

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BACA GRANDE WATER AND SANITATION DISTRICT HELD DECEMBER 14, 2012

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 14th day of December, 2012, at 8:00 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
Martin Macaulay
Cindy Reinhardt
Kyle Grote
Parvin J. Johnson, Sr.

Also In Attendance Were:

AJ Beckman; Special District Management Services, Inc.

Lindsay Ross (for a portion of the meeting); Special District Management Services, Inc. – Via speakerphone

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

Kendall Burgemeister, Esq. (for a portion of the meeting); Bratton Hill Wilderson & Lock, LLC – Via speakerphone

Steven Harrell; District General Manager

Other members of the public as referenced on the attached sign in sheet.

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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. Mr. Beckman 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.

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 Reinhardt and, upon vote, unanimously carried, the Agenda was approved, as amended.

Consent Agenda: The Board considered the following actions:

- Approve Minutes from the November 16, 2012 Regular Meeting (as amended).
- Approve payment of claims for the period ending November 16, 2012 totaling \$82,106.04.
- Approve financial statements for the period ending November 30, 2012 and current schedule of cash position.
- Acknowledge Operations Report.
- Acknowledge Engineer's Report.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Reinhardt and, upon vote, unanimously carried, the Board reviewed and approved the above items.

PUBLIC COMMENT

Public Comment: Mr. Lloyd addressed the Board. He inquired as to the reason the District requested an extension of time to complete the corrosion control study. Mr. Harrell addressed this under the corrosion control study item below.

OPERATIONS

Operations: The Operations Report is attached hereto and incorporated herein by this reference.

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Corrosion Control Study: Mr. Harrell explained that the District is working with McLaughlin Engineering, Ltd. (“McLaughlin”) to complete the study. The District’s focus has been on installation of the soda ash feed system; however, work to complete the corrosion control study has also been in process. While working through the corrosion control study with McLaughlin, it became apparent that the data necessary to complete the study would require the installation of two pipe loop systems and controlled bench testing. In order to complete the study using this method, an extension to the deadline was requested. Mr. Harrell further noted that the District has been treating the water in its distribution system with soda ash since September.

Water Leak: Mr. Harrell reported that the District experienced a major water leak from a water line running along Baca Grant Way requiring an emergency response. He noted that outside assistance from Potter Excavating was required. Director Reinhardt inquired as to the process for documenting leaks and repairs. Mr. Harrell reported that the locations and relevant information are being recorded and tracked in the District’s GPS system.

CAPITAL IMPROVEMENTS

Capital Improvements: The Engineer’s Report is attached hereto and incorporated herein by this reference.

FINANCIAL MATTERS

Grant Funding Applications and Research: Mr. Beckman reported that he will continue to monitor applicable grant opportunities and noted that he will be working with the Colorado Water Conservation Board in an effort to obtain funding for the acquisition of water rights.

Payment in Lieu of Taxes for Shumei Institute: Mr. Beckman reviewed and discussed with the Board correspondence dated December 7, 2012 from the District to the Shumei Institute Regarding the Request for Payment in Lieu of Taxes. Mr. Beckman explained that because current appraisal information is not available for the subject property a calculation based on the residential equivalency was used to determine the amount requested.

Claims: Mr. Beckman reviewed the payment of claims with the Board through the period ending December 14, 2012 as follows:

General Fund	\$ 17,158.28
Capital Projects Fund	\$ 24,358.83
Enterprise Fund	<u>\$ 52,049.48</u>
Total Claims:	<u>\$ 93,566.59</u>

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Following review and discussion, upon motion duly made by Director Reinhardt, seconded by Director Grote and, upon vote, unanimously carried, the Board approved the payment of the claims for the period ending December 14, 2012.

LEGAL MATTERS

Rules and Regulations: Attorney Tanaka noted that the District Rules and Regulations were circulated to the Board for review approximately two weeks prior to the meeting. She explained that the Rules and Regulations will be updated as needed going forward. Director Reinhardt inquired as to the definition of "Manager" in the document. Attorney Tanaka explained that the term is defined broadly enough to apply to the General Manager or District Manager as appropriate and that General Manager and District Manager are also defined individually to apply to appropriate circumstances.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Reinhardt and, upon vote, unanimously carried, the Board approved the District Rules and Regulations.

Resolution No. 2012-12-01 Adopting an Amended Policy Regarding Late Charges and Interest and Collection Procedures ("Resolution No. 2012-12-01"): Attorney Tanaka reviewed Resolution No. 2012-12-01 with the Board.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Macaulay and, upon vote, unanimously carried, the Board adopted Resolution No. 2012-12-01. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

Resolution No. 2012-12-02 Concerning the Imposition of Various Fees, Rates, Penalties and Charges for Water and Sewer Services and ("Resolution No. 2012-12-02"): Attorney Tanaka reviewed Resolution No. 2012-12-02 with the Board.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Macaulay and, upon vote, unanimously carried, the Board adopted Resolution No. 2012-12-02. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

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Resolution No. 2012-12-03 Regarding District Public Records Policy (“Resolution No. 2012-12-03”): Attorney Tanaka reviewed Resolution No. 2012-12-03 with the Board.

Following discussion, upon motion duly made by Director Reinhardt, seconded by Director Macaulay and, upon vote, unanimously carried, the Board adopted Resolution No. 2012-12-03. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

Proposal from Stapleton Ireland to Conduct an Employee Training: Mr. Beckman reviewed the proposal with the Board. Following review and discussion, the Board directed Mr. Beckman to request clarifications on the proposal including incorporating any updates to the employee handbook and possible training with employees regarding employment classifications.

Re-Assessment of Properties within the District by Saguache County Assessor: Attorney Tanaka reported that the Saguache County Assessor has not yet completed the revaluation of properties. She noted that the Board of Equalization is monitoring the progress of the revaluation.

First Amendment to the Agreement Regarding Conveyance of Easements between the District and Briseis Capital Corporation (“First Amendment”): Attorney Tanaka reviewed and discussed the First Amendment with the Board. She explained that she has been working with the Attorney representing Briseis Capital Corporation but has not yet received all of the revisions. She reported that she expects to have the revisions in time to present the First Amendment at the January meeting.

