

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BACA GRANDE WATER AND SANITATION DISTRICT HELD APRIL 15, 2011

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 15th day of April, 2011, 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:

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

Also In Attendance Were:

AJ Beckman and Meric Lallier; Special District Management Services, Inc. – Via speakerphone

Jennifer Tanaka, Esq.; White, Bear & Ankele P.C. – Via speakerphone

Brad Simons; Olsson Associates

Steven Harrell; District General Manager

Marcus Lock, Esq. Bratton Hill Wilderson & Lock, LLC - Via speakerphone

Michael Scully; Casita Park Action Committee

Joseph Vieira, Julie Reinhart-Sutherland and Michael Onewing; District Customers

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

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

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disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. No further conflicts were disclosed.

ADMINISTRATIVE MATTERS

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

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

Minutes: The Board reviewed the Minutes of the March 18, 2011 Regular Meeting and the April 1, 2011 Special Meeting.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Madonna and, upon vote, unanimously carried, the Board approved the minutes of the March 18, 2011 Regular Meeting, as amended, and the April 1, 2011 Special Meeting.

PUBLIC COMMENT

Public Comment:

Joseph Vieira: Mr. Vieira addressed the Board to report a public health concern he has had with his neighbor. He presented a letter dated April 11, 2011 to the Board in support of a demand for the neighbor in question to cease and desist from improper sanitation practices. He read a prepared statement aloud. A copy of the letter and Cease and Desist Order and Declaration of Public Health Nuisance are attached hereto and incorporated herein by this reference.

Julie Reinhart-Sutherland: Ms. Reinhart-Sutherland inquired as to who is responsible for the ponds across from Casita Park and requested that the District consider maintaining the ponds once they are no longer supplemented by water from the Mobile Home Estates wastewater treatment lagoon. Mr. Harrell discussed the possibility of maintaining the water levels of the wetlands using water from the nearby Motel Well. Ms. Reinhart-Sutherland also commented that she had heard a rumor that Mr. Wade had been fired. Attorney Tanaka clarified that Mr. Wade resigned. Attorney Lock then discussed a federal notice regarding participation in the wetlands refuge comprehensive conservation plan. He reported that the District will have ample opportunity to participate in the process over the next three years. Director Canaly commented that she is in favor of individuals and the District submitting comments sooner than later.

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Michael Onewing: Mr. Onewing addressed the Board regarding submitting payments in cash and requested that the District accept cash. Mr. Beckman explained that the District chooses not to deal with cash as a financial control measure.

Michael Scully: Mr. Scully addressed the Board regarding emergency backup in case of a power outage. Mr. Harrell reported that that District has capacity in the reservoirs for two to four days of water supply. He reported that the District has a generator capable of operating the Aspen wastewater treatment plant. He further reported that the District is currently considering an emergency generator for Well 18; however, installation has been cost prohibitive. Also, the capacity of the reservoirs would allow ample time to obtain a short term rental generator.

WATER MATTERS

Outstanding Water Matters with Water Counsel:

Mr. Lock reported on his discussions with the US Fish and Wildlife Service (USFWS) and reported that the District had received a response from the USFWS.

EXECUTIVE SESSION: Pursuant to Sections 24-6-402(4)(b) and (e), C.R.S. of the Colorado Revised Statutes, upon motion duly made by Director Macaulay, 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 9:52 a.m. for the purpose of receiving legal advice from the Board's attorney Section 24-6-402(4)(b), C.R.S. and discussing matters subject to negotiation with third parties pursuant to Section 24-6-402(4)(e), 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 10:18 a.m.

OPERATIONS

Operations Report: Mr. Harrell distributed and reviewed the April 15, 2011 Operations Report with the Board. A copy of the Report is attached hereto and incorporated herein by this reference.

Mobile Home Estates Wastewater Treatment Facility: Mr. Harrell reported the facility has one permit violation for failure to monitor temperature. He further reported that the District does not plan on conducting temperature monitoring at

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the lagoons since they will soon be decommissioned.

Aspen Wastewater Treatment Facility: Mr. Harrell reported that there was one influent BOD limit violation for March. Mr. Harrell discussed the possible installation of an equalization basin at the plant to prevent future influent BOD limit violations.

