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# TOWN OF SILVERTHORNE, COLORADO

## April 5, 2022 Regular Municipal Election

### CANDIDATE PACKET



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# CANDIDATE INFORMATION AND INSTRUCTIONS

## INTRODUCTION

On Tuesday, April 5, 2022 the Town of Silverthorne will hold a nonpartisan election for four Council seats and the Mayor. This Candidate Guide has been prepared as a general guide about the basic requirements and deadlines for candidacy for those interested in running. The packet is not intended to be comprehensive in scope or depth.

If you have questions regarding the interpretation of applicable laws and regulations for your particular situation, you may wish to consult with a private attorney who can provide you with that interpretation. The Town Clerk's Office cannot provide legal advice.

Throughout this packet, there will be references to additional materials, such as sections of the Town of Silverthorne Municipal Charter and Code and the Colorado Revised Statutes (C.R.S.).

## GENERAL INFORMATION

**Date of Election:** April 5, 2022

**Method of Election:** Mail In Ballot

**Offices on the Ballot and Terms:**

Mayor: April 2022-April 2026

Council Member (1); April 2022-April 2026

Council Member (2); April 2022-April 2026

Council Member (3); April 2022-April 2026

Council Member (4); April 2022-April 2024

The Mayor and three Council candidates receiving the highest number of votes will be elected to four-year terms. The Council candidate receiving the fourth-most number of votes will be elected to a two-year term.

The Council is the legislative and governing body of the Town. The Town of Silverthorne utilizes the "[Council-Manager](#)" form of government. The Council determines policies, enacts local legislation, adopts budgets, and appoints the Town Manager. The Town Manager executes the laws and administers the Town government.

The Town Clerk's Office operates under the provisions of the Silverthorne Town Charter and the Colorado Municipal Election Code. Town elections are non-partisan.

Town election-related questions:

Silverthorne Town Clerk  
[townclerk@silverthorne.org](mailto:townclerk@silverthorne.org)  
970-262-7304

Voter Registration lists or questions:

Summit County Clerk  
[kathy.neel@summitcountyco.gov](mailto:kathy.neel@summitcountyco.gov)  
970-453-3479

Register to Vote:

[GoVoteColorado.gov](http://GoVoteColorado.gov)

### CANDIDATE QUALIFICATIONS

All candidates, when nominated, must be:

- A citizen of the United States
- At least 18 years of age
- A Registered Elector
- A resident of the Town of Silverthorne for at least one year immediately preceding the election.

### NOMINATION PETITIONS

Municipal Election Nomination Petitions are available at the Town Clerk's office. To become a candidate for office, a candidate's nomination petition must be signed by at least 10 registered electors who reside within the Silverthorne town limits. *It is recommended that more than 10 signatures be obtained in the event some are invalid.*

Each registered elector signing a petition shall also print his or her name and include the street address of his or her place of residence and the date the petition is signed. For the April 5, 2022 election, a registered elector shall not sign more than four nomination petitions for Town Council candidates and one for a Mayoral candidate.

The petition circulator must complete, sign and have notarized the Affidavit of Circulator,

located on the reverse side of the nomination petition form. If more than one petition is circulated, each petition must have the Affidavit of Circulator completed, signed and notarized.

Petitions may be circulated and signed starting 91 days before the election (January 4, 2022) and must be filed no later than 71 days before the election (January 24, 2022).

Every petition shall include an attached written affidavit of the candidate accepting the nomination. The Acceptance of Nomination shall contain the place of residence and the name of the candidate in the form the candidate wishes it to appear on the ballot. The candidate's name may be a nickname or include a nickname but shall not contain any title or degree designating the business or profession of the candidate. **The candidate must complete, sign, and have notarized the Acceptance of Nomination form.**

**Dates:**

Tuesday, January 4, 2022	First day Nomination Petitions may be circulated
Monday, January 24, 2022	Last day Nomination Petitions may be circulated
Monday, January 24, 2022	Nomination Petitions must be filed with the Town Clerk
Monday, January 31, 2022	Write-in Candidate Affidavit of Intent due. Write In Candidate votes are only counted if the candidate has filed an Affidavit of Intent.
Monday, January 31, 2022	Last day a petition may be amended to correct or replace signatures.
Monday, January 31, 2022	Last day a person whose nomination petition has been properly completed and filed may withdraw from nomination by filing a written affidavit with the Town Clerk.
Tuesday, February 1, 2022	Order of Names on Ballot: the order in which candidate names will appear on the ballot will be determined by lot after all nomination petitions are filed. The drawing will be held at Silverthorne Town Hall starting at 5 p.m. Candidates are invited to attend and witness the drawing.