EXECUTIVE SESSION

Water Matters, Personnel Matters, Legal Advice and Matters Subject to Negotiation: EXECUTIVE SESSION: Pursuant to Sections 24-6-402(4) (b), (e) and (f), C.R.S., upon motion duly made by Director Macaulay, seconded by Director Grote and, upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 10:10 a.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 11:50 a.m.

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Following discussion, upon motion duly made by Director Macaulay, seconded by Director Matthews and, upon vote, unanimously carried, the Board approved the Holiday schedule to include Christmas Eve and New Year's Eve as paid Holidays for the District Staff.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Johnson and, upon vote, unanimously carried the Board approved the change to the rate of pay for Mark Bluestein to \$15 per hour and approved funding for employee bonuses with amounts remaining in the payroll budget and awarded according to each employee's annual performance evaluation and pay rate; and subject to proration for employees working for the District less than one year; and with final approval of bonus amounts designated to Director Reinhardt prior to distribution.

Following discussion, the Board directed Mr. Beckman to verify the funding available for employee bonuses and to coordinate with Director Reinhardt to process the bonuses in time for the Holidays.

Following discussion, upon motion duly made by Director Macaulay, seconded by Director Reinhardt and, upon vote, unanimously carried, the Board approved the change to the Position Description for "Administrative Manger" to "District Administrator/Administrative Manager" and the change to the Position Description for "District Administrator/Receptionist" to "Receptionist".

Following discussion, upon motion duly made by Director Johnson, seconded by Director Grote and, upon vote, unanimously carried, the Board approved the Settlement Agreement between the District and Brown & Caldwell, subject to final review by Counsel.

WATTER MATTERS

Outstanding Water Matters with Water Counsel: Attorney Burgemeister updated the Board regarding a proposed policy by the State Engineer's Office. He reported that the State Engineer's Office has been taking measures to curtail ground water users and that the latest proposal includes volumetric limitations which could result in shutting down pumping if decreed limits are exceeded. He further reported that in cases where there is no limit the State Engineer's Office is considering determining limits on a case by case basis. He reported that this presents some concern as this may cause unintended consequences. He is awaiting a revised draft of the proposed policy. It appears the District's decreed pumping limits are well beyond its current usage. Overall, the effort is viewed as positive as this will help to preserve the water supply on a large scale.

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OTHER BUSINESS **Crestone Eagle Articles for January 2013 Publication:** Discussion was deferred.

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

Respectfully submitted,

By _____
Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL
DECEMBER 14, 2012 MINUTES OF THE BACA GRANDE WATER AND
SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING
BELOW:

Vicki Matthews
Vicki Matthews

M. Macaulay
Martin Macaulay

Cindy Reinhardt
Cindy Reinhardt

Kyle Grote
Kyle Grote

Parvin J. Johnson, Sr.



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

December 14, 2012

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

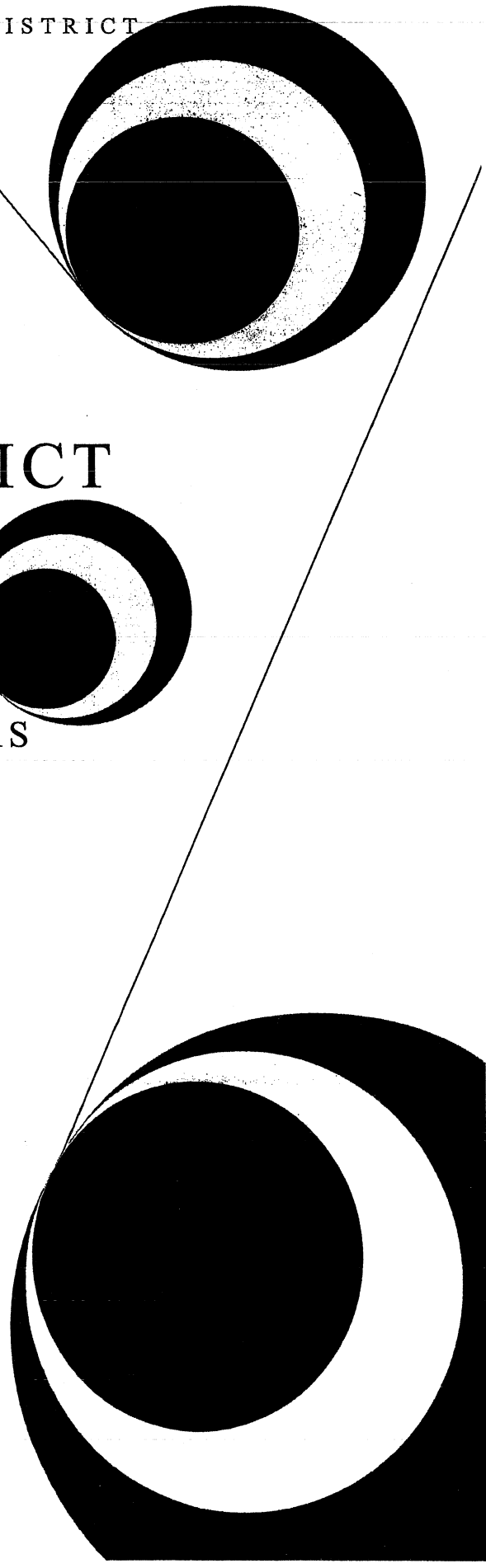
Name	Address	Telephone/Email	Would you like to speak?	Issues to be addressed
Dean Wlotzk	111 Pinewood			?
Michael Scully				

REPORT ON DISTRICT OPERATIONS

TO THE BOARD OF DIRECTORS

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Certification Corner, Infrastructure and Administration	7

Steven Harrell
December 14th, 2012





**BACA GRANDE WATER AND SANITATION DISTRICT
MONTHLY OPERATIONS REPORT
DECEMBER 14, 2012**

DISTRICT OPERATIONS

SSO-Sanitary Sewer Overflow	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Fire Hydrants Repair & Maintenance Total =278	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	2012 Fire hydrant maintenance season: 275 Hydrants have had the maintenance completed 3 Hydrants repaired 2 New fire hydrants installed
Water Main Repairs	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Baca Grant Way S
Infrastructure Installed	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Baca Grant Way S – New 6” gate valve
GPS/GIS	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Water/Sewer Hookups	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

COLLECTION SYSTEM

Lift Stations	Semi-annual cleaning of Stables Lift Station has been completed
Jetting	51,000 linear feet, 124 manholes jetted total year to date
	60,000 linear feet, 140 manholes: season end goal met!!

