

**RESOLUTION OF THE TOWN COUNCIL
TOWN OF MOUNTAIN VILLAGE, COLORADO
TO ADOPT Amended PROCEDURES FOR MAINTAINING THE VOTER
REGISTRATION LIST
Resolution No. 2009-0820-12**

WHEREAS, the Town Council of the Town of Mountain Village, Colorado (the "Council") desires to adopt amended policies regarding procedures for maintaining the voter registration list for the Town of Mountain Village (the "Town") to be known as the "Town of Mountain Village Procedures for Maintaining the Voter Registration List", and;

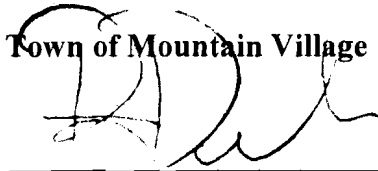
WHEREAS, following adoption of the "Town of Mountain Village Procedures for Maintaining the Voter Registration List" a copy of the policy shall be kept on file and open for inspection by the public in the office of the Town Clerk of the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Council hereby approves and adopts the "Amended Town of Mountain Village Procedures for Maintaining the Voter Registration List" (attached), and directs and authorizes the Town Clerk's office to implement the Procedures for Maintaining the Voter Registration List to facilitate the Town's election process in the manner set forth in said document;

BE IT FURTHER RESOLVED, that the Town's previous policy regarding voter registration procedures is hereby revoked and repealed.

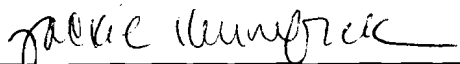
This Resolution shall take effect immediately upon its adoption.

This Resolution adopted by the Council at a public meeting held on this 13th day of August, 2009.

Town of Mountain Village


By: Robert H. Delves, Mayor

ATTEST:



Jackie Kennefick, Sr. Deputy Clerk

AMENDED TOWN OF MOUNTAIN VILLAGE PROCEDURES FOR MAINTAINING THE VOTER REGISTRATION LIST

POLLING PLACE

The Town Charter mandates that a Polling Place shall be open from 7:00 a.m. to 7:00 p.m. during the election day, Town Hall and more specifically, the Town Clerk's, Senior Deputy Town Clerk's and/or Deputy Town Clerk's office will fulfill that obligation. The Polling Place will be conducted as it is every other day prior to the election allowing electors to come in and vote, receive replacement ballots and any other normal election function with the exception that voting will be available for the extended hours of 7:00 a.m. to 7:00 p.m.

VOTER REGISTRATION REQUIREMENT:

Any person who is an eligible Town of Mountain Village elector as defined in the Town Charter must register to vote with the Mountain Village Town Clerk at least twenty-nine (29) days prior to a scheduled Town election, to be eligible to vote in that scheduled Town election and subsequent Town elections. The Town will also recognize as eligible to vote those residents who have resided in the Mountain Village for at least thirty (30) consecutive days prior to a scheduled Town election, and who have registered to vote with the San Miguel County Clerk's office at least twenty-nine (29) days prior to a scheduled Town election.

VOTER REGISTRATION ELIGIBILITY:

Legal Residents and Non-resident Property Owners are entitled to vote in Town of Mountain Village Municipal Elections. A Legal Resident is defined as any person who maintains his or her principal residence within the Town, to which he or she intends to return whenever absent. The requirements for legal residents to be eligible to vote in Town of Mountain Village Municipal elections are as follows:

- 1) register with the Town Clerk or the San Miguel County Clerk at least twenty-nine (29) days prior to any Town election; and
- 2) have been legal residents of the Town for at least thirty (30) consecutive days immediately prior to the election; and
- 3) will have been at least eighteen (18) years of age on the date of the election.

A Non-resident Property Owner is defined as an owner of real property located within the boundaries of the Town who are not legal residents of the Town but who may become registered electors of the Town and be qualified to vote in Town of Mountain Village municipal elections provided they meet the following requirements:

- 1) register with the Town Clerk, or the San Miguel County Clerk if they are residents of San Miguel County, at least twenty-nine (29) days prior to any Town election;
- 2) have been owners of record of real property within the Town for at least thirty (30) consecutive days immediately prior to the date of the election;
- 3) have during that time owned a minimum of fifty percent (50%) of the fee title interest in the subject real property;
- 4) will be at least eighteen (18) years of age at the time of the election; and
- 5) are natural persons, meaning that they hold title to their property in their natural names, not in the name of a trust, partnership, corporation, etc.

MAINTENANCE OF VOTER REGISTRATION LIST:

A Voter Registration List will be maintained to facilitate the Town's election process, including, but not limited to, the mailing of all mail ballot packages. The Voter Registration List will be comprised of the voter's name, permanent mailing address (the United States Post Office will not forward ballots), residency information, registration information as to whether the voter is registered with San Miguel County or the Town of Mountain Village, Mountain Village physical address, lot number, information as to whether or not the voter is a property owner and how title is held on their property. All changes to voter registration information must be delivered to the Town Clerk's office in writing in order for the information to be updated on the Town's Voter Registration List.

To assist with this effort a postage paid voter verification card will be mailed to every elector no less than forty five (45) days prior to every regular Mountain Village municipal election requesting that the elector confirm existing information in the Town's voter registration records including permanent mailing address, physical Mountain Village address, resident or non-resident status and how title to the elector's property is held if the elector is a non-resident property owner, and further requesting that the elector provide the Town Clerk's office with corrected information if the current information is incorrect. An elector's failure to provide the requested information shall not prevent the Town Clerk from mailing a ballot to that elector. The Town Clerk will retain a file of these records in accordance with the Town's adopted retention schedule.

The Town Clerk will conduct an audit of the Town's Voter Registration List not less than twenty five (25) days prior to every Mountain Village municipal election which shall consist of cross checking the Town Voter Registration List with the records of the San Miguel County Clerk and Recorder and the San Miguel County Assessor in order to validate the eligibility of non-resident property owners. The Town Clerk will conduct a second audit the day of the election which will continue through the close of the polls on election day to confirm eligibility of all non-resident property owners.

PURGING OF VOTER REGISTRATION LIST:

Records will be kept as to the most recent date a registered voter has voted in a Mountain Village municipal election. If the registered voter fails to vote in two (2) consecutive

municipal elections, or for four (4) consecutive years, whichever period is longer, that Voter's name will be purged from the Voter Registration List. Also, when the sale or transfer of Mountain Village real property is discovered through the audit process or otherwise, the Voter Registration List will be examined to determine if the seller(s) or transferor(s) of that property are registered non-resident voters. If it is determined that the seller(s) or transferor(s) are registered non-resident voters who have become ineligible as a result of the transfer, and it is further determined that the seller(s) or transferor(s) do not own other real property in the Mountain Village with at least a 50% fee title interest in such other real property as natural persons, those registered voters will be purged from the Voter Registration List immediately. Upon purging the names of the registered voters for any reason, the Town Clerk shall mail notification to those registered voters notifying them that they are no longer eligible to vote in Town municipal elections and the reason for their ineligibility.

08/20/09

kem