Liner for Sludge Settling Pond: Mr. Harrell reported that repair to the liner will not include a warranty. The liner will be incorporated into the Aspen Wastewater Treatment Facility design.

Corrosion Control Plan: Mr. Harrell reported that the study is proceeding on schedule and according to the plan.

Bio-Solids Storage Lagoon: Mr. Harrell reported that the liner is in need of replacement. He has requested a proposal from Lange Containment for a new liner.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Madonna and, upon vote, unanimously carried, the Board authorized the purchase of a liner from Lange Containment for an amount not to exceed \$1,900.

Policy Regarding Frozen Water Meters: Following discussion, the Board determined that during periods of extreme temperatures customers will be responsible for taking reasonable measures such as letting an indoor faucet trickle in order to prevent freezing.

FINANCIAL MATTERS

Claims: Mr. Lallier joined the meeting via speakerphone at this time.

Mr. Beckman reviewed the payment of claims with the Board through the period ending April 15, 2011 as follows:

General Fund	\$	29,409.02
Capital Projects Fund		187,899.82
Enterprise Fund		<u>116,248.55</u>
Total Claims:	\$	<u><u>333,557.39</u></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 April 15, 2011.

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Financial Statements: 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 March 31, 2011.

Following discussion, upon motion duly made by Director Matthews, seconded by Director Madonna and, upon vote, unanimously carried, the Board accepted the financial statements for the period ending March 31, 2011.

Cash Flow Analysis: Mr. Lallier reviewed the current cash flow analysis with the Board.

Collection of Certified Amounts for 2009 and 2010: Attorney Tanaka reported that the revenues have been collected; however, they were not earmarked by the Treasurer as certified collections. She further reported that the Treasurer will reissue the statements segregating the amounts collected due to certified past due accounts.

Proposal from First Bank: Mr. Lallier reviewed the proposal with the Board. He reported that he has not received a proposal from the Pueblo Bank and Trust. He recommended First Bank and estimated the cost to be \$200 to \$400 per month for banking services.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Johnson and, upon vote, unanimously carried, the Board approved the proposal from First Bank for banking services.

LEGAL MATTERS

Extraterritorial Water Service to Property Owned by Kate Steichen: Attorney Tanaka reported that Ms. Steichen is no longer on the District's water system. She reported that she will prepare a letter reiterating the terms of the agreement to disconnect service to Ms. Steichen.

Continued Public Hearing on the Inclusion of Property Owned by The Colorado College: Attorney Tanaka reported that Mr. Melcher has not returned an executed petition for inclusion. She further explained that Colorado College has received service for several years but the District has no records evidencing the inclusion. She advised the Board that the public hearing cannot be continued and the District will need to republish for a second hearing. She will request reimbursement from Colorado College for the cost of publication.

Request from the Colorado College for Alteration of PILOT Payments under Inclusion Agreement: Discussion was deferred.

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Board of County Commissioners and Current Valuations: Attorney Tanaka discussed the meeting at which the District advised the Board of County Commissioners that the District currently has approximately 130 properties that are not being properly assessed, among other concerns with the assessment of properties within the District. It is estimated that \$48,000 in revenue to the District is not being collected on an annual basis for the properties identified alone. The Board discussed follow up actions to the meeting and directed Attorney Tanaka to write a follow up letter on the matter, and to discuss further with the County Attorney.

Resolution No. 2011-04-01 Regarding Contaminant Testing Policy: Attorney Tanaka explained that the policy sets forth a procedure and fee schedule for the various in-home tests. The Board discussed various scenarios under which customers might request a test.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Madonna and, upon vote, unanimously carried, the Board approved Resolution No. 2011-04-01 Regarding Contaminant Testing Policy. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

Well 18 Waterline Easements Needed from Hanne Strong: Attorney Tanaka reported that Ms. Foote provided her with information suggesting that when the waterline was originally installed, Ms. Strong requested compensation in return for the easement. Unfortunately, it appears that the request was not followed up on by the staff at the time but the waterline was still installed. Attorney Tanaka requested that the District's position and response be discussed in Executive Session.

CAPITAL IMPROVEMENTS

Status of Capital Projects: Mr. Simons reported that the Casita Park Lift Station was put on line today. There have been some issues with the electrical system at the Wagon Wheel Lift Station which are being further investigated.

Contract Change Orders: There were no change orders for review.

Application for Payment No. 9 to the contract with Farner Enterprises, Inc. for the Water and Wastewater System Improvements Project: Application for Payment No. 9 was not available for review.

Improvements to the Aspen Wastewater Treatment Facility: Mr. Harrell reported that Olsson Associates will be submitting a redesign proposal in the near future.

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Agreement between the District and Craig Electric, LLC for Fallen Tree Transfer Station Upgrades Project: Mr. Harrell reviewed the report with the Board. The Board considered ratifying approval of the Agreement between the District and Craig Electric, LLC for the Fallen Tree Transfer Station Upgrades Project for an amount not to exceed \$4,638.60.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Macaulay and, upon vote, unanimously carried, the Board ratified approval of the Agreement between the District and Craig Electric, LLC for the Fallen Tree Transfer Station Upgrades Project for an amount not to exceed \$4,638.60.

First Addendum to Agreement between the District and North River Greenhouse and Landscaping, Inc. for the Mobile Homes Estates Golf Course Reseeding Project: Mr. Harrell discussed the additional scope of work for the improvements and recommended approval of the First Addendum in the amount of \$2,000.

Following discussion, upon motion duly made by Director Matthews, seconded by Director Macaulay and, upon vote, unanimously carried, the Board approved the First Addendum to the Agreement between the District and North River Greenhouse and Landscaping, Inc. for the Mobile Homes Estates Golf Course Reseeding Project in an amount not to exceed \$2,000.

EXECUTIVE SESSION

Personnel Matters, Farner Construction Matters, Well 18 Easement and Brown and Caldwell Final Invoice for Operator in Responsible Charge Services: **EXECUTIVE SESSION:** Pursuant to Sections 24-6-402(4) (b), (e) and (f), C.R.S. 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 1:08 p.m. for the purpose of discussions relating to personnel matters, negotiations with third parties and receiving legal advice as authorized by Sections 24-6-402(4)(b), (e) and (f), 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 2:40 p.m.

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Upon motion of Director Matthews, seconded by Director Madonna, the Board authorized Attorney Tanaka to write a letter to Farner Enterprises and to copy the surety provider invoking the privileges of Farner Enterprises' Performance Bond.

Upon motion of Director Matthews, seconded by Director Madonna, the Board authorized Attorney Tanaka to enter in to negotiations with Hanne Strong for the Well 18 Easement.

OTHER BUSINESS

Crestone Eagle Article for May Publication: It was noted that Director Matthews will submit an article to the Crestone Eagle for May publication.

GIS Mapping: Mr. Harrell reported that he estimates a 16 week project timeline for the specific locations to be mapped. He anticipates using three interns for the project. He will develop a project manual and performance guidelines for the staff to be engaged for the project.

ADJOURNMENT

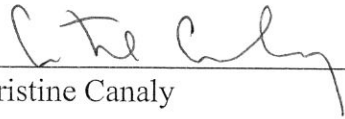
Upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By _____
Secretary for the Meeting

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THESE MINUTES ARE APPROVED AS THE OFFICIAL APRIL 15, 2011
MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT
BY THE BOARD OF DIRECTORS SIGNING BELOW:



Christine Canaly

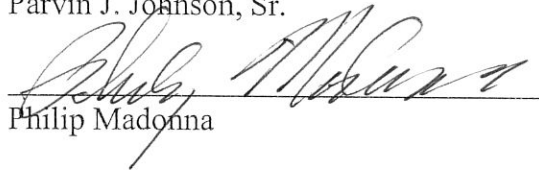


Vicki Matthews



Martin Macaulay

Parvin J. Johnson, Sr.