## WITHDRAWAL FROM NOMINATION

A person whose nomination petition has been properly completed and filed may withdraw from nomination by filing a written affidavit with the Town Clerk no later than Monday, January 31, 2022.

## CANDIDATE AFFIDAVIT

The Affidavit is due to the Town Clerk within ten (10) days after announcing a candidacy. It must be submitted BEFORE receiving any contributions or making any expenditures.

## ELECTORS QUALIFIED TO VOTE

Voters in Town elections are registered electors who live within the Silverthorne Town limits (map enclosed). The last day to register to vote in this election is Tuesday, April 5, 2022.

## MAIL-IN BALLOTS

All active, registered Town of Silverthorne voters will automatically have an election ballot mailed to them with a return envelope. If a voter does not receive a ballot or needs a replacement ballot, he/she can obtain one from the Town Clerk at Silverthorne Town Hall. Ballots may be mailed or dropped off in person in the ballot box located in front of the Silverthorne Library located at 651 Center Cir, Silverthorne (adjacent to the Silverthorne Town Hall).

## ABSENTEE VOTING

Starting January 5, 2022, electors may request an application for an absentee voter ballot. Applications are available at [www.silverthorne.org](http://www.silverthorne.org) or by calling the Town Clerk's Office at (970) 262-7304. Absentee ballots will be mailed not more than 72 hours after the ballots are received by the Town Clerk. *This is only needed by those who will not be at their normal residences when the ballots are mailed.*

## WATCHERS

Candidates are allowed to designate watchers, who may stay at the polling place and maintain a list of voters as the names are announced by the judges and to witness the conduct of the election. Watchers must be registered electors of the Town. Watcher's names shall be submitted to the Town Clerk and then certified by the clerk to the election judges.

## ELECTION RESULTS

Election night results will be posted on the Town's web site: [www.silverthorne.org](http://www.silverthorne.org) as soon as they are available.

## MISCELLANEOUS CANDIDATE INFO

- **Town Council Agendas:** complete Town Council meeting agenda packets are available on the Town's website [www.silverthorne.org](http://www.silverthorne.org) on Friday prior to each Council meeting. Visit the Town's website to automatically be emailed a link to the agenda packet by subscribing. Create an account and highlight "Town Council" under the Calendar.
- **Town Council Meetings:** Town Council meetings are held on the second and fourth Wednesday of each month. Work sessions start at 4:00 p.m. and the regular meeting starts at 6:00 p.m. Additional meetings may be scheduled as necessary.
- **Key Topics and Issues:** Town staff members will be available to update candidates on current topics and issues. An open house for candidates will be scheduled in February, date to be announced. This is an excellent opportunity for candidates to get up to date on current Town issues. Attendance is strongly encouraged.
- **Compensation:** Town Council members are compensated \$500 per month (\$6,000 annually). The Town Mayor is compensated at \$1,000 per month (\$12,000 annually).
- **Term Limits:** The Mayor and Councilmembers are limited to two (2) consecutive four-year terms.
- **Town Code and Home Rule Charter.** The complete [Silverthorne Town Code](#) and Home Rule Charter can be accessed from the Town's website: [www.silverthorne.org](http://www.silverthorne.org)
- **Campaign Advertising.** It is not a requirement by law that candidates identify who paid for campaign advertising— e.g. "Paid for by the Committee to Elect Jane Doe." This type of identification is informative but optional.
- **Voter Registration Lists and Mailing Labels:** voter registration lists and mailing labels are available from the Summit County Clerk's office. All requests for lists or labels must be made in writing, with forms available on the County Clerk's website.



