

DATE OR DEADLINE 2010 with approx time			DESCRIPTION
Feb	5 - 12		All special districts file legal notice of district election in the county legal paper except <b>Platte Canyon Fire District. Legally required to file before Feb 18.</b>
Feb	19		Platte Canyon Fire is the only district, of which we are aware, to file legal notice of election after the final deadline for such legal filing. Only 5 business days were left for candidates to file to run for board seats. Legal notice states that there are 3 4-year terms open and that the filing deadline is 5 PM on Friday, Feb 26, 2010.
Feb	26	10:30 *	Prospective board candidate says she called the PCFPD office to ask questions about deadline for filing to run for their board. Woman who answers phone is recognized by voice to the caller. Caller asks when is the last day to file to run for the board. Caller says the woman told her Mar 2 <sup>nd</sup> . (That date is past the deadline for any filing to run for the 2010 special district election, according to the legal notice and DOLA requirements.) Caller later found the date to be wrong by calling to ask for someone to check the legal publication. Legal says deadline is Feb 26 at 5 p.m. – the same day as the call was made.
Feb	26	11:00 *	Non-incumbent candidate Abcarian arrives at PCFPD to file form to run for board. Chief Davis tells candidate that the seats that are open are all 4-year seats. Candidate marks 4 year as only term available. Abcarian completes form. Form is witnessed by Gail Judge.
Feb	26	12:50 *	Candidate Van Hout arrives at station 2 and is told that Davis is not there and will be back at 1 PM. Van Hout runs errands and returns. Checks to see if Davis is back two more times. On third check, candidate is told Davis is still not there. Candidate requests form to self-nominate from Gail Judge so she can begin filling it out. Fills it out at edge of Judge's desk. In working through the form, Van Hout is reading aloud and comes to the question of 2 year or 4 year terms. Judge says "4 year" confirming the contents of the legal notice as the only terms available. Candidate marks 4 year term.
Feb	26	13:30 *	Davis comes out to parking lot where Van Hout is still waiting with her completed form in her possession. Van Hout goes back in with Davis to get a copy made of the nomination form for her records.
Feb	26	16:45 *	Candidate Bennett arrives at station 2 to complete nomination form. States that Davis watches him fill out the section asking for designation of 2-yr or 4-yr term. Davis makes no comment about any other seat available other than those stated in the published legal notice.
Feb	26	17:02	Bennett leaves the station and says that no one else was waiting or coming in. Deadline to file is now past – 5 p.m., end of filing for this election.
Mar	2	13:36	Park County Bulletin calls PCFPD to ask for candidate and election information for the 2010 special district election. Chief Davis says that he can't remember the last time the district was forced to have an election. He begins reading names of candidates: Abcarian, Van Hout, Bennett, Pence, McMullen and said that all of those people were running for the <u>2</u> 4-year terms available. When reminded that their legal stated 3 4-year terms as the only positions, Davis said he had to change one later according to their lawyer. I asked how the public was notified that the terms were changed. He said they weren't notified because he had to change the one seat to a 2-year seat afterward, per their lawyer. When asked how people

			could register to run for a seat when improperly advised of the seats available, he said that they all had the option of choosing 2-year or 4-year and they all chose the 4-year term. However, he said that none of them would know of a 2-year seat when all the legal notice and answers from him and his staff indicated only 4-year seats were available. Again, Davis insisted he had to change one of the seats "afterward" because one was an appointment. But he did not answer the question of how the public would be notified of the change in seats available. Finally, he did say that he told each of the candidates that there was a 2-year seat. (As per statements above, the candidates disagree and state that they were told all of the seats were 4-year in accordance with the legal notice.)
Mar	2	Same	Jeff Davis stated that Lance Rosetto was the only candidate for the 2-year seat and so he would be the winner of that seat because he was the only one who marked the box for a 2-year seat. Davis did not explain how the incumbent was the only one to know there was a 2-year seat when all other candidates who filed up to and through the filing deadline were unaware of that information and told only 4-year terms were available.
Mar	2	Same	Davis is asked about the caller who was given the wrong date. He does not offer any answer except that no one called and asked him. Asked if he would check into it, he said no, he wouldn't. He repeated that no one asked him and said he was here all day on Friday, Feb 26. (See above where Van Hout waited an extended period and was told Davis was not there.)
Mar	3	18:45	Davis said that Rosetto filed "late afternoon" for the 2-year term but Bennett said he was not told there was a 2-year term available when he filed his form at the end of the deadline period. Bennett, Davis and other candidates were together in the room when that conversation took place where Davis said Rosetto filed on the afternoon of the 26 <sup>th</sup> . Bennett confirmed that Davis did not tell him, at 5 p.m., that a term on one seat had been changed. Davis said that was because Bennett didn't ask him.
Current			No explanation of Rosetto's filing. Davis said he did not notify people of the 2-year seat because he had to change it to a 2-year later. If changed after the deadline for filing, how was Rosetto told there was a 2-year seat and file by the deadline if, according to the Chief, he didn't know of the change until after the other candidates had filed their forms. If Rosetto filed after the deadline, his candidacy should be disqualified.
		*	Statements from candidate, caller or citizen interview