

**RESOLUTION
OF BOARD OF DIRECTORS OF SEDALIA WATER AND SANITATION
DISTRICT, DOUGLAS COUNTY, COLORADO,
REGARDING MAY 4, 2010 REGULAR SPECIAL DISTRICT ELECTION
(MAIL BALLOT)**

WHEREAS, pursuant to Section 32-1-103 (17), C.R.S., a regular special district election shall be held on the Tuesday succeeding the first Monday in May in every even-numbered year, to elect members to the boards of special districts;

WHEREAS, pursuant to Section 1-1-111 (2), C.R.S. and Section 32-1-804 (2), C.R.S., the Board of Directors (the "Board") of Sedalia Water and Sanitation District (the "District"), is authorized to designate an election official to exercise authority of the Board to conduct an election;

WHEREAS, pursuant to Section 1-7.5-101, et seq., C.R.S., as amended, the "Mail Ballot Election Act", and the Uniform Election Code of 1992, as amended, the governing body of any political subdivision may make the determination to hold an election by mail ballot;

WHEREAS, if such a determination is made, a designated election official shall be appointed by the governing body of the political subdivision to conduct of the election and to prepare a proposed plan for approval by the Colorado Secretary of State;

WHEREAS, pursuant to Section 1-5-208 (1.5), C.R.S., the Board is authorized to instruct the designated election official by a resolution to cancel the election upon certain conditions at the close of business on the sixty-third day before the election and declare the candidates elected; and

WHEREAS, the election for three (3) offices of the Board for four-year terms will be submitted to the eligible electors of the District at the regular special district election to be held on May 4, 2010;

NOW THEREFORE, be it resolved by the Board of Directors for the Sedalia Water and Sanitation District that:

Section 1: Election of Officers. The regular special district election of the District to be held on May 4, 2010, (the "Election") to elect three (3) directors to serve for four-year terms on the Board of Directors of the District will be conducted by mail ballot, pursuant to Section 1-7.5-101 et seq., C.R.S.

Section 2: Designated Election Official. Joyce Estes is hereby declared and appointed the designated election official for the Election (the "Designated Election Official"). The Board hereby acknowledges that Joyce Estes is the spouse of Board member Robert Estes.

Section 3: Conduct of Election. The Designated Official shall prepare a proposed plan for the conduct of the Election which shall be approved by the Colorado Secretary of State. The Designated Election Official may consult and coordinate with the Douglas County Clerk and Recorder, and the Colorado Secretary of State in regard to conducting the Election and rendering decisions and interpretations under the law.

Section 4: Authorization to Execute Documents. The President and Secretary of the District, and Designated Election Official are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution.

Section 5: Mail Ballot and Walk-in Voting Site: The Board hereby designates the office of the Designated Election Official, 5605 N. Hunt Street, Sedalia, CO 80135, April 12, 2010, to May 3, 2010, 9:00 a.m. to 4:00 p.m., and West Douglas County Fire Protection District Station, 4037 W. Platte Avenue, Sedalia, CO 80135, from 7:00 a.m. to 7:00 p.m. on May 4, 2010, as drop off ballot locations. Marked ballots returned by U.S. Mail shall be mailed to the Designated Election Official, PO Box 222, Sedalia, CO 80135. Walk in voting locations will not be utilized because this election is being conducted as an independent mail ballot election that is not coordinated with the County Clerk and Recorder.

Section 6: Cancellation of Election. The Board hereby authorizes and directs the Designated Election Official to cancel the Election and declare the candidates elected if, at the close of business on the sixty-third day before the Election, there are not more candidates for directors than offices to be filled, including candidates filing affidavits of intent to be write-in candidates.

Section 7: Notice of Cancellation. The Board hereby authorizes and directs the Designated Election Official to publish a notice of cancellation of the Election; and to post the notice of cancellation in accordance with applicable law, and to notify the candidates that the election was canceled and they were elected by acclamation.

Section 8: Severability. Should any part or provision of this Resolution be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the intention that the various provisions hereof are severable.

Section 9: Repealer. All acts, orders, resolutions, or parts thereof, of the District that are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

Section 10: Effective Date. The provisions of this Resolution shall take effect immediately.

APPROVED AND ADOPTED this 18th day of January, 2010 by a vote for 3 and 0 against.

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

By: Lee Stoltz
Lee Stoltz, President

ATTEST:

By: Joyce Estes
Joyce Estes, District Clerk

SEDALIA WATER AND SANITATION DISTRICT
Minutes, Board Meeting
March 15, 2010
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Mark reported that the booster pump has been installed. The generator is set for installation on Thursday, March 18, 2010. Fine turning will take place the week of March 22-26, 2010. When removing the old booster pump we will salvage the pumps and valves.

Mark noted that the chlorine meters will be installed March 25, 2010. Mark mentioned that the pipe coming out of well #1 is at an angle, as if the ground shifted. Terry asked if we could core drill below the pipe to relieve pressure. Mark said he will get quotes.

