

## RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
BACA GRANDE WATER AND SANITATION DISTRICT  
HELD  
JULY 16, 2010

A regular meeting of the Board of Directors of the Baca Grande Water and Sanitation District (referred to hereafter as "Board") was held on Friday, the 16th day of July, 2010, at 9:00 a.m. at the offices of the District, BGWS&D Shop, 57 Baca Grant Way South, Crestone, Colorado. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

Vicki Matthews, Vice President  
Martin Macaulay, Secretary/Treasurer  
Philip Madonna, Assistant Secretary  
Parvin J. Johnson, Sr., Assistant Secretary

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Madonna and, upon vote, unanimously carried, the absence of Christine Canaly was excused, and Director Matthews was appointed Acting Chairman for the meeting.

#### Also In Attendance Were:

AJ Beckman, John Warnick and Deborah McCoy; Special District Management Services, Inc.

Jennifer Gruber Tanaka, Esq.; White, Bear and Ankele Professional Corporation

Steven Harrell; District General Manager

Brad Simons; Olsson Associates

Elaine Blumenhein Bill Folk and Michael Scully;  
Members of the Community

#### In Attendance Via Speakerphone Were:

Meric Lallier; Special District Management Services, Inc.

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Marcus Lock, Esq. and Kendall Burgemeister, Esq.;  
Bratton Hill Wilderson & Lock, LLC

Eric Barnes, Wagner Barnes, P.C.

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### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Attorney Tanaka noted that conflicts were filed for applicable Directors at least 72 hours prior to the meeting. President Canaly noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. No further conflicts were disclosed.

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### ADMINISTRATIVE MATTERS

Agenda: Mr. Beckman reviewed the proposed agenda for the District's Regular Board meeting.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Matthews and, upon vote, unanimously carried, the Agenda was approved, as amended.

Minutes: The Board reviewed the minutes of the June 18, 2010 regular meeting.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Matthews and, upon vote, unanimously carried, the Board approved the minutes of the June 18, 2010 regular meeting.

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### PUBLIC COMMENT

Bill Folk: Mr. Folk addressed the Board regarding the May 2, 2010 election. He asked if the Board had approved the election and given specific authorization to Special District Management Services, Inc. ("SDMS") for the election judges used and the process for selecting the election judges. Mr. Folk remarked that the use of non-local judges could be viewed as a conflict of interest on the part of SMDS. Attorney Tanaka advised Mr. Folk that there is no conflict of interest on the part of SDMS or the election judges that counted the ballots. She further explained that

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all actions related to the election were authorized by Resolution No. 2009-11-07 Calling the May 4, 2010 Election adopted by the Board at the November 20, 2010 Board meeting.

Director Macaulay requested that Mr. Folk submit such questions in writing. Discussion ensued regarding the responses to prior questions submitted by Mr. Folk. Attorney Tanaka explained that the District will not create documents to satisfy his requests but will provide them to him if they are available.

Director Macaulay asked Mr. Folk if he was aware that certain assertions included in his previous submittal to the Board about the recent election proceedings were false, and as the spokesperson for his citizens group and the individual endorsing this information, was he aware that the information was false. Mr. Folk responded that he did not have any information regarding the election but submitted it on behalf of the anonymous members of the citizens group and explained that he personally did not make any accusations regarding any impropriety. Director Macaulay pointed out that Mr. Folk is signing the request for information but not taking responsibility for the content of the request.

Ms. McCoy addressed the Board. She explained that SDMS was authorized to conduct all actions associated with Resolution No. 2009-11-07 Calling the May 4, 2010 Election adopted by the Board at the November 20, 2010 Board meeting. She advised the board that there is no written information to provide which would indicate solicitation of local election judges; however outreach for election oversight by members of the community was conducted. She explained that there could have been greater outreach efforts to secure local election judges; however, all of the procedures were performed by qualified election judges.

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### WATER MATTERS

Outstanding Water Matters with Water Counsel: Attorney Lock joined the meeting by speakerphone. He reported that the new rules for sub-district five are under appeal. He expects a ruling in the fall of next year. He also reported that the senior call is currently off

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for the Golf Course Well; however, the water level may drop sufficiently and that there will be no water available. Director Macaulay asked if the USFWS would assert its senior call each year. Attorney Lock explained that such information is unknown. He discussed the pending negotiations with USFWS and is hopeful that through the process the relationship with the USFWS will improve. He also discussed provisions of the lease which prohibit the USFWS from asserting a senior call that would interfere with the District's availability of water.

