

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
TO APPOINT MEMBERS OF THE BOARD OF DIRECTORS
OF THE FAIRWAY PINES SANITATION DISTRICT**

WHEREAS, the Fairway Pines Sanitation District (the "District") is a quasi-municipal corporation and political subdivision of the State located wholly within the boundaries of Ouray County; and

WHEREAS, the District failed to conduct a regular election in May 2008 for all of the expiring terms of the members of the Board of Directors, and thus their offices as directors of the District are, or will be, vacant following the May 6, 2008 election, pursuant to the provisions of Article 1 of Title 32, C.R.S. (the "Act"); and

WHEREAS, pursuant to Section 32-1-905(2.5), C.R.S., if there are no duly elected directors of the District and the ongoing services provided by the District will be interrupted as a result thereof, the Board of County Commissioners, which adopted a resolution of approval forming the District, may then appoint duly qualified electors to the Board of Directors; and

WHEREAS, there are existing members of the Board of Directors who desire to be appointed to fill the upcoming vacancies on the Board of Directors until a special election can be held in accordance with statutory requirements, and the members of the Board of Directors have requested the Board of County Commissioners of Ouray County ("Board") to appoint them to such positions; and

WHEREAS, the Board has the authority pursuant to Section 32-1-905(2.5), C.R.S., to appoint these elector candidates to the Board of Directors, which is necessary in order for the Board of Directors to carry out its various powers and responsibilities under the Act; and

WHEREAS, the Board has been advised that the individuals who have signed the attached "Petition to the Board of County Commissioners of Ouray County, Colorado" (Exhibit A), are all "eligible electors", as such term is defined at C.R.S. §32-1-103(5) and are therefore qualified to be appointed as a member of the Board of Directors for the District; and

WHEREAS, the Board has relied on the representations contained in the Petition as certification that the candidates to be appointed to the District's Board are eligible to serve as members of the Board of Directors for the District; if it is subsequently discovered that any such person is not duly qualified to serve as a member of the Board of Directors, then such appointment shall become null and void; and

WHEREAS, the Board has been made aware of the need to make appointments to the Board of Directors of the District and having been advised that the candidates are duly qualified and willing to serve as members of the Board of Directors, the Board has agreed to appoint such elector candidates to the Board of Directors.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, AS FOLLOWS:

Section 1. The Board of County Commissioners, in accordance with Section 32-1-905(2.5), C.R.S., hereby appoints the following qualified and willing eligible electors of the District to the Board of Directors of the District:

Susan Christensen
Tim Jensen
Charles Julin
Paul Stashick

Section 2. Pursuant to Section 32-1-905(2.5), C.R.S., the Board of Directors shall conduct a special election within six months hereof for the purpose of electing members to the Board of Directors in accordance with all statutory requirements.

Section 3. A copy of this resolution shall be delivered to each director appointed hereunder and to the Colorado Division of Local Government. The Board of Directors and each member thereof shall take all other actions in connection with this matter as may be required under the Act.

Section 4. This resolution is effective upon its approval by the Board of County Commissioners.

APPROVED AND ADOPTED THIS 12th DAY OF MAY 2008.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:

K. Keith Meinert, Chair

Michelle Nauer, Clerk and Recorder
By: Linda Munson-Haley, Deputy Clerk of the Board

**PETITION TO THE
BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO**

The Fairway Pines Sanitation District (the "District") is located wholly within the boundaries of Ouray County. The District has failed to comply with the provisions of Article 1 of Title 32, C.R.S., and cannot timely conduct the regular election on May 6, 2008, as required by statute. Consequently, the terms of the four existing directors of the District will be deemed vacant on that date.

In accordance with Section 32-1-905(2.5), C.R.S., the current members of the Board of Directors of the District have been duly qualified and are willing to serve on the Board until an election can be held in accordance with statutory requirements. The current members of the Board, who all are duly qualified and willing to serve thereon, request that the Board of County Commissioners appoint them to serve on the Board until an election can be held in accordance with statutory requirements.

Respectfully submitted this _____ day of _____, 2008.

Susan Christensen

Dennis Daigle

Tim Jensen

Charles Julin

Paul Stashick