Ernie noted that he went thru the agreement with JVA and he wants to make sure that they understand that the sole source of funding on their engineering services is the \$10K grant. Joyce has the Wastewater Pre-Loan Planning and Design Assistance Grant form from Colorado Water Resources and Power Development Authority that needs to be signed. She will hold onto the form until we verify Ernie's concern.

Mark mentioned that he will measure out the property at the end of Hunt Street where the booster station is so that we can get Paul Lindbloom to deed the property over to the District as per the County.

Mark presented the board with the estimated costs of \$3,100.00 to update the Preliminary Engineering Report (originally done in 2005) for the Water System Improvements Project. The PER must be updated to incorporate existing changes. Lee Stoltz made a motion for Mark to proceed on updating the Preliminary Engineering Report not to exceed \$3,100.00. Robert Estes seconded the motion. Hearing no objections, the motion passed 4 – 0. Robert said that he will look into applying for a \$3,100.00 grant.

Ernie presented the board with a resolution authorizing the designated election official (Joyce) to cancel the May 4, 2010 regular special district election. Robert Estes made a motion to have Joyce cancel the May 4, 2010 election. Terry Thompson seconded the motion. Hearing no objections, the motion passed 4 – 0. Resolution signed by Lee Stoltz and Robert Estes.

Joyce presented the board with bank balances as of February 28, 2010, and current payables. Terry Thompson made a motion that the board approve and pay all current Sedalia expenses. Lee Stoltz seconded the motion. Hearing no objections, the motion passed 4 – 0. Joyce disbursed checks to board members for signatures. Checks were signed and returned to Joyce for processing and mailing.

C&L Water	\$ 5,000.00	Colorado Comm Newspaper	\$ 68.44
Folkestad & Fazekas	\$ 3,295.00	Hefta Group	\$4,135.07
IREA	\$ 728.78	Jehn Water	\$1,498.64
JNE	\$ 1,679.60	Lyman Henn	\$1,137.33
Qwest	\$ 26.66		

There being no other business, Lee Stoltz made a motion to adjourn the board meeting. Terry Thompson seconded the motion. Hearing no objections, the motion passed 4 – 0.

Meeting adjourned at 9.30 p.m.

NEXT REGULAR BOARD MEETING – Monday, April 19, 2010, at 7:00 p.m., at the West Douglas Fire Protection District Fire Station, 4037 W. Platte Avenue, Sedalia, CO 80135

RESOLUTION
OF BOARD OF DIRECTORS OF SEDALIA WATER AND SANITATION
DISTRICT, DOUGLAS COUNTY, COLORADO,
AUTHORIZING THE DESIGNATED ELECTION OFFICIAL TO CANCEL
THE MAY 4, 2010 REGULAR SPECIAL DISTRICT ELECTION

WHEREAS, pursuant to Section 1-1-111 (2), C.R.S. and Section 32-1-804 (2), C.R.S., the Board of Directors (the "Board") of Sedalia Water and Sanitation District (the "District") is authorized to designate an election official to exercise authority of the Board to conduct an election;

WHEREAS, the Board of Directors of the District has designated Joyce Estes ("Designated Election Official") to conduct the May 4, 2010 regular special district election (the "Election") at which the election for three (3) offices on the Board for four-year terms was to be submitted to the eligible electors of the District; and

WHEREAS, pursuant to Section 1-5-208 (1), C.R.S., the Board is authorized to instruct the Designated Election Official by a resolution to cancel the Election at the close of business on the thirtieth day before the Election, if there are not more candidates than offices to be filled at the election, and declare the candidates elected;

NOW THEREFORE, be it resolved by the Board of Directors for the Sedalia Water and Sanitation District that:

Section 1: Cancellation of Election. The Board authorizes and directs the Designated Election Official to cancel the Election and declare the candidates elected if, at the close of business on the thirtieth day before the Election, there are not more candidates for directors than offices to be filled, including candidates filing affidavits of intent to be write-in candidates.

Section 2: Notice of Cancellation. If the Election is cancelled, the Board authorizes and directs the Designated Election Official to publish a notice of cancellation of the Election; and to post the notice of cancellation in accordance with applicable law; file the notice of cancellation with Douglas County Clerk & Recorder and the Division of Local Government; and to notify the candidates that the Election was canceled and they were elected by acclamation.

Section 3: Authorization to Execute Documents. The President and Secretary of the District, the Designated Election Official, and District Legal Counsel are authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution.

Section 4: Severability. Should any part or provision of this Resolution be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the intention that the various provisions hereof are severable.

Section 5: Repealer. All acts, orders, resolutions, or parts thereof, of the District that are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

Section 6: Effective Date. The provisions of this Resolution shall take effect immediately.

ADOPTED AND APPROVED this 15th day of March, 2010, by a vote for 4 and 0 against.