PROJECTS

Soda Ash Project – Installation Completed	Copper Pipe Loop Rig System complete. Study is underway.
Water Meter MXU Upgrades - Completed for 2012	Collection System Maintenance – Completed
Well-17-18 - Completed	GPS / GIS of Manholes – In Process
Fire Hydrant Maintenance – Completed	Shumei Boost Station - Completed

CORROSION CONTROL STUDY

Pipe Loop Rig #1 & #2 - Operational
Lead and Copper Sample Update - First round of pipe loop rig lead and copper complete
On-line PH Monitoring – Operational
Soda Ash Treatment – Operational
Soda Ash/ PH Adjustment – Target achieved @ 7.4
Distribution System Lead and Copper Analysis – Not started
Corrosion Control Study – Study has been extended to CDPHE to May 1, 2013 Final report due July 1, 2013



**BACA GRANDE WATER AND SANITATION DISTRICT
MONTHLY OPERATIONS REPORT
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BACA GRANDE CHALET

WATER – WELL 18	GALLONS PUMPED	COMPLIANT	RESULTS
Gallons Pumped January 2012	4,561,914		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	0.19 mg/L
Gallons Pumped February 2012	4,236,063		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	0.12 mg/L
Gallons Pumped March 2012	5,231,616		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	0.25 mg/L
Gallons Pumped April 2012	6,191,169		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	0.25 mg/L
Gallons Pumped May 2012	7,168,722		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	0.12 mg/L
Gallons Pumped June 2012	8,472,126		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	0.16 mg/L
Gallons Pumped July 2012	7,820,424		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	0.31 mg/L
Gallons Pumped August 2012	9,123,828		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	0.17 mg/L
Gallons Pumped September 2012	7,820,424		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	.26 mg/L
Gallons Pumped October 2012	9,449,679		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	.22 mg/L
Gallons Pumped November 2012	7,820,424		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	.34 mg/L
Total for Year	77,896,389		



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CASITA PARK

WATER – MOTEL WELL	GALLONS PUMPED	COMPLIANT	RESULTS
Gallons Pumped January 2012	977,553		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155300		Residual	.18 mg/L
Gallons Pumped February 2012	1,303,404		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155300		Residual	.13 mg/L
Gallons Pumped March 2012	1,303,404		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155300		Residual	0.17 mg/L
Gallons Pumped April 2012	7,168,722		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155300		Residual	0.17 mg/L
Gallons Pumped May 2012	7,168,722		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155300		Residual	0.20 mg/L
Gallons Pumped June 2012	10,101,381		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155300		Residual	0.19 mg/L
Gallons Pumped July 2012	8,797,977		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155300		Residual	0.19 mg/L
Gallons Pumped August 2012	9,775,530		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155300		Residual	0.19 mg/L
Gallons Pumped September 2012	9,449,679		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	.34 mg/L
Gallons Pumped October 2012	7,820,424		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	0.20 mg/L
Gallons Pumped November 2012	1,303,404		
Total Coliform Reporting		Yes	Absent
Free Chlorine Residual PWSID # CO 0155200		Residual	.26 mg/L
Total for Year	65,170,200		



BACA GRANDE WATER AND SANITATION DISTRICT
 MONTHLY OPERATIONS REPORT
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TOTAL WATER TREATED

	Finished Water Combined Well-18 & Motel Well	Wastewater Treated	Estimated Unaccounted Water
Gallons Pumped January 2012	5,539,467	1,814,992	3,724,475
Gallons Pumped February 2012	5,539,467	1,706,722	3,832,745
Gallons Pumped March 2012	6,535,020	1,920,775	4,614,245
<i>This concludes the wintertime (November-March) water loss study. Total estimated unaccounted water for the 2012 winter study period = 12,171,465 gallons. Irrigation season begins in April</i>			
	Finished Water Combined Well-18 & Motel Well	Wastewater Treated	Estimated Unaccounted Water & Irrigation Water
Gallons Pumped April 2012	13,359,891	1,687,726	11,672,165
Gallons Pumped May 2012	14,337,444	2,000,000	12,337,444
Gallons Pumped June 2012	18,573,507	1,765,000	16,808,507
Gallons Pumped July 2012	16,618,401	2,140,000	14,478,104
Gallons Pumped August 2012	18,883,698	2,185,000	16,714,358
Gallons Pumped September 2012	17,270,103	2,167,000	15,103,103
Gallons Pumped October 2012	17,270,103	2,260,000	15,010,103
Gallons Pumped November 2012	9,123,828	2,333,000	6,790,828
<i>This concludes the irrigation season.</i>			
Total for Year	133,942,761	19,647,215	114,295,546



**BACA GRANDE WATER AND SANITATION DISTRICT
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WASTEWATER DISCHARGE SAMPLE RESULTS

September	Limit	Compliant	Result
Effluent BOD ₅	30/45 mg/L 30 DAY AVG/7DMAX	Yes	8 mg/L
Percent Removal BOD ₅	85% or greater	Yes	96%
Effluent TSS	30/45 mg/L 30 DAY AVG/7DMAX	Yes	11 mg/L
Percent Removal TSS	85% or greater	Yes	94%
Fecal Coliform	200/400 Colonies/100/mL 30 DAY GEO.MEAN/7DMAX	Yes	3/100 mL

No Discharge Permit Violations

TOTAL AMMONIA AS N, MG/L

Month	Limit	Compliant	Result
January	5.0 mg/L	Yes	January 0.2 mg/L
February	4.1 mg/L	Yes	February 0.2 mg/L
March	4.4 mg/L	Yes	March 0.1 mg/L
April	3.9 mg/L	Yes	April 1.0 mg/L
May	3.3 mg/L	Yes	May 2.0 mg/L
June	3.4 mg/L	Yes	June 2.8 mg/L
July	3.0 mg/L	Yes	July 0.4 mg/L
August	2.2 mg/L	Yes	August 0.6 mg/L
September	2.6 mg/L	Yes	September 0.8 mg/L
October	2.5 mg/L	Yes	October 0.2 mg/L
November	3.8 mg/L	Yes	November 0.4 mg/L
December	4.0 mg/L		



