



TOWN BOARD SPECIAL MEETING

June 5, 2024 - 5:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

To view Town Board meeting broadcasts, visit
www.windsorgov.com/MeetingsOnDemand.

AGENDA

A. CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance
3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration

B. BOARD DISCUSSION WITH PUBLIC COMMENT

1. Discussion regarding a Town Board Motion and Direction to File a Motion with the Weld County District Court to Seek Clarification of the District Court's May 22nd Order in the Lawsuit of *James Cosner v. Barry W. Wilson, an Individual and Karen Frawley, in her Official Capacity as the Town Clerk of Windsor* as it Pertains to the District 2 Vacancy

C. BOARD ACTION

1. A Town Board Motion and Direction to File a Motion with the Weld County District Court to Seek Clarification of the District Court's May 22nd Order in the Lawsuit of *James Cosner v. Barry W. Wilson, an Individual and Karen Frawley, in her Official Capacity as the Town Clerk of Windsor* as it Pertains to the District 2 Vacancy

D. ADJOURN

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.



MEMORANDUM

Date: June 5, 2024
To: Mayor and Town Board
From:
Re: Discussion regarding a Town Board Motion and Direction to File a Motion with the Weld County District Court to Seek Clarification of the District Court's May 22nd Order in the Lawsuit of *James Cosner v. Barry W. Wilson, an Individual and Karen Frawley, in her Official Capacity as the Town Clerk of Windsor* as it Pertains to the District 2 Vacancy
Item #: B.1.

Background / Discussion:

The Court's May 22nd Order in the Weld County District Court matter of James Cosner v. Barry W. Wilson, an individual, and Karen Frawley, in her official capacity as the Town Clerk of Windsor, declared that Barry Wilson resigned when he vacated his District 2 seat in order to be sworn in as Mayor. In its Order, the Court annulled Wilson's certification as Mayor and declared Wilson's election as Mayor "null and void."

The Town needs clarification from the Court to determine the status of Wilson's District 2 resignation following the annulment of the Mayor's certificate. Does the nullification of the certificate also nullify or void the resignation, or may Wilson retract his resignation due to the Court's ruling?

Financial Impact:

Relationship to Strategic Plan:

Promote effective governance

Recommendation:

Does the Town Board give the Town Attorney direction to seek clarification on this matter?

CC:

Attachments:



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Re: A Town Board Motion and Direction to File a Motion with the Weld County District Court to Seek Clarification of the District Court's May 22nd Order in the Lawsuit of *James Cosner v. Barry W. Wilson, an Individual and Karen Frawley, in her Official Capacity as the Town Clerk of Windsor* as it Pertains to the District 2 Vacancy
Item #: C.1.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments: