EMIGRATION CANYON METRO TOWNSHIP

RESOLUTION 2021-08-01

A RESOLUTION, PURSUANT TO UTAH CODE 20A-1-206, CANCELLING EMIGRATION CANYON METRO TOWNSHIP'S NOVEMBER 2, 2021 LOCAL ELECTION AND DETERMINING THE UNOPPOSED DECLARED CANDIDATES TO BE ELECTED TO THE TOWNSHIP COUNCIL.

WHEREAS the Emigration Canyon Metro Township (hereafter "ECMT”) is a metro township under Utah Code Ann. § 10- 2a-401 et seq., and

WHEREAS ECMT is governed by a five-member elected Council, each of whom is elected at-large under Utah Code Ann. § 10- 3-205.5, and

WHEREAS the terms of two members of the Council are set to expire at the end of 2021, and

WHEREAS, because of the expiration of terms, an election was called for November 2, 2021, pursuant to applicable sections of the Utah Code, to fill those two positions on the Council, and

WHEREAS notice of the election was duly noticed to the public, and

WHEREAS only two candidates filed declarations of candidacy to run for the two open positions on the Council, said candidates being ROBERT PINON and JOSEPH SMOLKA, and

WHEREAS, as of August 24, 2021, no other individual gave notice of intent to run as a write-in candidate, pursuant to Utah Code §20A-9-601, and

WHEREAS, the deadline for write-in candidates to declare is August 27, 2021, and

WHEREAS, due to ballot printing deadline requirements for mail in ballots the determination of whether to print ballots is needed prior to September 17, 2021, and

WHEREAS, the next regular meeting for ECMT is scheduled for September 28, 2021, and

WHEREAS, pursuant to Utah Code Section 20A-l-206, a municipal legislative body can choose to cancel an election where the number of declared candidates, including declared write in candidates, do not exceed the number of open council positions subject to election, and may certify the unopposed declared candidates to be elected to the council and

WHEREAS, a significant amount of money will be saved by ECMT by not holding a formal election as allowed by the Utah Code, and

WHEREAS, the Emigration Canyon Metro Council wishes to inform the clerk of its intention to cancel the election upon the expiration of the deadlines for others to declare for candidacy, so ballots could be finalized, and committed to ratify the same at its next regularly scheduled meeting.

NOW THEREFORE, IT WAS HEREBY RESOLVED, APPROVED AND CERTIFIED, by the Council of the Emigration Canyon Metro Township that:

1. The scheduled election for members of the Council, set for November 2, 2021 (the "Election”) shall be cancelled if no write in candidates are submitted by August 27, 2021, and due to the herein certified fact that in such case only two declared candidates are running, pursuant to statutory requirements, for the two open positions on the Council that were to be chosen by the Election

2. Effective January 1, 2021, the two unopposed candidates for the two open positions on the Council, are hereby deemed to be elected to those positions, which unopposed candidates are: ROBERT PINON and JOSEPH SMOLKA.

3. Council's clerk is instructed to take whatever action is required to give notice of the cancellation of the election pursuant to Utah Code Section 20A-1-206 after August 27, 2021 if it is determined that there are no write in candidates.

APPROVED this 24th day of August 2021.