Strategy to Maximize Benefit of Water Rights: Attorney Lock reported that he is currently awaiting a response from the USFWS regarding issues raised in his June 18, 2010 letter.

Public Presentation on Water Rights (August 24, 2010 at Colorado College): Mr. Lock discussed the items to be covered at the presentation including a general overview of Colorado water law and the administration of water rights in Water division 3; the water issues specific to the San Luis Valley; the Rio Grande Compact and the Closed Basin Compact; and the creation of sub districts. He will also address the District's water rights, infrastructure and water supply planning.

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### OPERATIONS

Mobile Home Estates Wastewater Treatment Facility: Mr. Harrell reported that there were no violations for the month of June. Mr. Beckman discussed the need to complete the capital projects in order to establish an end date for the time frame considered by the Colorado Department of Public Health and Environment ("CDPHE") in their assessment of fines to be levied against the District for its failure to comply with discharge limits over the past several years.

Aspen Wastewater Treatment Facility: Mr. Harrell reported that the facility was within discharge limits for June.

Corrosion Control Study and Compliance Requirements: Mr. Harrell reported that six of twenty samples have

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been taken for the year and that he expects to have the study completed by end of September.

Water Meter Multiplexer Unit ("MXU") Installation Plan: Mr. Harrell reported that he has received new hand-held units for meter reading. It was noted that the purchase of new meters to continue the meter replacement project has been suspended until next year.

Digitalization of Water Rights Documents: Mr. Harrell reported that the digitalization is will continue as an ongoing process.

Decommissioning of the Discharge Pond on the Manitou Property and Outstanding Manitou Matters: Mr. Harrell reported that he is awaiting the results of the hydro-electric study from Olsson Associates. He will proceed with the decommissioning once the results of the study are known.

Facilities Audit by Olsson Associates: Mr. Simons reported that the audit is currently underway. He discussed the need to send a letter to the Colorado Department of Public Health and Environment ("CDPHE") to go on record regarding the permit that was previously sent to the wrong address. Mr. Simons reported that he will write the letter to the CDPHE regarding the permit and testing requirements.

Proposal from North Line GIS for Ongoing GIS Data Update Services: Mr. Harrell reported that North Line GIS will make a presentation on the proposal at the September Board Meeting.

Electrical Work at Aspen Wastewater Treatment Facility: Mr. Harrell presented a proposal by Wilfong Solar and Electric in an amount not to exceed \$2,800 for the installation of electrical equipment that would allow the plant to be powered by a backup generator.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Madonna and, upon vote, unanimously carried, the Board approved the proposal by Wilfong Solar and Electric in an amount not to exceed \$2,800 for the installation of electrical equipment

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that would allow the plant to be powered by a backup generator.

Additional Bio-Solids Pumping from the Aspen Wastewater Treatment Facility Overflow Lagoon: Mr. Harrell discussed the need to pump an additional lagoon. He reported that if the additional lagoon is pumped this year, the District could save annual permitting costs. Director Johnson recommended that the matter be tabled until October.

Karma Thegsum Tashi Gomang ("KTTG") Request for Rate Mitigation: Mr. Harrell reported that KTTG is requesting that its monthly water rate be reduced from \$44.00 per month to \$22.00 per month since it no longer uses the swimming pool and other facilities on its property.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Matthews and, upon vote, unanimously carried, the Board approved the request by KTTG to reduce their monthly rate from \$44.00 per month to \$22.00 per month for water service.

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### EXECUTIVE SESSION

Personnel Matters: EXECUTIVE SESSION: Pursuant to Sections 24-6-402(4)(b) and (f) of the Colorado Revised Statutes, upon motion duly made by Director Matthews, seconded by Director Johnson and, upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 12:42 p.m. for the purposes of discussing personnel matters as authorized by Section 24-6-402(4)(f) C.R.S., and receiving legal advice as authorized by Section 24-6-402(4)(b), C.R.S.

Furthermore, pursuant to Section 24-6-402(2)(d.5) (II)(B), C.R.S., no record will be kept of those portions of the executive session that, in the opinion of the District's attorney, constitute privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

The Board reconvened in regular session at 1:25 p.m.

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FINANCIAL  
MATTERS

Mr. Lallier joined the meeting via speakerphone.