Philip Madonna



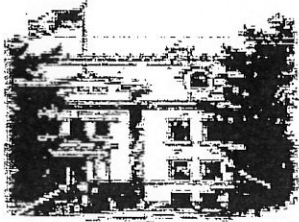
Baca Grande
Water And Sanitation
District

Baca Grande Water and Sanitation District
P.O. Box 520 | 57 Baca Grant Way S.
Crestone, CO 81131-0520

April 15, 2011

Please print your name, address and contact information along with any issues you are interested in addressing at today's Board Meeting.

Name	Address	Telephone/Email	Would you like to speak?	Issues to be addressed
JOSEPH VIEIRA	3224 NW BROAD	4238 jviera@bkm.gp	YES	LOT 3212 WATER, SANITATION
MICHAEL SCULLY	PO BOX 952 C		YES	DISASTER PREP.
Julie Kendrick	Suburban Bx 916		maybe	ponds
MICHAEL OSCARIZALO	2720 N. CAREFREE		PERHAPS	



SAGUACHE COUNTY GOVERNMENT

501 Fourth Street • P. O. Box 655

Saguache, Colorado 81149

Phone: (719) 655-2231 • Fax: (719) 655-2635

Mr. Michael W. Boone
P.O. Box 791
Crestone, CO 81131

Re: CEASE AND DESIST ORDER AND DECLARATION OF PUBLIC HEALTH NUISANCE FOR
PROPERTY LOCATED AT 3212 CAMINO del REY, Chalet II

Mr. Boone:

The Saguache County Board of Health has been advised of several violations of County ordinances and public health requirements on your property located at Lot 3212 Baca Grande Chalet Unit II, in Saguache County. The Board has determined that your property constitutes a Public Health Nuisance and is thereby issuing a CEASE AND DESIST ORDER, requiring that you vacate, and not permit anyone to reside in, the residence until you are in compliance with County Land Use and Public Health Ordinances and Codes. You are also required to remove all animals from the property and cease dumping waste materials and conducting unpermitted burning of materials at the property. This ORDER is effective immediately.

These violations, not exclusive, include:

- (1) No current water or sewer service at the residence located on the property. County Land Use and health regulations require that all occupied residences have active water and sewer systems. See §25-10-104(2)(3) and (4), C.R.S. The County does not recognize or authorize outside disposal of human waste materials, which appears to be occurring on your property.
- (2) Illegal opening burning of waste materials. The reported burning is of a variety of materials and is a violation of the County requirement for permits to be issued for open burns. An additional concern is that the non-permitted burns are reported to create a health hazard for neighbors as well as others alleged to reside on the above property.
- (3) It is reported that there are numerous dogs running loose on the property. While the County does not have a specific leash law, the number of dogs that are reported to be kept on the property create a health hazard due to the accumulated waste materials which pose a health hazard to individuals.

This CEASE AND DESIST ORDER IS BEING ISSUED UNDER THE AUTHORITY GRANTED TO THE COUNTY PUBLIC HEALTH BOARD PURSUANT TO §25-1-501, et. seq. and other applicable Colorado Statutes.

Please contact the Land Use Administrator, Wendi Maez 719-655-2321, or the Public Health Director, Della Vieira 719-655-2533, about the terms and effects of this Order.

Linda Joseph, Chair
Saguache County Board of Health

4/11/2011

Crestone Eagle, Letter to the editor

Dear Kizzen:

The neighbors of Michael Boone, Baca Grande Lot 3212, warmly appreciate the 4+ years of compassionate and charitable support by many good people in the community in alleviating our neighbor's economic problems. We know generous people in the community have extended financial help over the years to the father of a young child, and his innocent dogs, in difficult times. Over a period of 10 years, many of us have had face-to-face discussion with Michael Boone, have offered regular neighborly anonymous help, including but not limited to: regularly giving him rides; feeding and providing affection to his frequently abandoned and hungry dogs, silently observing his trespass, even choosing not to prosecute his vandalism.