Email requests to: [kathy.neel@summitcountyco.gov](mailto:kathy.neel@summitcountyco.gov), mail to: P. O. Box 1538 in Breckenridge, or fax to: 970-453-3540. At last count, there were approximately 3,000 registered voters in Silverthorne.

### FOR ADDITIONAL INFORMATION

Further information may be obtained from the Silverthorne Town Clerk's office, located at 601 Center Circle, by phone, (970) 262-7304 or by email, [townclerk@silverthorne.org](mailto:townclerk@silverthorne.org)

DEADLINE		ACTION
Tuesday, January 4, 2022		First day Nomination Petitions may be circulated
Monday, January 24, 2022		Last day Nomination Petitions may be filed with the Town Clerk
Monday, January 31, 2022		Last day Affidavit of Intent for write-in candidates may be filed with Town Clerk.
Monday, January 31, 2022		Last day a petition may be amended to correct or replace signatures; Last day candidate may withdrawal nomination.
Tuesday, February 1, 2022		Candidate ballot order drawing 5 p.m.
Tuesday, March 15, 2022		Campaign finance report due to Town Clerk per Fair Campaign Practices Act (21 days prior to the election).
Friday, April 1, 2022		Campaign finance report due to Town Clerk per Fair Campaign Practices Act (Friday before the election).
Tuesday, April 5, 2022		ELECTION DAY
Date TBD		New Town Councilmember Orientation
Wednesday, April 27, 2022		Swearing-in of new Councilmembers.
Thursday, May 5, 2022		Campaign finance report due to Town Clerk per Fair Campaign Practices Act (30 days after the election).
ANNUALLY		Campaign finance report due on April 1st of each year following election (if applicable).

# CAMPAIGN AND POLITICAL FINANCE

*The information in this guide has been provided as a courtesy, and guide only, by the Town of Silverthorne and is not intended to be legal advice. For legal advice, please contact a private attorney for assistance. If you have questions about the information in this document, or if you would like to discuss a particular situation, please call the Town Clerk's office at (970) 262-7304.*

## FAIR CAMPAIGN PRACTICES ACT (FCPA)

On November 5, 2002, the citizens of Colorado approved a ballot initiative titled "Amendment 27: Campaign Finance." This initiative amended the Colorado Constitution and the Fair Campaign Practices Act by placing limits on the amounts and types of contributions permitted during an election, among other changes.

While most FCPA contribution and spending limits do not apply to municipal candidates, all candidates must comply with the filing requirements of the FCPA. *It is the responsibility of the candidate to become familiar with and follow the provisions of the Fair Campaign Practices Act.* For the complete Colorado Campaign and Political Finance Manual, visit the [Colorado Secretary of State's website](#).

## FCPA FORMS OVERVIEW

Hard copies of the following forms have been included in the Candidate Packet for your convenience. If you need additional forms, contact the Silverthorne Town Clerk, or visit the Colorado Secretary of State's website:

<https://www.sos.state.co.us/pubs/elections/CampaignFinance/filing.html>

**REMINDER: All FCPA form must be filed with the Town Clerk.** Manual filing is the only method available for local campaign reports filed with the Town Clerk (electronic filing is available for state candidates and issues). These forms accommodate both state and local candidates and committees. To that end, there are several forms and/or questions on the forms which may not be applicable. These are the report forms that candidates and committees are most likely to use:

1. **Candidate Affidavit.** This form must be filed *within 10 days* of publicly announcing your intention to seek election to public office. It must be submitted to the **BEFORE** receiving any contributions or making any expenditures.
2. **Statement of Personal Expenditures by a Candidate.** Candidates who accept no contributions but have made expenditures of personal funds are required to disclose the amount of any expenditure. *This report must be filed 21 days before the election, four days before the election, and 30 days after the election.*

3. **Committee Registration Form.** All candidate committees must register before accepting contributions or making expenditures. A candidate shall have only one candidate committee. A separate bank account must be opened for all campaign contributions and related expenditures. A personal checking account is prohibited unless the candidate is only sending their own funds.
4. **Report of Contributions and Expenditures.** The Report of Contributions and Expenditures is a financial report required for all **committees** that accept contributions or make expenditures. *This report must be filed 21 days before the election, four days before the election, and 30 days after the election. See dates noted below.*
5. In addition, contributions of \$1,000 or more received within 30 days before the election must be reported within 24 hours of receipt on the **Notice of Major Contributor** form.