Claims: Mr. Beckman distributed and reviewed the payment of claims with the Board through the period ending July 16, 2010 as follows:

General Fund	\$ 28,142.54
Capital Projects Fund	2,900.83
Enterprise Fund	53,370.70
Total Claims:	<u>\$ 116,411.69</u>

Following review and discussion, upon motion duly made by Director Matthews, seconded by Director Macaulay and, upon vote, unanimously carried, the Board approved the payment of the claims for the period ending July 16, 2010.

Financial Statements: Mr. Beckman and Mr. Lallier reviewed the unaudited financial statements of the District setting forth the cash deposits, investments, and budget analysis and accounts payable vouchers for the period ending June 30, 2010.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Matthews and, upon vote, unanimously carried, the Board accepted the financial statements for the period ending June 30, 2010.

Cash Flow Analysis: Mr. Beckman discussed the current cash flow and noted that Management costs are over budget year to date. He explained that the line item includes Accounting and Management, and that there has been more Management support required in 2010 than expected. Mr. Beckman also discussed the possibility of engaging a local Operator in Responsible Charge ("ORC") and requested permission by the Board to research further and engage the ORC if the necessary service can be provided and simultaneously terminate the contract with Brown and Caldwell for the same service.

Following discussion, upon motion duly made by Director Madonna, seconded by Director Macaulay and, upon vote, unanimously carried, the Board authorized Mr. Beckman to research and engage an ORC if the necessary service can be provided and to simultaneously terminate the

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contract with Brown and Caldwell for the same service.

Mr. Lallier left the meeting.

Online Customer Payment and Lockbox Services: Mr. Beckman reported that Mr. Lallier and Ms. Wellman have been trained on the lockbox procedures. The District intends to start using the service next month.

Rate Structure: Mr. Beckman reported that he is working on a rate structure that he will review with the Board in the next few weeks.

Research Regarding Funding Opportunities: Mr. Beckman reported that he, Attorney Tanaka and Attorney Lock met with United States Department of Agriculture regarding low interest loans and grants for rural development. Mr. Beckman will work with the District's Attorney and other consultants to complete the initial information required by the program and report back to the Board.

Mr. Barnes joined the meeting via speakerphone.

2009 Audit: Mr. Barnes reviewed the 2009 draft Audit.

Following review and discussion, upon motion duly made by Director Macaulay seconded by Director Johnson and, upon vote, unanimously carried, the Board accepted the 2009 Audit and authorized execution of the Representations Letter.

Mr. Barnes left the meeting.

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### LEGAL MATTERS

#### Cottonwood Creek Plant Waterline and Road Access Easements:

Greenway Easement. Attorney Tanaka reported that she discussed the easement with Mr. Teahan, the Greenways' local representative, and Mr. Teahan agreed to a meeting with the District and the Greenways' neighbors in hopes of coming to a mutual resolution. The meeting is anticipated to be scheduled for the week of July 19<sup>th</sup>.

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Property Owners' Association ("POA") Easement. Attorney Tanaka reported that the POA has indicated it will not grant the waterline easement or consider other easement related requests until the District and all parties meet to discuss the matter. Attorney Tanaka will work to have a meeting scheduled after the initial meeting with the Greenways.

Legal Research Work for 16 Incomplete Easements: Attorney Tanaka reported that she is in the process of determining what actions are necessary to resolve the outstanding matters.

Shumei International Institute Regarding Provision of Service: Attorney Tanaka reported that she, Mr. Beckman, Mr. Harrell, and Mr. Simons met with Matthew Crowley to discuss the status of the current infrastructure options for improvements. Mr. Beckman and Attorney Tanaka will provide Mr. Crowley with anticipated rate payments and requested PILOT amounts for further discussion.

Resolution Regarding Use of Bond Proceeds: Attorney Tanaka reviewed and discussed Resolution No. 2010-07-01 Regarding the Use of Bond Proceeds.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Matthews and, upon vote, unanimously carried, the Board approved Resolution No. 2010-07-01 Regarding the Use of Bond Proceeds. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

Rules and Regulations: Attorney Tanaka reported that she and Mr. Beckman and Mr. Harrell continue to work on the draft rules and regulations on a bi-weekly basis.