**BACA GRANDE WATER AND SANITATION DISTRICT
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CERTIFICATION CORNER

Steven Harrell General Manager	Class C Water Operator Class C Wastewater Operator Class 1 Collection Operator Class 1 Distribution Operator
Justin DeBon Operator	Class C Water Operator Class C Wastewater Operator Class 1 Collection Operator Class 1 Distribution Operator Nationally Certified Heavy Equipment Operator Level 1
Mark Bluestein Operator	Small System Operator Class 1 Collection Operator
Diego Martinez	Class D Water Class D Wastewater

BGWSO – INFRASTRUCTURE FIXED ASSETS

DISTRIBUTIONS	COLLECTIONS
Water Mains = 64 miles	Sewer Mains = 45 Miles
Gate Valves = 517 Units	Manholes = 798
Curb Stops = 710 Units	Lift Stations = 5
Fire Hydrants = 278	MHE LS
Well 17/18 Water Treatment Facility Plant Capacity - 0.4 MGD*	Stables LS
MHE Motel Well Water Treatment Facility Plant Capacity - 1 MGD*	Wagon Wheel LS
Water Transfer Stations = 3	Dharma Ocean LS
Booster Stations = 4	Aspen LS
	Aspen Wastewater Treatment Facility - 0.15 MGD* Plant Capacity – Average loading on plant – 0.06 MGD*
Service Accounts = 648	

TRANSFER STATIONS	BOOSTER STATIONS
Fallen Tree TS	Pine Cone BS
Ridge View TS	Shumei BS
Moonlight TS	Motel Well BS
	Well – 18 BS
* MGD = MILLION GALLONS PER DAY	

ADMINISTRATION

Customer Complaints	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Monthly Safety Meetings	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Chemical Safety

2012 EXPENSES - November								
ID #	November Budget	Date	PO #	Vendor	Description	Cost	Subtotals	
M100	Office Supplies							
M101	Administration	11/6/12	2126	Quill	Office supplies: Notebooks, rolodex, creamers, candy, soap, file jackets, sheet protectors, frames, toilet paper, kleenex, sticky notes lab stool.	\$254.50		
		11/14/12	2130	Quill	Notebooks, folders, paper	\$76.87		
					Office Supplies Subtotal		\$331.37	
M200	Shop & Small Tools							
M201	Small Tools							
M202	Shop	11/1/12	2117	USA Bluebook	C12 DPD Dispensers, Ammonia, 1.5v batteries, dilution water, utility pump	\$506.99		
		11/5/12	2112	Grainger	Cartridge Filter	\$15.50		
		11/13/12	2132	Alamosa Building Supply	Foam	\$11.58		
		11/27/12	2136	Star Steel	Tubing	\$92.25		
		11/27/12	2140	Ferguson	Tubing, fittings			
		11/27/12	2138	Alamosa Building Supply	Caulk, foam, brushes, etc	\$241.26		
		11/28/12	2141	USA Bluebook	Buffer Pack	\$48.23		
					Small Tools Subtotal		\$915.81	
M300	Facilities							
M302	Well 18	11/13/12	2131	Sherwin Williams	Paint: Main & Repairs	\$902.15		
M310	MHE Lift Station	11/6/12	2121	Falcon Environmental Corp	Straightening vane, screws, lock washers, guide rail base	\$330.63		
	Shumei	11/27/12	2136	Star Steel	Flooring	\$92.25		
					Facilities Subtotal		\$1,325.03	
M400	Vehicles							
M405	Backhoe	11/9/12	2128	Chaparral	Backhoe tire - front, Disposal fee	\$234.37		
M406	Vactor							
					Vehicles Subtotal		\$234.37	
M500	Distribution System							
M501	Water Meters	11/1/12	2118	GJ Supply	Coil pits	\$940.00		
					Distribution Subtotal		\$940.00	
M700	IT-Computer							
M701	Infrastructure	11/12/12		WSB Computer Services, Inc.	Switch over to Crestone Telecom	\$300.00		
					IT-Computer Subtotal		\$300.00	
M800	Education							
M802	Training	11/15/12	2150	Best Western	Lodging: Bluestein/Collection/Distribution Conference 11/13/12 - 11/15/12	\$195.94		
		11/15/12	2150		Meals: Bluestein/Collection/Distribution Conference 11/13/12 - 11/15/12	\$76.83	\$272.77	
					Education Subtotal		\$272.77	
November					Total	\$4,319.35		
November					Remaining	\$680.65		

MEMO

To: AJ Beckman, District Manager
From: Brad Simons
Date: December 6, 2012
Re: Engineer's Report – December 14, 2012 Board Meeting
CC: Steven Harrell, General Manager

I do not plan to attend this month's Board meeting to present these items, but I will be available by cell phone to discuss any topics that may arise.

Supplemental Environmental Project Support – Aly Moores, Enforcement Specialist for the Water Quality Control Division reported on November 7, 2012, that the SEP proposal is under review and working its way through the process, but that she has no estimated time frame on when the process will be complete. Ms. Moores also reported the compliance and enforcement unit sees no reason the proposed project would be denied, but that the project must be approved by the executive director of the Colorado Department of Public Health and Environment since the SEP is offsetting a penalty of greater than \$50,000. Ms. Moores is to keep the District Manager advised of any developments as they evolve as the approval process moves along.

Lift Station Site Applications – The current schedule for each lift station is tabulated below.

	Dharma Ocean	Stables
Submit form and report to District for review	COMPLETED	COMPLETED
Submit form and report to County for recommendation of approval	COMPLETED	COMPLETED
Confirm pump data via pump test or impeller inspection	COMPLETED	N/A
Post the site as required	COMPLETED	COMPLETED
Submit form and report to CDPHE for approval	12/06/12	PENDING
Receive site location approval from CDPHE	PENDING	PENDING

The Stables lift station site application is currently being processed by the local review agencies (i.e. Town of Crestone and Saguache County) and will be submitted to the Colorado Department of Public Health and Environment, with the review fee payment, upon receipt of recommendations.

