

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING MINUTES
December 20, 2013**

The December 20, 2013 meeting was held in the Planning Commissioners' boardroom in the Blackstock Government Center located at 221 N. Wisconsin Street, Gunnison, Colorado. Present were:

Paula Swenson, Chairperson
Phil Chamberland, Vice-Chairperson
Jonathan Houck, Commissioner

Matthew Birnie, County Manager
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

GUNNISON COUNTY HOUSING AUTHORITY:

CALL TO ORDER: Chairperson Swenson called the meeting to order at 1:00 pm.

RESOLUTION; AMENDING THE GUNNISON COUNTY HOUSING AUTHORITY BUDGET FOR FISCAL YEAR 2013 AND AMENDING THE APPROPRIATION RESOLUTION: **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to adopt Resolution #2013-003, a Resolution Amending the Gunnison County Housing Authority Budget for Fiscal Year 2013 and Amending the Appropriation Resolution. Motion carried unanimously.

ADJOURN: **Moved** by Commissioner Chamberland, Commissioner Houck to adjourn the meeting. Motion carried unanimously. The Gunnison County Housing Authority meeting adjourned at 1:01 pm.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS:

CALL TO ORDER: Chairperson Swenson called the meeting to order at 1:01 pm.

RESOLUTION; AMENDING THE GUNNISON COUNTY BUDGET FOR FISCAL YEAR 2013 AND AMENDING THE APPROPRIATION RESOLUTION: Finance Director Linda Nienhueser was present for discussion. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adopt Resolution #2013-33, a Resolution Amending the Gunnison County Budget for Fiscal Year 2013 and Amending the Appropriation Resolution. Motion carried unanimously.

VOUCHERS AND TRANSFERS APPROVAL: Finance Director Nienhueser presented the voucher approval report for December 20, 2013 and the cash transfer authorization dated November 2013 for discussion and approval. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the vouchers for \$2,930,040.64. Motion carried unanimously. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the cash transfer in the amount of \$2,632,159.95. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: County Treasurer Melody Marks was unavailable for discussion, though she provided reports for October and November 2013 for the meeting packet. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to accept the Treasurer's Report as presented for the months of October and November 2013, and authorize the chairperson's signature. Motion carried unanimously.

SET GUNNISON COUNTY MILL LEVY AND CERTIFY ALL TAXING ENTITIES' MILL LEVIES TO COUNTY ASSESSOR: Finance Director Nienhueser, County Attorney David Baumgarten, Deputy County Attorney Art Trezise were present for discussion. Charles Norton attended the discussion via telephone.

Deputy County Attorney Trezise explained that the previously received mill levy certification from the Reserve Metropolitan District 2 of 50 mills didn't address servicing of the debt. Compass Bank filed a lawsuit since this mill levy was not in compliance with the loan agreement. A court order prompted the submission by the District of a new certification for 56.073 to address the debt, though the order did not address the original 50 mill levy certification and the District decided not to rescind that original certification. Deputy County Attorney Trezise asked the Board not to certify the original 50 mills and to only certify the 56.073 mills for debt service. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the mill levies presented to us today, except for that specified under the Reserve Metropolitan District 2, which is 50 mills. Motion carried unanimously.

2014 SCHEDULES OF FEES AND RATES: Finance Director Nienhueser was present for discussion.

1. A Resolution Establishing the Schedule of Fees and Rates for Water Service within the Dos Rios Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 12-44. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adopt Resolution #2013-34, a Resolution Establishing the Schedule of Fees and Rates for Water Service

