affidavit.
16. NO ADDITIONAL SIGNATURES CAN BE COLLECTED after the affidavit has been notarized.
17. The notarized petition should be returned IMMEDIATELY in person or by mail to:

Town Clerk, Town of Nederland
PO Box 396
45 West First St
Nederland Colorado 80466

18. For more information, please write to the above address or call 303-258-3266 ext 23

CERTIFICATE OF WITHDRAWAL FROM NOMINATION

In accordance with the provisions of the Colorado Election Code,

I, _____, hereby decline the nomination for the office of _____ for which office I was duly nominated by a Petition of Nomination filed in the office of the Town Clerk on the _____ day of _____, 20____, and which nomination was duly accepted by filing my written acceptance of such nomination for said office with the Town Clerk on the _____ day of _____, 20____, and hereby authorize my name to be withdrawn from the nomination for the office of _____ to be voted on at the ensuing regular election of _____, 20____.

Signature of Candidate

STATE OF COLORADO
COUNTY OF BOULDER

Subscribed and sworn/affirmed to me this _____ day of _____, 20____.
My commission expires _____.

Notary

Received in the Office of the Town Clerk
Date: _____
Time: _____

By

AFFIDAVIT OF INTENT OF WRITE-IN CANDIDATE

To the Town Clerk

This is to certify that I, _____
desire the office of _____ and to the best of my knowledge and belief,
will be fully qualified for said office on the date the term of office begins; that my
place of residence is, and has been since _____,
_____ in the Town of Nederland,
County of Boulder, State of Colorado and that my Post Office address is
_____ Town of Nederland; and that my birth date is
_____.

Signature of Candidate

STATE OF COLORADO
COUNTY OF BOULDER

Subscribed and sworn/affirmed to before me this _____ day of
_____, 20____.
My Commission expires _____.

Notary

Received by the Town Clerk, Town of	
Nederland	

Time	Date

By	

CAMPAIGN FINANCE REPORTING FORMS

If you have a campaign committee, accept any contributions, or make any expenditures during your candidacy, even if the expenditures are your own money, you must fill out and file campaign finance reporting forms with the Town Clerk and with the State.

If this applies to you at any time during your candidacy, please come to Town Hall for copies of the appropriate forms. There are also deadlines for filing the forms. It is your responsibility to meet those deadlines.

If you have not received any contributions and none are received for you, and you have not spend any monies and none has been spent on your behalf, you only need to fill out the form called “Candidate Statement of Non-Receipt of Contributions or Non-Expenditure of Funds” and return it to the Town Clerk.