An unfortunate moment arrives when we must ask when community generosity enables inappropriate and illegal social behavior. We therefore publicly declare to our neighbor that we will no longer tolerate the public health and safety hazard that he knowingly creates and allows to occur on his property. We hold Mr. Boone to account for an aggressive irresponsibility in a neighborhood of hard-working, responsible, and quiet people who seek peace and have for some time felt a threat to our lives and property from his and his tenants' behaviors. Specifically, 1) his shameful and neglectful animal cruelty; 2) allowing his dogs to threaten and attack people, injure other dogs, chase wildlife and defecate daily on neighboring property; 3) for open burning in hazardous fire conditions, creating intense smoke impacts to neighbors from his frequent bonfires, 4) against Colorado law, creating noxious smoke by burning trash; 5) for the unabated squalor and trash on his property that attract bears and create unnatural habitat for disease-carrying rodents.

6) Above all, we neighbors challenge Mr. Boone and his tenants' observed, documented, and deceitful choice to toilet outside on neighboring properties, over two+ years, instead of paying their water and sanitation bills. We state clearly that a water and sanitation system is a shared responsibility of us all. Defecating on neighboring properties or allowing tenants to do so spreads filth, is aggressive behavior, and is a crime. As neighbors, homeowners, and citizens of Colorado and Saguache County who are directly impacted by Michael Boone and all transient occupants of Lot 3212, we will sit by no longer while they violate public health, clean water, and clean air laws. We support the Baca Grande Water and Sanitation District requirement of his full repayment of all debt and his full adherence to all County Land Use Codes and the by-laws of the Baca Grande Property Owner's Association.

Finally, we offer our sincere thanks to the Saguache County Board of County Commissioners, the Saguache County Board of Health, Saguache County Land Use Administration, and Saguache County Public Health for exercising leadership and authority, including all necessary actions to protect our public welfare and safety. By any measure, Mr. Boone and the ever revolving tenants of Baca Grande Lot 3212 have surpassed all thresholds of decency in the last years to neighbors. We expect and demand that he and they immediately adhere to all terms of the public nuisance "Cease and Desist Order," declared with ample reason under the laws and legal authority of the great state of Colorado.

Signed firmly,

Joseph Vieira

JOSEPH VIEIRA

Martin C. Macanby

JAMES SHEERAN

MARY ANN SHEERAN

Mary Ann Sheeran

Gene Kelly

Judith DeLuca

Judith DeLuca

Batiste DeLuca

BATISTE DELUCA

Terry Lessing Terry Lessing

Ruth Baranowski Ruth Baranowski

Vonda Jones Vonda Jones

Serry Jones Serry Jones

BACA GRANDE WATER & SANITATION DISTRICT

REPORT ON DISTRICT OPERATIONS

TO THE BOARD OF DIRECTORS

BY
STEVEN HARRELL GENERAL MANAGER
APRIL 15, 2010

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

REPORT ON DISTRICT OPERATIONS

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FACILITY OPERATIONS UPDATES

- The Aspen WWTF has one influent loading violation for the month of March, 2011. The BOD influent loading has come in higher than the Discharge permit allows. This is an unusual anomaly. In the future the operations staff will process more samples in-order to average the loading down in order to stay within compliance.
- The MHE WWTF has no effluent permit exceedances for the month of March, 2011. There is a 2010 revised permit violation that is a result of the facility not taking continuous effluent temperature readings. The District does not plan on conducting temperature monitoring at the lagoons since they will soon be decommissioned.

PROJECTS

- The MHE force main piping is 100% complete and the clean out's and air evacuation structures are 100% complete. The lift station pumps have been tested and the facility will come online April 15, 2011.
- The new Well-18 pump house is nearing completion. Please call Steven Harrell to arrange a tour if you are interested.
- The telemetry project is 95.5% complete.
- The Wagon Wheel lift station has been operating for 4 weeks. There has been some start up issues that should be rectified by June 2011.

CURRENT COMMITMENTS

- Decommissioning the Cottonwood Treatment Plant back wash pit – The District operations staff has completed the decommissioning project with the exception of reseeding the area.
- The new Stables overflow lagoon has been started. I anticipate completion of the project by June 2011. Unfortunately the old lagoon liner was not usable and we will need to purchase a new one.