Amendment to Intergovernmental Agreement with Town of Crestone and Fees for Treatment and Additional Customer Taps: Attorney Tanaka reported that she and Mr. Beckman will meet with the Town Manager by teleconference next week to discuss the term sheet and the Town's initial response to the same.

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Discussion with Hanne Strong Regarding Well 18 Water Line Easement: Attorney Tanaka reported that she is working with Ms. Strong's attorney regarding the easements.

First Amendment to Employee Handbook to Include Use of Service Truck by On-Call Employees: Attorney Tanaka reviewed and discussed the proposed Amendment to the Employee Handbook.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Madonna and, upon vote, unanimously carried, the Board approved the First Amendment to the Employee Handbook to include the use of the service truck by on-call employees.

Resolution Opposing Amendments 60, 61 and Proposition 101: Attorney Tanaka reviewed and discussed Resolution No. 2010-07-02 Opposing Amendments 60, 61 and Proposition 101. She discussed the District's limitation on campaigning, and, therefore, if the District is in opposition, it could adopt the Resolution.

Mr. Warnick discussed current efforts by the Special District Association and the Colorado Municipal League and others to raise funds and coordinate a campaign in opposition to the proposed ballot measures.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Macaulay and, upon vote, unanimously carried, the Board approved Resolution No. 2010-07-02 Opposing Amendments 60, 61 and Proposition 101. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

Parcel J Easement for Mobile Home Estates Force Main Line Extension: Attorney Tanaka reported that the current design will require a permanent easement in Parcel J. The District's title work originally showed the Baca Grande Property Owners' Association ("POA") as the owner of the parcel. The title company has agreed to pay costs associated with corrections to the title work. The owner will meet with the District later today to discuss the needed easement.

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Agreement for Engineering Services by Olsson Associates for Design System to Increase Water Pressure for Shumei International Institute: Discussion was deferred.

Agreement for Engineering Services by Olsson Associates for Design of Improvements to Fallen Tree Pump Station: Discussion was deferred.

Proposal by Brown and Caldwell for Construction Phase General Engineering Services: The Board discussed the proposal by Brown and Caldwell for Construction Phase General Engineering Services for an amount not to exceed \$5,000. Mr. Simons discussed the level of interaction necessary as being relatively minimal. He expects the billable work to be well within the \$5,000 budget.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Matthews and, upon vote, unanimously carried, the Board approved the proposal by Brown and Caldwell for Construction Phase General Engineering Services for an amount not to exceed \$5,000.

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### CAPITAL IMPROVEMENTS

Status of Capital Projects: Mr. Simons reported that a notice to proceed has been issued. Arkansas Valley has been retained by Farner Enterprises to stake the alignments. A preconstruction walk-through is scheduled for July 26<sup>th</sup>. Pursuant to the contract, the project will be substantially complete within 180 days. He further reported that Olsson is starting a warranty list to track all future warranty issues. He further reported that Olsson is keeping an issues list associated with each project as well as a miscellaneous issues list.

Mr. Simons then presented roof color options for the Well 18 structure and requested that the Board approve a color.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Matthews and, upon vote, unanimously carried, the Board approved an evergreen color metal roof for the Well 18 structure.

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Project Status Summary: Mr. Beckman distributed and reviewed the Project Status Summary sheet with the Board.

Project Timeline: Mr. Simons reported that he is working with Farner Enterprises and the schedule of the project will be available within the next few weeks.

East Dream Way Water and Wastewater Design Options: Discussed was deferred.

Fire Protection to Shumei International Institute: Discussion was deferred.

Fallen Tree Pump Stations: Discussion was deferred.

Proposal from Ambiente H2O, Inc. for Back up Pump at the Aspen Wastewater Treatment Facility: The Board discussed the proposal from Ambiente H2O, Inc. for a back up pump at the Aspen Wastewater Treatment Facility in an amount not to exceed \$15,750.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Johnson and, upon vote, unanimously carried, the Board approved proposal from Ambiente H2O, Inc. for a back up pump at the Aspen Wastewater Treatment Facility in an amount not to exceed \$15,750, subject with funds to be appropriated from the Capital Projects Fund.

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### OTHER MATTERS

Crestone Eagle Article for June Publication: Director Madonna discussed the article and the need to reach out to residents and encourage attendance. The Board discussed writing a September Article. Director Matthews noted that she will draft an article for the September edition.

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### ADJOURNMENT

Upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned.