Again, I do not plan to attend this month's Board meeting to present these items but can discuss any topics that may arise by cell phone (720-234-8398).

Resolution No. 2012-12-01

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

ADOPTING AN AMENDED POLICY REGARDING LATE FEES, INTEREST AND
COLLECTIONS PROCEDURES

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 conflict with the Colorado Constitution for the purpose of carrying on the business, objects and affairs of the Board and of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the Board is authorized to fix and from time to time increase or decrease, fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the District to properties within the District's boundaries; and

WHEREAS, the Board desires to adopt a policy regarding the late charges and penalties to be charged for the non-payment of such fees, rates, tolls, penalties and charges.

NOW, THEREFORE, be it resolved by the Board of Directors of the District as follows:

1. Adoption of Policy. The Board hereby adopts the policy regarding the late fees and interest charged for the non-payment of District fees, rates, tolls, penalties and charges forth in **Exhibit A**, attached hereto and incorporated herein by this reference, and the collections procedures therefor (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.

2. Rescission of Prior Resolutions. The Board hereby rescinds all previous resolutions of the District pertaining to late fees and interest and collections procedures in their entirety..

[Remainder of Page Intentionally Left Blank].

APPROVED and ADOPTED this 14th day of December 2012.

BACA GRANDE WATER AND SANITATION
DISTRICT, a quasi municipal corporation and
political subdivision of the State of Colorado

By: Vicki Matthews
Vicki Matthews, President

ATTEST:

Kyle Grote
Kyle Grote, Secretary

EXHIBIT A
The Policy

1. Lien Filing Policies and Procedures:

a. ***Perpetual Lien.*** Pursuant to § 32-1-1001(1)(j)(I), C.R.S., all Fees and Charges, until paid, shall constitute a perpetual lien on and against the Property to be served by the District. All such liens shall to the fullest extent permitted by law, have priority over all other liens of record affecting the Property and shall run with the Property and remain in effect until paid in full. All liens contemplated herein may be foreclosed as authorized by law at such time as the District in its sole discretion may determine. Notwithstanding the foregoing, the lien policies and procedures set forth in this Resolution shall be implemented in order to ensure an orderly and fair execution of the lien filing and collections process.

b. ***District's Administrator Procedures.*** The District's Administrator (the "Administrator") shall be responsible for collecting all fees, rates, penalties, tolls and charges imposed by the District for the purpose of financing various operations and maintenance, service, capital, facility and other expenses ("Fees and Charges") imposed by the District against the properties within or without the District's boundaries (the "Property"). In the event payment of Fees and Charges is delinquent, the Administrator shall perform the procedures listed below. The Fees and Charges are considered delinquent when they have not been paid by their corresponding due date (the "Delinquent Account"):

i. ***Thirty (30) Calendar Days Past Due:*** The Administrator shall place a "Reminder Call" to the telephone number on file with the Administrator for the last known owner of the Property. Said Reminder Call shall: (1) request prompt payment; (2) notify the Property owner that a Late Fee in the amounts set forth herein has been assessed; and (3) reference the url address for the summary of this resolution displayed on the District's webpage.

ii. ***Sixty (60) Calendar Days Past Due:*** The Administrator shall send a "Disconnection Notice" to the last known owner of the Property. Said Disconnection Notice shall: (1) request prompt payment; (2) notify the Property owner that a Late Fee in the amounts set forth herein has been assessed; (3) advise the Property owner that the services to the Property will be disconnected on the first day of the next month if payment is not received; and (4) reference the url address for the summary of this resolution displayed on the District's webpage.

iii. ***First Day of the Month Following the Disconnection Notice:*** The Administrator shall authorize the District's General Manager to shut off all services to the Property in accordance with the District's Rules and Regulations and shall provide the Property owner with a "Shut Off Notice" advising them of the same.

c. **Collection Procedures.** The Administrator shall perform the following:

i. **Memorandum of Fees:** A "Memorandum of Fees" shall be recorded on all Property served by the District advising all Property owners and potential purchasers of Property served by the District of the District's imposition of Fees and Charges. The Memorandum of Fees shall demand that, prior to any transfer of real property, the buyer and/or seller contact the District to inquire about outstanding Fees and Charges due to the District. In the event the Property is transferred without such inquiry and without payment of the full balance for that Property, such Fees and Charges will run with the Property and automatically become the responsibility of the new Property owner.

ii. **Certification to County for Collection:** On or before December 1 of each year, the Administrator shall certify to the Saguache County Treasurer, pursuant to § 32-1-1001(1)(e), C.R.S., all Delinquent Accounts which are more than six (6) months overdue and have a balance of One Hundred Fifty Dollars (\$150) or more.

2. Late Fees:

a. "Late Fees" are assessed on the Property for failure to make timely payments of Fees and Charges. The following policies apply consistently and uniformly, regardless of whether the Fees and Charges are assessed on a one-time, monthly, quarterly, semi-annual, annual, or any other basis.

b. The Administrator shall assess the Late Fee on the Property **Thirty (30) calendar days from the payment due date.** Pursuant to § 29-1-1102, C.R.S., One Late Fee of Five Dollars (\$5.00) will be assessed on the Property per each assessment of Fees and Charges not fully paid prior to the Thirtieth (30th) calendar day following the payment due date.

c. Partial payment of any outstanding Fees and Charges will not prevent the imposition of Late Fees pursuant to this Section 2.

Example:

January 1 Fee	\$100
Partial Payment on January 5	\$90
<u>Late Fee (January 30)</u>	<u>-\$5</u>
(Net Balance	-\$15)

d. Payments received shall be applied to the balance due in the following order of priority: (1) Late Fees; (2) Costs of Collections; (3) the earliest imposed and unpaid Fees and Charges; (4) any successive unpaid Fees and Charges in chronological order from the earliest unpaid Fees and Charges to the most recently imposed Fees and Charges.