- within the Dos Rios Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution #12-44. Motion carried unanimously.
2. A Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the Dos Rios Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 12-45. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adopt Resolution #2013-35, a Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the Dos Rios Division of the Gunnison County Water and Sewer District; this Resolution Supersedes Resolution 12-45. Motion carried unanimously.
 3. A Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the Antelope Hills Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 12-46. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to adopt Resolution #2013-36, a Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the Dos Rios Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 12-45. Motion carried unanimously.
 4. A Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the Somerset Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 12-47. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to adopt Resolution #2013-37, a Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the Somerset Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 12-47. Motion carried unanimously.
 5. A Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the North Gunnison Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 12-48. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adopt Resolution #2013-38, a Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the North Gunnison Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 12-48. Motion carried unanimously.
 6. A Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the Tomichi Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 12-49. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to adopt Resolution #2013-39, a Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the Tomichi Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 12-49. Motion carried unanimously.
 7. A Resolution Establishing the Schedule of Fees and Rates for Water Service within the Antelope Hills Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 13-17. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adopt Resolution #2013-40, a Resolution Establishing the Schedule of Fees and Rates for Water Service within the Antelope Hills Division of the Gunnison County Water and Sewer District; This Resolution Supersedes Resolution 13-17. Motion carried unanimously.

GUNNISON SAGE-GROUSE; PREPARATION FOR WASHINGTON, DC TRIP; POSSIBLE EXECUTIVE SESSION: County Attorney Baumgarten, Paralegal Rachel Magruder, Gunnison Wildlife Conservation Coordinator Jim Cochran and Community Development Director Russ Forrest were present for discussion.

Gunnison Wildlife Conservation Coordinator Cochran confirmed that he and others are continuing to work with external entities, including the State of Utah, to strengthen the statements in the coalition's draft correspondence. The group agreed that the merits of the coalition's stance can be effectively conveyed to the US Fish and Wildlife Service via the available science and research, and that politics should not be necessary.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The Gunnison County Board of County Commissioners meeting adjourned at 2:17 pm.

Paula Swenson, Chairperson

Phil Chamberland, Vice-Chairperson

Jonathan Houck, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk

SPECIAL MEETING:

(Note: Deputy County Clerk Brenda Wiseman attended this meeting and created the following minutes.)

CALL TO ORDER: Vice-Chairperson Chamberland called the Special Meeting of the Board of County Commissioners to order at 5:59 pm. Vice-Chairperson Chamberland and Commissioner Houck participated by telephone. County Manager Birnie, County Attorney David Baumgarten, Deputy County Attorney Art Trezise, Clerk to the Board Haase and Clerk to the Board Wiseman were present for discussion. Chairperson Swenson was unavailable and did not participate.

CERTIFICATION OF 50 MILLS TO RESERVE METROPOLITAN DISTRICT: Deputy Attorney Trezise asked that a special meeting of the board be conducted to discuss Gunnison District Court Judge J. Steven Patrick's order of December 20, 2013 directing that the Board of County Commissioners conduct a special meeting prior to December 22, 2013 at 5pm, and that in the meeting the Board is to certify the proposed additional 50 mills tendered by Reserve Metropolitan District. County Attorney Baumgarten added that Gunnison District Court Judge Patrick had stated formally that nothing in his order supersede the December 17, 2013 order from the City and County of Denver District Court. In other words, the mills to pay the debt have priority over this 50 additional mills.

Commissioner Houck asked for clarification regarding the order issued by Denver District Court Judge on December 17th. Counsel reported that the Denver District Court cannot look at, nor make recommendations, on the 50 mills based on fact it was not part of what that Court was reviewing. The Denver District Court Judge issued an order that was based solely on the loan agreement which did not discuss issues of caps on mills similar to what is contained in the service plan. The Denver District Court Judge understood that there was a possibility that Reserve Metropolitan District No. 2 would still attempt to get the 50 additional mills certified. Therefore, the Denver District Court Judge said he is not directing what the BOCC should do with the 50 mills, rather the 56.073 mills must take priority over any other mill certified relative to this special district.