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

By: Lee Soltz
Lee Soltz, President

ATTEST:

By: Robert Estes
Robert Estes, Secretary

NOTICE OF CANCELLATION

1-5-208(1.5), 32-1-104, C.R.S.

NOTICE IS HEREBY GIVEN by the Sedalia Water Sanitation District, Douglas County, Colorado, that at the close of business on the sixty-third day before the election, there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 4th, 2014 is hereby canceled pursuant to section 1-5-208(1.5), C.R.S.

The following candidates are hereby declared elected:

<u>Leppin J. Stoltz</u> (name)	<u>4</u> (2 or 4 year term)	until May, 20 <u>14</u>
<u>Terry L. Thompson</u> (name)	<u>4</u> (2 or 4 year term)	until May, 20 <u>14</u>
<u>Guy M. Elder III</u> (name)	<u>4</u> (2 or 4 year term)	until May, 20 <u>14</u>
_____ (name)	_____ (2 or 4 year term)	until May, 20 ____

Joyce Estes
(Signature of the Designated Election Official)

Joyce Estes
(DEO's Printed Name)

Contact Person for the District: Joyce Estes
 Telephone Number of the District: (303) 653-2506
 Address of the District: PO Box 222, SEDALIA, CO 80135
 District Facsimile Number: _____
 District Email: _____

PROCEDURAL INSTRUCTIONS: Sample only. Review with attorney. Publish (CRS 1-1-104(34) publication defined) and post at all polling places, in the office of the Designated Election Official, and in the office of the County Clerk and Recorder. File a copy of this notice with the resolution canceling the election, oaths of office, and a current faithful performance bond for each director with the Division of Local Government, 1313 Sherman St., Rm., 521, Denver, CO 80203 no later than 30 days after the date of the regular election. The board or DEO shall notify all candidates that the election was cancelled and that they have been elected by acclamation. The original notice is to be kept on file with the special district as part of the official election records.

**CANCELLATION OF ELECTION and
DECLARATION DEEMING CANDIDATES ELECTED
RESOLUTION**

(If the Designated Election Official cancels election)

1-5-208(1.5), C.R.S.

SEDALIA WATER AND SANITATION DISTRICT,
Douglas COUNTY, COLORADO

WHEREAS, the Designated Election Official of the District has been duly authorized by the Board of Directors to cancel the election and declare candidates elected at the close of business on the sixty-third before the election to be conducted on MAY 4, 2010; and
(date of election)

WHEREAS, the Designated Election Official has duly certified that there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates,

Now, THEREFORE, pursuant to 1-5-208 (1.5), C.R.S., the Designated Election Official HEREBY cancels the regular election to be conducted on the 4th day of MAY, 2010 by formal resolution and

THE DESIGNATED ELECTION OFFICIAL DECLARES THE FOLLOWING CANDIDATES ELECTED FOR THE FOLLOWING TERMS OF OFFICE:

<u>LARRY J. STOLTZ</u> (name)	<u>3976 W. PLATTE AVE, SEDALIA, CO</u> (address)	<u>4 YEARS</u> (year term)
<u>TERRY L. THOMPSON</u> (name)	<u>5264 W. PLATTE AVE, SEDALIA, CO</u> (address)	<u>4 YEARS</u> (year term)
<u>GUY M. ELDER III</u> (name)	<u>4334 W. PLATTE AVE, SEDALIA, CO</u> (address)	<u>4 YEARS</u> (year term)
_____ (name)	_____ (address)	_____ (year term)
_____ (name)	_____ (address)	_____ (year term)

Signed by: Joyce Estes
(Designated Election Official)

Contact Person for the District: Joyce Estes

Telephone Number of the District: (303) 688-2506

Address of the District: P.O. Box 222, Sedalia, CO 80135

PROCEDURAL INSTRUCTIONS: Sample form only. Review use with attorney. Publish and post Notice of Cancellation in order to inform the electors of the District. Must post at all polling places, in the office of the Designated Election Official, County Clerk and Recorder, and file with the Division of Local Government.

**NOTICE OF CANCELLATION
MAIL BALLOT ELECTION**

TO WHOM IT MAY CONCERN and particularly to the electors of the Sedalia Water and Sanitation District of Douglas County, Colorado:

NOTICE IS HEREBY given that a regular election of the Sedalia Water and Sanitation District, scheduled to be held on Tuesday, May 4, 2010, has been cancelled. Pursuant to Section 1-5-208 (1), C.R.S., the Designated Election Official, acting on behalf of the Sedalia Water and Sanitation District Board has cancelled the election because there are not more candidates than offices to be filled.

Candidates nominated and elected to Board Positions are; Leroy Stoltz (4 year term), Terry Thompson (4 year term), and Guy Elder (4 year term).

SEDALIA WATER AND SANITATION DISTRICT
Joyce Estes, Designated Election Official