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Respectfully submitted,

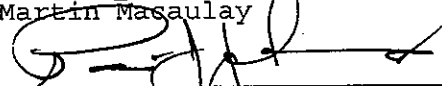
By \_\_\_\_\_  
Secretary for the Meeting

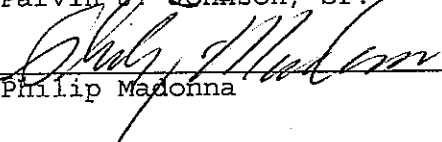
THESE MINUTES ARE APPROVED AS THE OFFICIAL  
JULY 16, 2010 MINUTES OF THE BACA GRANDE WATER AND  
SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING  
BELOW:

  
\_\_\_\_\_  
Christine Canaly

\_\_\_\_\_  
Vicki Matthews

  
\_\_\_\_\_  
Martin Masaulay

  
\_\_\_\_\_  
Parvin J. Johnson, Sr.

  
\_\_\_\_\_  
Philip Madonna

THE BACA GRANDE WATER & SANITATION DISTRICT

# REPORT ON DISTRICT OPERATIONS

TO THE BOARD OF DIRECTORS

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BY  
STEVEN HARRELL, GENERAL MANAGER  
JULY 16, 2010

57 BACA GRANT WAY • PO BOX 520  
CRESTONE • COLORADO • 81131

# REPORT ON DISTRICT OPERATIONS

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### FACILITY OPERATIONS UPDATES

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- The Aspen wastewater treatment facility has no violations for June 2010.
- The Mobile Home Estates lagoon treatment facility has no violations for June 2010.
- The District Vactor truck has a mechanical issue which has not been diagnosed yet. The current status of the truck is non-operable. RMS will be used as the sewer overflow back-up subcontractor until the Vactor truck is repaired. The Vactor truck is 38 years old. The District will have to address this issue at some point in the near future.
- The District had one sewer overflow on July 9, 2010. A District customer called CDPHE to report the overflow. The overflow was cleaned up the day it occurred and the sewer overflow report was completed and sent to CDPHE via certified mail within the 5 days allowed to file the report.
- The Aspen wastewater treatment facility UV disinfection system has 2 lights that are not operable. I have started the process for repair of the unit and will keep you updated.
- Bio Solids status. Although additional Bio Solids pumping this year may be cost prohibitive. It is important to point out that the District could save the testing and permitting cost (\$7000) if we decide to pump the overflow lagoon this year. The Board of Directors may want to discuss this matter.
- During the Aspen and MHE wastewater inspection conducted by CDPHE, one item of concern that was pointed out to the District is that the Aspen WWTF does not have emergency back-up power. It is estimated that the upgrade will cost \$2300 - \$2800.

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### PROJECTS

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- The fire hydrant maintenance crew has completed 230 hydrants out of 273 total hydrants. We are on schedule with the project.
- Water meter relocation update – The District has signed up an additional 8 customers for the water relocation program. The operations team has completed 10 installations of the new coil pits.

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### CURRENT COMMITMENTS

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- EQR research: Request for County records for review on conditional use permits to see if this impacts the EQR analysis, (not started).
- Yeshe Khorlo Inc.: Spiritual site report and recommendations (complete).
- Water meter/PRV installation cost: Check with other utilities to see who typically pays for water meter/PRV installation cost; the property owner or the utility, (in progress).

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### DISTRICT POLICIES

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- Rules and regulations review and development occurs every other week until completed.

**COMPLIANCE TESTING**

BACA GRANDE WATER AND SANITATION DISTRICT MONTHLY OPERATIONS REPORT JUNE 2010 <b>BACA CHALET</b>			
<b>WATER - WELL 18</b>	<b>GALLONS PUMPED</b>	<b>LIMIT</b>	<b>RESULT</b>
Gallons Pumped	8,146,275		
Total for Year	29,326,590		
Total Coliform Reporting		Present/Absent	Absent
Free chlorine residual/Shop		Trace	.08mg/L
<b>Wastewater -- Aspen WWTF</b>			
Total influent flow, MG	Meter inaccurate	NA	NA
Average daily influent flow MGD	Meter inaccurate	0.150 MGD	NA
Maximum daily influent flow MGD	Meter inaccurate	NA	NA
Total effluent flow, MG	3.54		
Average daily effluent flow, MGD	0.118		
Maximum daily flow, MGD	0.206		
	<b>COMPLIANCE</b>	<b>LIMIT</b>	<b>RESULT</b>
BOD5 EFFLUENT	YES	30/45 mg/L 30DAY AVG/7DMAX	2 mg/L
Percent removal BOD5	YES	85% or greater	98.7%
TSS EFFLUENT	YES	30/45mg/L 30DAY AVG/7DMAX	5mg/L
Percent removal TSS	YES	85% or greater	%
Fecal Coliform	YES	200/400 Colinies/100/ml 30DAY GEO.MEAN/7DMAX	2/2
Ammonia-N	YES	3.4	<0.03mg/L