Example A:

January 1 Fee (unpaid)	- \$100
Jan. Pmt. Late Fee (January 30) . . .	- \$5
February 1 Fee (unpaid)	- \$100
Feb. Pmt. Late Fee (February 30) . . .	- \$5
March 1 Fee (unpaid)	- \$100
<u>Payment on March 10</u>	<u>\$280</u>
(Net Balance)	- \$30
- Late Fees Balance =	\$0
- Fees and Charges Balance =	- \$30

Example B:

January 1 Fee (unpaid)	- \$100
Jan. Pmt. Late Fee (January 30) . . .	- \$5
February 1 Fee	- \$100
Payment on February 10	\$150
<u>Feb. Pmt. Late Fee (February 30) . . .</u>	<u>- \$5</u>
(Net Balance)	- \$60
- Late Fees Balance =	- \$5
- Fees and Charges Balance =	- \$55

Feb. 10 Pmt is applied in the following order: (1) Jan. 30 Late Fee; (2) Jan. 1 Fee; and (3) to the February Fee

e. No penalty shall be assessed on the Property for a credit balance resulting from the prepayment and/or overpayment of Fees and Charges. Such credit balances shall be carried forward on the account with all subsequent Fees and Charges being deducted until such time as the credit balance is depleted. A Property carrying a credit balance shall be assessed Late Fees as provided herein at such time as the credit balance is insufficient to pay the entire amount of Fees and Charges due and owing the District.

Example:

January 1 Fee	- \$100
Payment on January 2	\$350
February 1 Fee	- \$100
March 1 Fee	- \$100 (balance = \$50)
April 1 Fee	- \$100
<u>Late Fee (April 15)</u>	<u>- \$5</u>
(Net Balance)	- \$55

3. Interest:

Pursuant to § 32-1-1006(1)(d), C.R.S., the District reserves the right to charge "Interest" in addition to the late fees prescribed in this Policy in its sole discretion. Interest charges accrue and shall be charged on all delinquent Fees and Charges, but shall not accrue and be charged on penalties (i.e. Late Fees, Interest, and Costs of Collections), at the rate of Twelve Percent (12%) per annum.

4. Costs of Collections:

"Costs of Collections" are generated through the Administrator and General Counsel's collection efforts. They consist of the following fixed rates and hourly fees and costs:

- i. *Action Fees.* The following fixed rate fees shall be charged to a Delinquent Account once the corresponding action has been taken by the Administrator:

- *Disconnection Notice*: Ten Dollars (\$10.00) per Disconnection Notice.

- *County Certification Fee*: Ten Dollars (\$10.00) per Certification.

ii. *Attorney Hourly Fees and Costs*. All hourly fees and costs generated by the District's General Counsel, if any, to collect unpaid Fees and Charges shall also be assessed to the Delinquent Account.

iii. *Recovery of Costs of Collections*. In accordance with § 29-1-1102(8), C.R.S., nothing in this Resolution shall be construed to prohibit the District from recovering all the Costs of Collections whether or not outlined above.

5. Waiver of Late Fees, Interest, and Costs of Collections:

a. The Administrator shall have authority and discretion to waive or reduce portions of the Delinquent Account attributable to Late Fees and Interest. Such action shall be permitted if the Administrator, in his/her discretion, determines that such waiver or reduction will facilitate the payment of Fees and Charges. Notwithstanding, if the cumulative amount due and owing the District on the Delinquent Account exceeds One Thousand Dollars (\$1,000.00), the Administrator shall not have any authority to waive or reduce any portion of the Late Fees or Interest. In such case, the person or entity owing in excess of One Thousand Dollars (\$1,000.00) shall first submit a request, in writing, to the Board, and the Board shall make the determination in its sole discretion.

b. The Administrator shall not have the authority to waive any portion of delinquent Fees and Charges or Costs of Collections. Should the Property owner desire a waiver of such Fees and Charges s/he shall submit a written request to the Board and the Board shall make the determination in its sole discretion.

c. Any waiver or reduction of Late Fees or Interest granted pursuant to Sections 5(a-b) hereof shall not be construed as a waiver or reduction of future Late Fees and Interest, or as the promise to waive or reduce future Late Fees or Interest. Nor shall any such waiver or reduction be deemed to bind, limit, or direct the future decision making power of the Board, Administrator, or General Counsel, whether related to the Property in question or other properties within the District.

6. Payment Plans:

The Administrator shall not have the authority to enter into or establish payment plans for the repayment of a Delinquent Account. Should the Property owner desire to enter into a payment plan with the District, s/he shall first submit a written request to the Board and the Board shall make the determination in its

sole discretion.

7. Ratification of Past Actions:

All waivers and payment plans heretofor undertaken by the Administrator that would otherwise have been authorized by this Resolution are hereby affirmed, ratified, and made effective as of the date said actions occurred.

8. Additional Actions:

The Board directs its officers, staff and consultants to take such additional actions and execute such additional documents as are necessary to give full effect to the intention of the orders of this Resolution.

9. Colorado and Federal Fair Debt Collections Acts:

To the extent required by law, the Administrator and the Board shall comply with both the Colorado Fair Debt Collection Practices Act and the Federal Fair Debt Collection Practices Act.

10. Supersedes Prior Resolutions:

To the extent that any term or provision in this Resolution conflicts with any term or provision in a previously enacted and valid resolution of the District imposing Fees and Charges, the term or provision in this Resolution shall prevail.

11. Severability:

If any term or provision of this Resolution is found to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable term or provision shall not affect the validity of the Resolution as a whole but shall be severed herefrom, leaving the remaining terms or provisions in full force and effect.

12. Savings Provision:

The failure to comply with the procedures set forth herein shall not affect the status of the Fees and Charges as a perpetual lien subject to foreclosure in accordance with law. Failure by the Administrator or other authorized representative to take any action in accordance with the requirements as specifically provided herein shall not invalidate subsequent efforts to collect the Fees and Charges.

