

LA PLATA ARCHULETA WATER DISTRICT

A RESOLUTION CALLING FOR A MAY 5, 2015 SPECIAL ELECTION

WHEREAS, the Board of Directors of the La Plata Archuleta Water District (“District”) has determined and hereby determines and declares that the interest of the District and the public interest and necessity require that the District eliminate the limitations on terms of office for the District Board members imposed by Article XVIII, Section 11 of the Colorado Constitution to carry out the objects and purposes of District; and

WHEREAS, it is necessary to submit to the eligible electors of the District the question of eliminating limitations on Board member terms, and the Board hereby determines that such question should be presented to the District's eligible electors at a special election to be held on May 5, 2015 (“Election”), in accordance with the provisions of the Special District Act (“Act”) and the Colorado Local Government Election Code (“Code”).

NOW, THEREFORE, be it resolved by the Board of Directors of the La Plata Archuleta Water District in the County of La Plata, State of Colorado that:

1. The special election of the eligible electors of the District shall be held on May 5, 2015, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, the Code, and other applicable laws. The ballot title for the elimination of term limitations shall be in substantially the form shown on Exhibit A attached hereto and incorporated herein by this reference.

2. There shall be one election precinct for the convenience of the eligible electors of the District, the boundaries of which shall be identical to the boundaries of the District, and there shall be one (1) polling place at the following location:

District Administrative Offices
255 Ute Street
Ignacio, Colorado

situate in the County of La Plata, State of Colorado. This polling place(s) shall also be the polling place(s) for disabled electors and for eligible electors not residing within the District.

3. The Board of Directors hereby designates Micki L. Wadhams as the Designated Election Official of the District, who is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, the Code, or other applicable laws. The Election shall be conducted in accordance with the Act, the Code, and other applicable laws. Among other matters, the Designated Election Official shall certify the ballot content, appoint and training of election judges as necessary, appoint the Canvass Board, arrange for the required notices of election, printing of ballots, and direct that all other appropriate actions be accomplished.

4. Applications for absentee ballots may be filed with the Designated Election Official at c/o Collins Cockrel & Cole, 390 Union Boulevard, Suite 400, Lakewood, Colorado, 80228, fax number: 303-986-1755, email: mwadhams@cccfirm.com, no later than the close of business on the Friday immediately preceding the election (Friday, May 1, 2015). All voted absentee ballots shall be returned to the Designated Election Official, 255 Ute Street, P.O. Box 1377, Ignacio, Colorado 81137.

5. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five (5) days after the title of the ballot question is set.

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

7. Any and all actions previously taken by the Designated Election Official or the Secretary of the Board of Directors or any other persons acting on their behalf pursuant to the Act, the Code or other applicable laws, are hereby ratified and confirmed.

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

9. The provisions of this Resolution shall take effect immediately.

ADOPTED AND APPROVED this 12th day of February, 2015.

LA PLATA ARCHULETA WATER DISTRICT

By Richard Lunceford
Richard Lunceford, Chairman

ATTEST:

By Cheryl Lynn
Cheryl Lynn, Secretary

EXHIBIT A TO ELECTION RESOLUTION

LA PLATA ARCHULETA WATER DISTRICT BALLOT QUESTION A:

Shall the limitations on terms of office of elected members of the Board of Directors of the La Plata Archuleta Water District be eliminated pursuant to Article XVIII, Section 11(2) of the Colorado Constitution?

YES

NO