COMPLIANCE TESTING

BACA GRANDE WATER AND SANITATION DISTRICT MONTHLY OPERATIONS REPORT APRIL 18, 2011 BACA GRANDE CHALET			
WATER - WELL 18	GALLONS PUMPED	COMPLIANT	RESULTS
GALLONS PUMPED MARCH 2011	3,910,212		
TOTAL FOR YEAR	13,034,040		
TOTAL COLIFORM REPORTING		Yes	Absent
FREE CHLORINE RESIDUAL		Trace	0.33mg/L
WASTERWATER – ASPEN WWTF			
MARCH	Limit	Compliance	Result
EFFLUENT BOD5	30/45mg/L 30DAY AVG/7DMAX	Yes	6.8mg/L
PERCENT REMOVAL BOD5	85% or greater	Yes	98.0%
EFFLUENT TSS	30/45mg/L 30DAY AVG/7DMAX	Yes	7.2mg/L
PERCENT REMOVAL TSS	85% or greater	Yes	99.0%
FECAL COLIFORM	200/400 Colonies/100mL 30DAY GEO.MEAN/7DMAX	Yes	2/100
AMMONIA-N	March 4.4mg/L	Yes	.41mg/L
CASITA PARK			
WATER - MOTEL WELL	GALLONS PUMPED	COMPLIANT	RESULTS
GALLONS PUMPED MARCH 2011	977,553		
TOTAL FOR YEAR	2,280,957		
TOTAL COLIFORM REPORTING		Yes	Absent
FREE CHLORINE RESIDUAL		Trace	0.5mg/L
WASTEWATER – MHE WWTF			
MARCH	Limit	Compliance	Result
EFFLUENT BOD5	30/45mg/L 30DAY AVG/7DMAX	Yes	13mg/L
PERCENT REMOVAL BOD5	85% or greater	Yes	93%
EFFLUENT TSS	75/110mg/L 30DAY AVG/7DMAX	Yes	11mg/L
E. COLI QUARTERLY SAMPLE	2000/4000 Colonies/100mL 30DAY Geo Mean/7DMAX	Yes	17/100ML

RESOLUTION NO. 2011-04-01

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

**ADOPTING A POLICY REGARDING THE PROCESSING OF REQUESTS FOR
CONTAMINATE TESTINGS AND PAYMENT OF COSTS THEREFOR**

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, pursuant to § 32-1-1001(1)(m), C.R.S., the Board of Directors of the District (the "Board") is empowered to adopt, amend and enforce bylaws and rules and regulations not in conflicts with the Colorado Constitution for the purpose of carrying on the business, objects and affairs of the Board and of the District; and

WHEREAS, the Board desires to adopt a policy regarding the processing of requests for contaminate testings and the payment of costs therefor.


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

1. ADOPTION OF POLICY. The Board hereby adopts the policy set forth in Exhibit A, attached hereto and incorporated herein by this reference, for the processing of requests for contaminate testings and imposes the associated fees in accordance therewith (the "Policy"). In the event anything contained in the Policy conflicts with any provision of Colorado law, such conflicting provision shall be deemed null and void.

[Remainder of Page Intentionally Left Blank].

APPROVED AND ADOPTED THIS 15th DAY OF APRIL 2011.

BACA GRANDE WATER AND
SANITATION DISTRICT



Christine Canaly, President

ATTEST:



Martin Macaulay, Secretary/Treasurer

EXHIBIT A

1. DISTRICT REQUESTED OR INITIATED TESTINGS. Any contaminant testing requested or initiated by the District shall not be charged to the property owner affected by the testing.

2. CUSTOMER REQUESTED OR INITIATED TESTINGS. In the event a property owner or customer desires that a contaminant testing be performed on his or her property, such property owner or customer shall:
 - a. Complete the Water Quality Sample Request Form, attached hereto as **Exhibit A-1**. The property owner or customer shall explain on the Water Quality Sample Request Form the concern prompting the request;
 - b. At the time of completion of the Water Quality Sample Request Form, pay the Testing and Processing Fees set forth in Paragraph 3, below;
 - c. Schedule a water sampling date and time with the District, which date and time shall not be on a weekend or holiday and shall be at least 48 hours from the date of completion of the Water Quality Sample Request Form; and
 - d. Upon completion of the testings and receipt of the results, the property owner or customer shall meet with a representative of the District to review the results of the testing.

