

**RESOLUTION NO. 10-02 OF THE SOUTH FORK WATER AND DISTRICT
CONCERNING THE REGULAR DISTRICT ELECTION OF 2010**

WHEREAS, the terms of office of Directors Byron David, Keith Bratton and Norman Clarke shall expire after their successors are elected at the regular Special District election to be held on May 4, 2010, and who shall, thereafter, take office; and

WHEREAS, in accordance with the provisions of the Colorado Special District Act, Part 8 of Article 1, Title 32, C.R.S., as amended (the "Act") and the and the Colorado Uniform Election Code of 1992, Article 1, Title 1, *et seq.*, C.R.S., as amended (the "Election Code"), the election must be conducted to elect three (3) Directors to serve for a term of four (4) years.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the South Fork Water and Sanitation District in Rio Grande County, State of Colorado that:

1. **Election Date and Time.** The regular election of the eligible electors of the District shall be held on *May 4, 2010, between the hours of 7:00 a.m. and 7:00 p.m.* pursuant to and in accordance with the Act, the Election Code and all other applicable laws and regulations. At that time, three (3) Directors will be elected to serve four (4) year terms.

2. **Designated Election Official.** Ted Bilberry is hereby appointed as the Designated Election Official on behalf of the District and is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of the Resolution and of the Act, the Election Code, or other applicable laws. The election shall be conducted in accordance with the Act, the Election Code, and other applicable laws. Among other matters, The Designated Election Official shall appoint election judges as necessary, appoint the Board of Canvassers, arrange for the required notices of election (either by mail or by publication) and printing of ballots and direct that all other appropriate actions be accomplished. The Designated Election Official shall swear or affirm an oath of office. This document will be submitted to the Board as an official part of the election record as Exhibit A hereto.

Contact information for such designated election official is as follows:

Designated Election Official: Ted Bilberry
District Office: 28925 West Highway 160, South Fork, Colorado, 81154
District Office Telephone No. 1-719-873-5860
District Office Facsimile No. 1-719-873-5235
District Office E-mail: sfsan@qwestoffice.net
Business Office Hours: 9:00 a.m. to 11:00 a.m., Monday through Thursday

3. **Voting Place.** One (1) walk-in voting place is established as set forth below:

District Offices: 28925 West Highway 160, South Fork, Colorado, 81154.

4. **Mail-In Ballots.** Applications for mail-in ballots must be filed with the Designated Election Official at 28925 West Highway 160, South Fork, Colorado, 81154, or PO Box 303, South Fork, Colorado, 81154, not earlier than *January 1, 2010*, nor later than *11:00 a.m. on Friday, April 30, 2010*.

If an applicant is eligible for an emergency mail-in ballot, pursuant to C.R.S. § 1-8-115, a request for such ballot shall be made before 5:00 p.m., on Tuesday, May 4, 2010, and such emergency mail-in ballot shall be returned no later than 7:00 p.m., on Tuesday, May 4, 2010.

5. **Self Nomination Petitions.** Self Nomination and Acceptance petitions are available at the Designated Election Official's office at the above-described location. All candidates must file such Self Nomination Petition with the Designated Election Official not later than *11:00 a.m., Friday, February 26, 2010*. Any person who misses such deadline, but desires to become a write-in candidate for the office of Director, shall file an Affidavit of Intent with the Designated Election Official not later than *11:00 a.m., Monday, March 1, 2010*.

6. **Cancellation of Election.** If the only matter before the electors is the election of persons to the office of Director, and if at the close of business on *March 2, 2010*, there are not more candidates than offices to be filled at said election, including those candidates filing Affidavits of Intent to run as a write-in candidate, the Designated Election Official is hereby authorized to and shall cancel the election and the Board, by resolution, shall declare the candidates elected. Notice of such cancellation of election shall be duly published and posted in accordance with the Act and the Election Code.

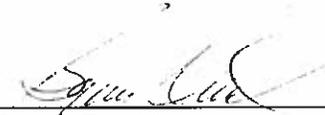
7. **Severability.** If any part of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of the Resolution, it being the Board's intention that the versions provisions hereof are severable.

8. **Repealer.** All acts, orders, and resolutions or parts thereof, of the Board which are inconsistent or in conflict with the Resolution are hereby repealed to the extent only of such inconsistency or conflict.

9. **Effective Date.** The provisions of this Resolution shall take effect immediately.

ADOPTED AND APPROVED this 20th day of January 2010.

South Fork Water and Sanitation District

By: 
Byron David
President

ATTEST:

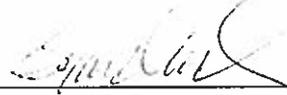

Tyler J. Brown
Secretary

Exhibit A
Oath of Office for Designated Election Official

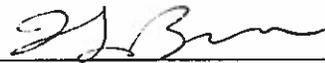
CERTIFICATE OF APPOINTMENT OF DESIGNATED ELECTION OFFICIAL

THIS IS TO CERTIFY, that we have this day appointed, and do hereby appoint Ted Bilberry as designated election official for the purposes of conducting our special district regular biennial election on Tuesday May 4, 2010. The appointment includes the authority to act on behalf of the Board of Directors in planning and implementing the duties required in the success of an election. The designated election official will, with integrity and transparency, and according to law, conduct an election for South Fork Water and Sanitation District, County of Rio Grande, State of Colorado. The designated election official has full power and authority to act in an official capacity prior to, during, and until the results of the May 4, 2010 regular biennial election results are certified, unless this appointment should be sooner extended or revoked by resolution.

WITNESS our hand and seal this 20th day of January, 2010:



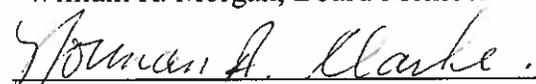
Byron David, Board President



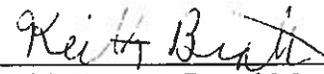
Tyler J. Brown, Board Secretary



William R. Morgan, Board Member



Norman A. Clarke, Board Member



Keith Bratton, Board Member



Designated Election Official's Signature

OATH OF DESIGNATED ELECTION OFFICIAL

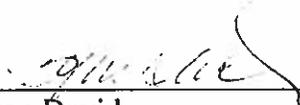
I, Ted Bilberry, do solemnly swear or affirm, that I will perform the duties of designated election official according to law; that I will studiously endeavor to prevent fraud, deceit, and abuse in conducting the same; that I will not try to ascertain how any elector voted, nor will I disclose how any elector voted if in the discharge of my duties as designated election official such knowledge shall come to me, unless called upon to disclose the same before some court of justice; that I have never been convicted of any election fraud, any other election offense or fraud, and that I will not disclose the results of votes until the polls have closed. I will support the Constitution of the United States and the Constitution of the State of Colorado; I will implement the rules established by the Colorado Secretary of State as they pertain to the conduct of this election, and I will faithfully perform the duties of the office of designated election official as steward of the people of this district. I will act in good faith, and without bias, for the duration of my employment as designated election official for the May 4, 2010 regular biennial election in and for the South Fork Water and Sanitation District, Rio Grande County, State of Colorado, to the best of my skill and ability.



Designated Election Official's Signature

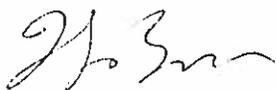
Sworn to before me this 20th day of January, 2010.

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Byron David
Chairman, Board of Directors

(Seal) Attest:



Tyler J. Brown
Secretary, Board of Directors