



# RESOLUTION No. 24-457

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION REQUESTING THE NEVADA COUNTY BOARD OF SUPERVISORS MAKE APPOINTMENTS IN LIEU OF THE GENERAL ELECTION TO BE HELD ON NOVEMBER 5, 2024

WHEREAS, California Elections Code section 10515(a) provides that “if, by 5 p.m. on the 83rd day prior to the day fixed for the general district election: (1) only one person has filed a declaration of candidacy for any elective office to be filled at that election, (2) no one has filed a declaration of candidacy for such an office, (3) in the case of directors to be elected from the district at large, the number of persons who have filed a declaration of candidacy for director at large does not exceed the number of offices of director at large to be filled at that election, or (4) in the case of directors who must reside in a division but be elected at large, the number of candidates for director at large from a division does not exceed the number required to be elected director at large while residing in that division; and if a petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, in the district or division if elected by division, requesting that the general district election be held has not been presented to the officer conducting the election, he or she shall submit a certificate of these facts to the supervising authority and request that the supervising authority, at a regular or special meeting held prior to the Monday before the first Friday in December in which the election is held, appoint to the office or offices the person or persons, if any, who have filed declarations of candidacy”; and

WHEREAS, Section 10515(a) further provides that the Board of Supervisors shall make such appointments; and

WHEREAS, a certificate of the above facts has been submitted by the Nevada County Clerk-Recorder/Registrar of Voters to the Board of Supervisors; and

WHEREAS, the persons listed in Exhibit A attached hereto have filed a declaration of candidacy for director, either at large or by division, in the special districts listed for the November 5, 2024 general district election, but the number of persons who have filed a declaration of candidacy for said offices are equal to or less than the number of offices to be filled; and

WHEREAS, Elections Code section 10515(b) provides that “if no person has filed a declaration of candidacy for any office, the supervising authority shall appoint any person to the office who is qualified on the date when the election would have been held”; and

WHEREAS, no person has filed a declaration of candidacy for the offices listed in Exhibit B attached hereto; and

WHEREAS, Section 5326 of the Education Code provides that “if, by 5:00 p.m. on the 83rd day prior to the day fixed for the governing board member election, only one person has been nominated for any elective office to be filled at that election, or no one has been nominated for the office, or in the case of members to be elected from the district at large, the number of candidates for governing board member at large does not exceed the number of offices to be filled at that election, or in the case of members to be nominated by trustee area and elected at large, the number of candidates do not exceed the number required to be elected governing board member at large nominated by that trustee area, or in the case of members to be elected at large in accordance with Sections 5030.5, 5030.6, and 5030.7, no more than one person has been nominated for each membership position, and a petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, in the district or trustee area, if elected by trustee area, requesting that a school district election be held for the offices has not been presented to the officer conducting the election, appointment will be made as prescribed by Section 5328”; and

WHEREAS, Section 5328 of the Education Code provides that the governing body of the school district or county board of education, as applicable, shall make such appointments.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that pursuant to Elections Code section 10515(a) the Board of Supervisors hereby appoints to the office or offices the qualified person or persons set forth in Exhibit A who have filed declarations of candidacy for those offices; and

BE IT FURTHER RESOLVED that pursuant to Elections Code section 10515(b), the Board of Supervisors of the County of Nevada hereby directs the Clerk of the Board to advertise for candidates to submit applications to be appointed to the offices with insufficient candidates as identified in Exhibit B, and to present to the Board for appointment any applicants who are qualified to serve in said offices on the date when the General Election would have been held.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 20th day of August 2024, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout, Susan Hoek, and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

Recuse: None.

ATTEST:

TINE MATHIASSEN  
Chief Deputy Clerk of the Board of Supervisors

By: 

  
Hardy Bullock, Chair

**Exhibit A: Appointments in Lieu of November 5, 2024 General Election**

District Name	Number of Seats	Length of Term	Candidate Filer Name
Donner Summit Public Utility District	3	4 year	Cathy Preis Dawn Parkhurst Joni Kaufman
Higgins Area Fire Protection District	2	4 year	Janice Buschmann Richard Thickens
Mystic Mine Road Community Service District	4	2 year	Allison Nelson David Slaughter Brad Nelms Heather Slattery
Nevada County Consolidated Fire District	4	4 year	Marianne Slade-Troutman Patricia L. Nelson Tom Carrington Darryl Bennett
Nevada Irrigation District, Division V	1	4 year	Rich Johansen
North San Juan Fire Protection District	2	4 year	Rhea Williamson Pamela Morey
Ophir Hill Fire Protection District	3	4 year	Steve Borgnis Monte S. Martin Anne Sousa
Peardale-Chicago Park Fire Protection District	2	4 year	Jim Michalak Sam Carrion
Penn Valley Fire Protection District	3	4 year	Joey Jordan Terry McMahan Tina Kissell
Rough & Ready Fire Protection District	1	4 year	Kurt Schimmel
San Juan Ridge County Water District	3	4 year	Michele Rowe Michael Covert Sean Henry
Truckee-Donner Recreation and Park District	2	4 year	Jason Hansford Mark Tanner
Truckee Fire Protection District	2	4 year	Erin Prado Gerald Herrick
Truckee Sanitary District (Full Term)	2	4 year	Brian Kent Smart Catherine Hansford

STATE OF CALIFORNIA

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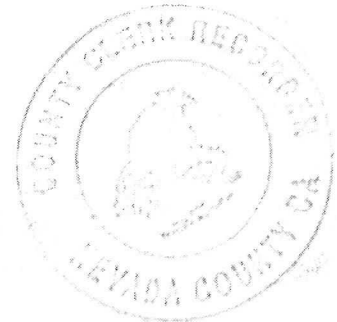
I, Natalie Adona, Clerk-Recorder-Registrar of Voters of the County of Nevada, State of California, hereby certify under penalty of perjury the foregoing instrument to be a full, true and correct copy of the original now on file in my office.

ATTEST:

  
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Natalie Adona  
Nevada County Clerk-Recorder/Registrar of Voters

Dated: 08/14/2024



**Exhibit B: Districts With Insufficient Candidates for November 5, 2024 General Election**

<b>District Name</b>	<b>Number of Seats</b>	<b>Length of Term</b>
Mystic Mine Road Community Services District	1	2 year
Oak Tree Park and Recreation District	3	4 year
Rough & Ready Fire Protection District	1	4 year
Western Gateway Recreation & Park District	2	4 year

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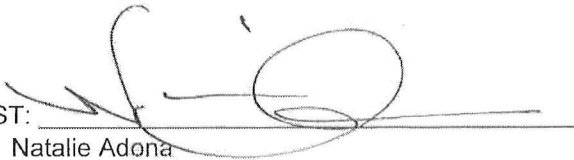
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ATTEST:



Natalie Adona  
Nevada County Clerk-Recorder/Registrar of Voters

Dated: 08/14/2024