All candidate information, petitions, financial reports, and forms and are public records and may be given to the public upon request.

- a. All contributions and all expenditures of \$20 or more must be itemized on these reports
  - b. The occupation and employer of contributors of \$100 or more must be disclosed
  - c. No committee may accept contributions of cash or coin for more than \$100
  - d. No committee may spend more than \$100 in cash or coin
  - e. Contributions in excess of \$1,000 require a separate report
  - f. Volunteer services by an individual are not considered contributions
  - g. All contributions received must be deposited in a financial institution in a separate account with a title that includes the name of the committee.
  - h. Once the campaign has ended, the person who was a candidate for municipal office is still obligated to file FCPA reports for as long as funds remain in the campaign account, and until the account is closed. In succeeding years, the filing date is on the first day of the month in which the election took place (e.g. 4/1/2022, 4/1/2023, etc.).
6. **Candidate Statement of Non-Receipt of Contributions or Non-Expenditure of Funds.** This form is for candidates that do not have a campaign committee and have not received contributions nor made expenditures. In addition, no expenditures have been made on behalf of the candidate. *This filing is voluntary but may prevent the perception that a candidate has failed to file reports.*

### **FCPA FILING DEADLINES**

**21 DAYS BEFORE THE ELECTION: TUESDAY, MARCH 15, 2022**

**4 DAYS BEFORE THE ELECTION: FRIDAY APRIL 1, 2022**

**30 DAYS AFTER THE ELECTION: THURSDAY, MAY 5, 2022**

## TERMINATING YOUR COMMITTEE

It is very important that committees terminate properly to end all filing requirements and avoid fines and penalties for non-reporting. A committee may only terminate by filing a Report of Contributions and Expenditures indicating a “zero” balance.

## UNEXPENDED CAMPAIGN CONTRIBUTIONS

Unexpended campaign contributions to a candidate committee may be:

- a. Contributed to a political party
  - b. Donated to a charitable organization recognized by the Internal Revenue Service
  - c. Retained by the committee for use by the candidate in a subsequent campaign
- Returned to the contributors

In no event shall contributions to a candidate committee be used for personal purposes not reasonably related to supporting the election of the candidate.

## PENALTIES

The Town Clerk shall impose a penalty of \$50 per day for each day that a statement or other information required to be filed pursuant to the FCPA is not filed by the close of business on the day due.

# POLITICAL SIGNS

## SIGNS, POSTERS AND BANNERS

Many types of signs are prohibited; for a complete list of prohibited signs, please see Town Code Section 4-9-5. The most applicable prohibited sign types, as it applies to elections, are noted below.

### **Prohibited:**

- Signs erected in the public right of way – all signs must be on private property
- Moving, animating, revolving, or rotating signs
- Wind-driven signs, air-activated graphics, or inflatable signs
- Signs or poster signs, including signs fastened to trees, fences, utility poles, public benches, street signs, streetlights, or placed on any public property

### **Temporary Signs:**

- Temporary signs shall be durable, weather-resistant, and fastened or anchored adequately. Temporary signs employing plywood as a substrate shall be of medium-density overlay plywood and shall show no signs of cracking or peeling on the painted surfaces. Lightweight fabrics or similar materials shall be mounted securely to a rigid surface.
- Each property is allowed an aggregate sign area of twelve (12) square feet of temporary freestanding signage. Such signage is limited to four (4) feet in height, a maximum of four (4) signs per property at any one time, and a period of time period not to exceed forty-five (45) days per year.
- Violation of a Town Ordinance may result in issuance of a citation. For further information on political signs, contact the Community Development Department at 970-262-7360.