BACA GRANDE WATER AND SANITATION DISTRICT  
MONTHLY OPERATIONS REPORT  
JUNE 2010

**CASITA PARK**

<b>WATER - MHE WELL</b>	<b>GALLONS PUMPED</b>	<b>LIMIT</b>	<b>RESULT</b>
Gallons Pumped	2,606,808		
Total for Year	6,842,871		
Total Coliform Reporting		Present/Absent	Absent
Free chlorine residual/Camper Village		Trace	.23mg/L
<b>Wastewater -- MHE WWTF</b>			
Total influent flow, MG	0.18		
Average daily influent flow MGD	0.006	0.02	
Maximum daily influent flow MGD	0.012		
Total effluent flow, MGD	0.060		
Average daily effluent flow, MGD	0.002		
Maximum daily flow, MGD	0.004		
	<b>COMPLIANCE</b>	<b>LIMIT</b>	<b>RESULT</b>
BOD5 EFFLUENT	Yes	30/45 mg/L 30DAY AVG/7DMAX	22/35 mg/L
Percent removal BOD5	Yes	85% or greater	88.9%
TSS EFFLUENT	Yes	75/110 mg/L 30DAY AVG/7DMAX	62/62mg/L
E. coli	YES	2000/4000 Colonies/100 mL 30DAY Geo Mean/7DMAX	864/864

**CUSTOMER BILLING**

- The Vectra lock box will be set up for the July 2010 billing cycle.

**COMMUNITY UPDATE**

- Saguache County Road and Bridge has approved the construction road permits for the Sky View water main replacement and MHE wastewater force main.

# Wilfong Solar & Electric

P.O. Box 385

Crestone, CO. 81131

(719) 256-5252

## Proposal/Contract

Date: 7/12/10

Proposal Submitted To:

Work To Be Performed At:

Name: Baca Water & Sanitation District

Name: Waste Treatment Building

Street: PO Box 520

Street:

City: Crestone

City: Crestone

State: CO

State: CO

Zip: 81131

Zip: 81131

Phone: 256-4310

- I. We hereby purpose to furnish all material and perform all work necessary for the completion of:  
-Provide wiring to allow treatment building to be powered off of generator.

**-Bid Includes:**

- 200 amp 480 volt 3 phase disconnect switch fused to 125 amps.
- Wire and conduit between existing transfer switch and new disconnect.
- 1 120v. circuit on back of building.
- 1 male and 1 female pin and sleeve connector w/ a 20' cord. (between generator and disconnect)
- Electrical permit
- Labor to install.
- Generator test before complete system is installed.

- II. All material is guaranteed to be as specified and the above-described work shall be performed in accordance with the Contract Documents and completed in a substantial workman like manner for the sum of:

\$2800.00 Due upon completion.

- III. Any revisions, additions or changes of the above specifications, which involves extra costs for the labor or materials, shall be completed on a T&M basis at the rate of \$55/hr for one person and \$85/hr for to people.

Respectfully Submitted,  
Wilfong Electric,

By: \_\_\_\_\_

## Acceptance of Proposal

Print Name: \_\_\_\_\_  
(Owner)

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

RESOLUTION NO. 2010-07-21

RESOLUTION  
OF THE BOARD OF DIRECTORS  
OF THE  
BACA GRANDE WATER AND SANITATION DISTRICT

REGARDING USE OF SERIES 2009 GENERAL OBLIGATION BOND PROCEEDS FOR  
OTHER PROJECT COSTS

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WHEREAS, the Baca Grande Water and Sanitation District (the "District") was duly organized and validly exists pursuant to and in accordance with the Special District Act, §§ 32-1-101, *et seq.*, C.R.S.; and

