

## Second Milestone for Interlaken Town

### Community:

I am pleased to note we have reached a second milestone on our way to becoming an incorporated municipality. The first was the success of our November ballot measure to incorporate Interlaken Estates as a municipality. The second is that the Wasatch County Clerk has issued a Public Notice this week in The Wave, announcing that our Special Election will be held June 23, 2015 to elect our Interlaken Town Council. For this first election, the Wasatch County Clerk will be our election official and will guide us through the process.

This note to you will further clarify some points in that notice and several other aspects of this election. These include the form of government we will have as a town (as distinguished from being a city); the initial terms for the elected positions; how to declare candidacy; eligibility to run for office; and the election process. I will be providing more details later, such as the duties of council members and the mayor

**The most important election.** The election of our first town officials is the most important election we will ever have. The first council will make momentous decisions (with community input). These include the formulation of our town codes, such as those that affect land use, code enforcement, and the mode by which the town raises funds to operate, which likely will be a blend of a flat fee and a tax. To this end, our nascent town needs candidates. Now is the time to express at least an initial interest to your Board of Directors ([board@interlakenestates.com](mailto:board@interlakenestates.com)) and/or to me personally ([lawrence.headley@gmail.com](mailto:lawrence.headley@gmail.com)). Please step forward. If not you, who will guide our community at its inception towards effective governance?

**A five member council form of government.** By the Utah Municipal Code (10-3b-101 et seq.) towns are specifically assigned to be a five member council form of government. This is a council of five persons, one of whom is also the mayor, and the remaining four are council members. (Utah Code 10-3b-201 et seq). So, we will be electing five council members, one also being the mayor.

**Two- and four-year terms.** Since the Special Election will be our first, we will be electing our officials to staggered terms to avoid ever having to again fill all five positions at once. That is, three of the council members will be initially elected for two-year terms, one of these being the Mayor. The other two will be elected to four-year terms. Then, in 2017, when the three two-year term positions will be completed at the end of that year, an election will be held to fill them, but this time, and in future elections,

the terms will be four years. So, with the next election in 2017, all five council members will thereafter be serving four-year terms.

**Filing a Declaration of Candidacy.** Each candidate must file a declaration of candidacy specifically for a two-year council position, a four-year position, or for the two-year mayor position. The period for filing will be April 13 through April 20, 2015. Candidates will file at the Wasatch County Clerk's office, located at 25 North Main Street in Heber City, room 209, between the office hours of 8:00 a.m. to 5:00 p.m.

**Eligibility.** A person filing a declaration of candidacy must have been a resident of our community for at least one year immediately before the date of the election and meet the other requirements set out in the election code. Any person elected to municipal office must be a registered voter in the municipality in which he was elected.

**The Election Process.** The general process is that all qualified candidates can declare for election and then the candidates are narrowed down at a primary election in November. A primary election is not required, however, if the total number of candidates for a particular office does not exceed twice the number needed to fill the office. This means, for example, that if no more than four candidates run for the two two-year non-mayor council member seats and no more than four for the two four-year council member seats, the Special Election will decide the winners and no primary election will be required, as regards those four council member positions. We would then have elected four of our council members at this point. Likewise, if no more than two candidates vie to be mayor, the Special Election will decide this contest as well.

If the number of candidates equals the number of council member positions for which they are running (two candidates, two positions), both will be declared the winners by default prior to the election. But if only one candidate runs for two open positions, one position will be filled by appointment by the town Council after being seated January 1, 2016, in accordance with procedures stipulated by State Code. So, it is possible that there will be no election in June if there is only one candidate for each of the five Council Member positions (one also being the Mayor).

As questions occur to you, please address them to me. I will compile these then answer them in another letter to the community.

Best Regards,

Lawrence Headley  
President, IMWC Board of Directors.