After Recordation Please Return To:
White, Bear & Ankele Professional Corporation
2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122

Resolution No. 2012-12-02

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

**CONCERNING THE IMPOSITION OF VARIOUS FEES, RATES, PENALTIES AND
CHARGES FOR WATER AND SEWER SERVICES AND FACILITIES**

WHEREAS, pursuant to an Order of the District Court in and for Saguache County, Colorado, the Baca Grande Water and Sanitation District (the "District") was duly and validly organized and exists as a metropolitan district in accordance with Colorado law; and

WHEREAS, the District owns, operates and maintains various water and sanitary sewer facilities and improvements (the "Improvements") and provides associated services to its residents, taxpayers and property owners; and

WHEREAS, pursuant to § 32-1-1001(1)(j), C.R.S., the District is authorized to fix and impose fees, rates, tolls, charges and penalties for services or facilities provided by the District which, until paid, shall constitute a perpetual lien on and against the property served, the revenues from which fees, rates, tolls and charges may be pledged to the payment of any indebtedness of the District; and

WHEREAS, the District desires to establish the water and sewer charges, usage fees and equivalency rates in order to finance the costs associated with the District's general operations and the District's operation and maintenance of the Improvements; and

WHEREAS, pursuant to § 32-1-1006(1)(h), C.R.S., the District is empowered to assess availability of service or facilities charges for the purpose of paying principal of an interest on any outstanding indebtedness or bonds of the District; and

WHEREAS, pursuant to § 32-1-1006(1)(g), C.R.S., the District is empowered to fix and from time to time increase or decrease tap fees; and

WHEREAS, the District desires to impose a tap fee as a one-time contribution required of new customers to be used for capital investment in regional facilities and District operations, as well as a related tapping fee to cover the District's actual costs associated with the new tap and the incorporation of the new service to the District's systems; and

WHEREAS, pursuant to § 32-1-1006(1)(e), C.R.S., the District is authorized to acquire water rights; and

WHEREAS, the District desires to impose a renewable water resources fee on new taps within the District for the purpose of acquiring water rights to support future development; and

WHEREAS, the water and sewer charges, usage fees, equivalency rates, availability of service charges, tap fees and renewable water resource fees are referred to herein as the "Fees" or a "Fee"; and

WHEREAS, the District finds that the Fees set forth herein are reasonably related to the Improvements and services provided by the District and that imposition thereof is necessary to provide the services and facilities serving the property subject to such Fees.

NOW, THEREFORE, be it resolved by the Board of Directors of the District as follows:

1. Fees. The District hereby establishes the Fees set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

2. Late Fees and Penalty Interest. Any Fee that is not paid in full within Fifteen (15) days after the scheduled due date shall be assessed a late fee in the amount of Five Dollars (\$5.00) pursuant to § 29-1-1102(3), C.R.S. Interest will also accrue on any outstanding Fee, exclusive of assessed late fees and interest, at the rate of 12% per annum, pursuant to § 29-1-1102(7), C.R.S, and § 32-1-1006(1)(d), C.R.S.

3. Payment. Payment for each Fee shall be made payable to "Baca Grande Water and Sanitation District" and sent to the following address, on or before the due date: Baca Grande Water and Sanitation District, 57 Baca Grant Way S., P.O. Box 520, Crestone, Colorado 81131-0520.

4. Fees Constitute Lien. The Fees imposed hereunder each shall, until paid, constitute a perpetual lien on and against the property served, and any such lien may be foreclosed in the manner as provided by the laws of the State of Colorado for the foreclosure of mechanic's liens, pursuant to § 32-1-1001(1)(j), C.R.S.

5. Collection Procedures. The District shall undertake collection efforts for any amounts outstanding, including late fees, interest and attorneys' fees, in accordance with the District's Amended and Restated Collections Resolution and in accordance with Federal and Colorado law.

6. Severability. If any clause or provision of this Resolution is adjudged invalid and/or unenforceable by a court of competent jurisdiction or by operation of any law, such adjudgement shall not affect the validity of this Resolution as a whole, but shall be severed herefrom, leaving the remaining provisions intact and enforceable.

7. The Property. This Resolution shall apply to all property within the District's boundaries, as set forth in **Exhibit B**, attached hereto and incorporated herein by this reference, and any additional property included into the District after the date of this Resolution.

8. Effective Date. This Resolution shall become effective as of January 1, 2013.

[Remainder of Page Intentionally Left Blank].

APPROVED and ADOPTED this 14th day of December 2012.

BACA GRANDE WATER AND SANITATION
DISTRICT, a quasi municipal corporation and
political subdivision of the State of Colorado

By: Vicki Matthews
Vicki Matthews, President

ATTEST:

Kyle Grote
Kyle Grote, Secretary

EXHIBIT A

SCHEDULE OF FEES AND CHARGES

Adopted and Approved
December 14, 2012

WATER & SEWER TAP FEE

This fee is a one-time contribution per lot required of new Customers (or existing Customers having change of use) to be used for capital investment in regional facilities and District operations. This fee shall be due at the time of application for service. The Water & Sewer Tap Fee is subject to change at the discretion of the Board. The EQR determination and tap fee for both the water and sewer tap are based on the size of the water tap as set forth below.

Water Tap Size	EQR	Water Tap Fee	Sewer Tap Fee
¾"	1	\$3,750	\$3,750
1"	2	\$7,500	\$7,500
1 ½"	5	\$18,750	\$18,750
2"	8	\$30,000	\$30,000
3"	16	\$60,000	\$60,000
4"	36	\$135,000	\$135,000
Larger than 4"		As Determined by District	

NOTE: In low pressure areas (having a static pressure less than 40 psi) designed by the District Engineer, the Manager may permit the use of a 1" tap at the same fee as a ¾" tap.

TAPPING FEE

This fee is intended to cover the cost of the District's inspection of the physical tap and of the Customer's Service Line, entering the tap location on the District's as-built drawing set, time and materials associated with the tapping, and other ancillary services needed in connection with the provision of a new tap by the District.

The actual cost of a water meter (see below) will be added to the water tapping fees. If repeat inspection services are required due to unacceptable installation or improperly scheduling, then the District will charge additional re-inspection fees as stated herein, per occurrence.

TAPPING FEE SCHEDULE

Water Line/Meter Size

Fee

¾"

\$1,400 (includes labor and materials)

All other sizes billed on a time and materials basis at a cost of \$40 per hour for labor and materials billed at cost.