WHEREAS, on May 15, 2009, pursuant to §§ 11-57-201, *et seq.*, C.R.S., §§32-1-1100, *et seq.*, C.R.S., and §§1-1-101, *et seq.*, C.R.S., the District's Board of Directors (the "Board") adopted a Resolution (the "Bond Resolution") authorizing the issuance of the *Baca Grande Water and Sanitation District, Saguache County, Colorado General Obligation Bonds, Series 2009* (the "2009 Bonds"); and

WHEREAS, the Bond Resolution authorizes the District, *inter alia*, to use bond proceeds to pay for certain capital projects, specifically including the Well and Pipeline Project (as defined in the Bond Resolution); and

WHEREAS, the District publicly bid the Project (as defined in the Bond Resolution) and the bids received for the Well and Pipeline Project attributable to East Dream Way, excluding the Well 18 component (the "East Dream Way Project"), exceeded the District's budget due, primarily, to geotechnical difficulties existing in the area; and

WHEREAS, as a result of the high bids, the District desires to re-design and re-analyze the East Dream Way Project to better address the design difficulties in a more efficient and economical manner; and

WHEREAS, the East Dream Way Project is not subject to any State fines for non-compliance; and

WHEREAS, because of the re-design of the East Dream Way Project and uncertainty as to whether the East Dream Way Project will proceed at all, the District desires to use bond proceeds for other Project Costs; and

WHEREAS, Section 17 of the Bond Resolution provides:

Upon successful completion of the Casita Park Project, the SBR Plant Upgrade Project, the Wagon Wheel Lift Station Replacement Project, the Environmental Project, the Well and Pipeline Project, and the Well 18 Project and payment of the costs thereof, and certification of the same to the Purchaser, any moneys remaining in the Project Fund

shall be made available to the District for other Project Costs, subject to the adoption of a resolution of the District authorizing such other Project Costs. At the request of the District, the Purchaser may in its discretion waive any of the foregoing requirements.

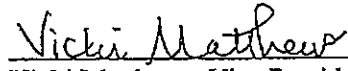
WHEREAS, the District desires to use the moneys allocated to the East Dream Way Project for other Project Costs and seeks the authorization from the Purchaser for the same.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BACA GRANDE WATER AND SANITATION DISTRICT AS FOLLOWS:


1. USE OF PROJECT FUNDS. Subject to written authorization from the Purchaser, the Board hereby authorizes the use of any uncommitted moneys in the Project Fund for other Project Costs specified and authorized under the Bond Resolution.

APPROVED AND ADOPTED THIS 16<sup>th</sup> DAY OF JULY 2010.

BACA GRANDE WATER AND  
SANITATION DISTRICT

  
\_\_\_\_\_  
Vicki Matthews, Vice President

ATTEST:

  
\_\_\_\_\_  
Martin Macaulay, Secretary/Treasurer

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BACA GRANDE WATER AND SANITATION DISTRICT

OPPOSING AMENDMENTS 60, 61 AND PROPOSITION 101

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WHEREAS, three measures appearing on the November 2010 statewide ballot would significantly damage Colorado's special districts, state and local governments from funding their most basic level of services related to safety, water, sanitation, fire protection, education, hospitals, rural health care, and transportation; and

WHEREAS, these measures drastically limit government's ability to construct new buildings and infrastructure; and

WHEREAS, the ability to finance long-term capital improvements like water and wastewater treatment plants, fire stations, recreational projects, schools and other public facilities are dramatically impaired by the restrictions on debt financing as proposed by Amendment 61; and

WHEREAS, amendments 60 & 61 would slash at least \$1 billion annually in state taxes, cutting in half the property tax dollars schools currently receive; and

WHEREAS, one of the many components of Amendment 60 would overturn the election decisions made by voters over the last eighteen years, creating financial chaos for local communities; and

WHEREAS, one of the many components of Amendment 61 eliminates any practical means for state and regional governments to make future road, highway and bridge improvements, or other capital improvements to their districts, such as DIA, FasTracks, the Anschutz Medical Center, colleges and universities, water conservation districts, or improvements to public schools, cities and counties; and

WHEREAS, proposition 101 reduces the vehicle registration fee (annual license plate fee) to a level which would devastate Colorado's ability to maintain safe roads and bridges, by lowering the fee to the assessment rate from the year 1919; and

WHEREAS, these measures individually and collectively significantly reduce or otherwise restrict both state and local revenues in a number of different ways, including, but not