3. TESTING AND PROCESSING FEES. Any property owner or customer requesting a contaminant testing shall pay the following applicable fee(s) for each of the requested tests, all of which include applicable pick up and delivery and administrative fees and costs:
 - a. Domestic Water Test: \$165
 - b. Standard Nutrient Test: \$168
 - c. HPC Test: \$175
 - d. Total Coliform Test: \$174
 - e. Additional Test: To Be Determined based upon actual cost to the District, delivery and pick up fees and administrative fees and costs.

EXHIBIT A-1

Water Quality Sample Request Form



**WATER QUALITY SAMPLE
REQUEST FORM**

Call Received By

Date

Time

CUSTOMER INFORMATION

Name		Home Phone	Work Phone
Address		<input type="checkbox"/> Residential	
City	Zip Code	<input type="checkbox"/> Business	<input type="checkbox"/> Other

NATURE OF INQUIRY

<input type="checkbox"/> Taste & Oder	<input type="checkbox"/> Dirty Water	<input type="checkbox"/> Illness	<input type="checkbox"/> Information	<input type="checkbox"/> Other
<input type="checkbox"/> Metallic	<input type="checkbox"/> Yellow	<input type="checkbox"/> Skin Irritation	<input type="checkbox"/> Lead/Copper	<input type="checkbox"/> _____
<input type="checkbox"/> Chlorinous	<input type="checkbox"/> Brown	<input type="checkbox"/> Bacterial	<input type="checkbox"/> Sample Report	<input type="checkbox"/> _____
<input type="checkbox"/> Medicinal	<input type="checkbox"/> Black	<input type="checkbox"/> Diarrhea	<input type="checkbox"/> Taste & Odor	<input type="checkbox"/> _____
<input type="checkbox"/> Chemical	<input type="checkbox"/> Milky	<input type="checkbox"/> Stomachache	<input type="checkbox"/> Giardia/Crypto	
<input type="checkbox"/> Musty	<input type="checkbox"/> Particulates	<input type="checkbox"/> Headache	<input type="checkbox"/> Backflow	
<input type="checkbox"/> Septic	<input type="checkbox"/> Soapy	<input type="checkbox"/> _____	<input type="checkbox"/> Point of use	
<input type="checkbox"/> Fishy	<input type="checkbox"/> Rusty		<input type="checkbox"/> Water Source	
<input type="checkbox"/> _____	<input type="checkbox"/> _____		<input type="checkbox"/> _____	

SOURCE OF PROBLEM

<input type="checkbox"/> Cold Water System	<input type="checkbox"/> Hot Water System	<input type="checkbox"/> Distribution System
<input type="checkbox"/> Plumbing	<input type="checkbox"/> Hot Water Tank	<input type="checkbox"/> Air
<input type="checkbox"/> Water Softener	<input type="checkbox"/> Boiler	<input type="checkbox"/> Disturbance
<input type="checkbox"/> Cross-Connection	<input type="checkbox"/> Heat Exchanger	<input type="checkbox"/> Low Volume/Pressure
<input type="checkbox"/> Point of Use Device	<input type="checkbox"/> Plumbing	<input type="checkbox"/> Construction
	<input type="checkbox"/> Water Softener	<input type="checkbox"/> Dead End
	<input type="checkbox"/> Cross-Connection	<input type="checkbox"/> Closed Valve
<input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Closed Main Valve
		Other

REMEDATION

Inspection	Maintenance	Recommendation
<input type="checkbox"/> Plumbing	<input type="checkbox"/> Open Valve	<input type="checkbox"/> Flush Cold Water System
<input type="checkbox"/> Cross-Connection	<input type="checkbox"/> Flush Hydrant	<input type="checkbox"/> Flush Hot Water System
	<input type="checkbox"/> Flush Blowoff	<input type="checkbox"/> Dissipation
	<input type="checkbox"/> Pull Meter	<input type="checkbox"/> No Problem
	<input type="checkbox"/> Temp. Service	
<input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Other

RESOLUTION

TELEPHONE INFO MAILING SITE INVESTIGATION

COMMENTS

Large empty box for handwritten or typed comments.

Signature

Date