MONTHLY WATER SERVICE CHARGES

Tap Size	EQR	Water Base Rate	Unbilled Usage Allowance (gallons)	Next gallons \$1.50/1,000	Next gallons \$3.00/1,000
¾"	1	23.00	4,000	10,000	>10,000
1"	2	46.00	8,000	20,000	>20,000
1 ½"	5	115.00	20,000	50,000	>50,000
2"	8	184.00	32,000	80,000	>80,000
3"	16	368.00	64,000	160,000	>160,000
4"	36	828.00	144,000	360,000	>360,000

LATE CHARGE

\$ 5.00

MONTHLY SEWER SERVICE CHARGES

Tap Size	EQR	Sewer Base Rate
¾"	1	23.00
1"	2	46.00
1 ½"	5	115.00
2"	8	184.00
3"	16	368.00
4"	36	828.00

LATE CHARGE

\$ 5.00

RENEWABLE WATER RESOURCE FEE

Meter Size	EQR	GPM	Fee
¾"	1	30	\$14,830
1"	2	50	\$29,660
1.5"	5	100	\$74,150
2"	8	200	\$118,640
3"	16	500	\$237,280
4"	36	1000	\$533,880

*Fee structure based on Town of Castle Rock Municipal Code, 2012 Renewable Water Resource Fees, Chapter 4.04, Water Dedication Code.

Credit against the renewable water resource fee may be granted in consideration of the dedication of tributary water or surface water rights on such terms and conditions acceptable to the District Board.

Payment of the renewable water resource fee shall be assessed in accordance with the schedule of rates in effect as of the date of inclusion. Payment of the renewable water resource fee shall be a condition to the issuance of a water tap.

INSPECTION FEES

Service Line / Meter Pit Inspection	\$	150.00
Meter Installation	\$	150.00
Other Inspection	\$	150.00

<u>REINSPECTION FEE OR RETURN VISIT FEE</u>	\$	150.00 / hr (2 hour minimum)
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<u>METER MAINTENANCE SERVICE FEE</u>	\$	40.00 / hr (1 hour minimum)
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<u>METER COST</u>	Current cost to District
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<u>WATER TURN ON/TURN OFF</u>	\$	25.00 each on/off (Customer Requested)
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<u>SEWER SERVICE</u>	\$	40.00 / hr (1 hour minimum)
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MISCELLANEOUS FEES:

FIRE HYDRANT METER FEES

Meter Assembly Rental Deposit	\$	2,000.00
Monthly Fee	\$	10.00 / 1,000 gallons

<u>FORMAL INCLUSION HEARING FEE</u>	\$	1,000.00 / application fee
Plus all costs of publication of notices and engineering and attorneys fees incurred by District in processing the inclusion.		

<u>FORECLOSURE FEE</u>	\$	2,000.00 / incident
Plus all costs of engineering and attorneys' fees		

<u>HEARING FEE - DISPUTES</u>	\$	250.00
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INCLUSION FEE

Initial Deposit	\$	10,000.00 (non-refundable)
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Incremental Refundable Deposits of \$ 5,000.00

For actual time and expenses incurred over the \$10,000 initial deposit, including but not limited to costs of publication of notices and engineering and attorneys fees.

PERMIT FEES:

Water Stub-In Permit	\$ 100.00
Line Extension Permit	\$ 250.00
Disconnection or Reconnection Permit	\$ 600.00

PLAN REVIEW FEES

Actual Time and expenses incurred by District, and/or \$40/hour for District staff

AVAILABILITY OF SERVICE FEES

Annual Fee per lot within 100 feet of District water and/or sewer lines	\$ 130.00
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TRANSFER AND CONSOLIDATION FEES

For transfer or consolidation of ownership of property; per lot	\$ 250.00
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TESTING 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 pickup and delivery and administrative fees and costs:

Domestic Water Test:	\$ 165.00
Standard Nutrient Test:	\$ 168.00
HPC Test:	\$ 175.00
Total Coliform Test:	\$ 174.00
Additional Tests:	Based on actual costs

PENALTY FEES / FINES:

<u>Excavation During Non-Excavation Period</u>	\$ 5,000.00 (bond)
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December 1 through March 31 of each year. The District may adjust the no-excavation period based on actual weather conditions. The bond is security for repairs which may be required due to damage to the District's existing facilities.

Installation of any non-metered device \$ 1,000.00 / occurrence

Installation of any device (i.e., “jumper”) to allow for circumvention of the District’s monitoring or delivery systems shall constitute unauthorized tampering and the use of the District water system shall be subject to a penalty fee. Such fines shall, until paid, constitute a lien upon the subject property, pursuant to Section 32-1-1001, C.R.S.

Failure to Possess Rules and Regulations \$ 1,000.00 / occurrence

Failure to purchase and/or have a copy of the Baca Grande Water and Sanitation District Rules and Regulations, and updates, and approved construction plans on site during construction.

Failure to Possess Permit \$ 500.00 / occurrence

Failure to obtain a permit and/or have permit on-site during construction.

Repair of Broken or Damaged Water Meters, Meter Pits and Curb Stop Boxes 100%¹

Unauthorized Tampering with District systems or meters: \$ 2,000.00 / incident

Plus actual cost of damage, expense, and loss.

Unauthorized Connection Fee \$ 2 x the current then-current tap fee

Plus actual cost of damage, expense, and loss, legal fees, and any other costs incurred in the filing of criminal charges.

¹ A) If a Customer damages or breaks their water meter, the Customer shall pay 100% of the associated costs for the repair and/or replacement of the water meters, meter pits and curb stop boxes, plus any attorneys’ fees incurred to collect associated costs.

B) The District will notify the Customer of the broken or damaged water meters, meter pits and curb stop boxes and the costs of repair and/or replacement. A copy of the invoice for the work will be included with the notice. The Customer will reimburse the costs to the District within thirty (30) days of receipt of the notice.

C) If reimbursement is not received by the District within thirty (30) days of the notice, the costs will be added as a charge to the Customer’s water bill for the next billing cycle.

EXHIBIT B