Vice-Chairperson Chamberland inquired regarding notice for this meeting. Deputy County Attorney Trezise explained the same issue occurred in Denver as well, and the conclusion from the Denver District Court Judge, which the Board is following today, is that there is no discretion in conducting the meeting to comply with Judge Patrick's order. No one can currently change, have input or discretion on what the Gunnison District Court Judge has ordered the Board to do. The Board must today certify the additional 50 mills or be in contempt of the Gunnison District Court's order of December 20, 2013.

Vice-Chairperson Chamberland confirmed the need to comply with the Court's order. Deputy County Attorney Trezise said if the Board would have certified the entire 106 mills earlier today, the Board would not have the ability to have the matter revisited by Judge Patrick or the Court of Appeals. The Board now can pursue the steps to obtain the option to have the Court of Appeals review the Gunnison District Court findings and order based on Judge Patrick's order of December 20, 2013 directing the Board of County Commissioners to certify the additional 50 mills. Deputy County Attorney Trezise said we can file a motion to reconsider and appeal the order to the Court of Appeals before any money is disbursed and Gunnison County is unable to recoup the funds.

Vice-Chairperson Chamberland asked what happens if the Court has not determined the case before we have to collect the money. County Attorney Baumgarten said there are two things we are going to ask for: 1. A motion to reconsider and at that time we get to put in front of Gunnison District Court Judge Patrick the service plan, interveners and put on evidence of what happened at various board meetings, introduce into the record everything that happened in Denver on Monday. 2. Ask Gunnison District Court Judge Patrick to stay or order us to sequester the money so it does not go out of our hands and cause us to have to recoup it.

Commissioner Houck asked Vice-Chairperson Chamberland if he is comfortable making this decision although Chairperson Swenson is not available for this special meeting. Vice-Chairperson Chamberland said he would be more comfortable if all three commissioners were present but based on the Gunnison District Court Judge's order, the Board should proceed rather than be in contempt of the Court's order.

Moved by Commissioner Houck to certify the 50 mills to Reserve Metropolitan District based on the court's order and based on the requirements in front of the Board. Deputy County Attorney Trezise asked that the motion be modified to include that priority be given to the original 56.073 mills as ordered by the Denver District Court Judge and the Gunnison District Court Judge. Commissioners Houck agreed to adjust

the motion based on the recommendation of Deputy County Attorney Trezise. Seconded by Vice-Chairperson Chamberland. Unanimously approved.

The Special Meeting was adjourned at 6:06pm.

(Absent from meeting – no signature)

Paula Swenson, Chairperson

Phil Chamberland, Vice-Chairperson

Jonathan Houck, Commissioner

Minutes Prepared By:

Brenda Wiseman, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

**GUNNISON COUNTY HOUSING AUTHORITY
RESOLUTION NO. 13-003**

A RESOLUTION AMENDING THE GUNNISON COUNTY HOUSING AUTHORITY BUDGET FOR FISCAL YEAR 2013 AND AMENDING THE APPROPRIATION RESOLUTION

WHEREAS, at the time of the adoption of the budget for Gunnison County Housing Authority for fiscal year 2013 certain revenues were unassured and certain expenditures were not anticipated; and

WHEREAS, revenues can now be identified for such expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Gunnison County Housing Authority, that a supplemental budget and appropriation resolution be adopted in the following respects:

Expenditures are increased in the amount of \$299,705.41 for repair and maintenance, and to record issuance cost. Revenues are increased in a like amount from unappropriated fund balance. Appendix A attached shows detail by account number.

The above sums of money, or as much thereof as may be authorized by law and as may be deemed necessary to defray the expenses and liabilities of the Gunnison County Housing Authority, are hereby appropriated. It is the intent of the Board to make the necessary amendments and supplements to the budget adoption and appropriation resolutions - Resolution Nos. 12-02 and 12-03 respectively - for the Gunnison County Housing Authority for the fiscal year beginning January 1, 2013 and ending December 31, 2013; but except as specifically provided for herein, to make no further changes in the budget adoption or appropriation resolutions adopted with respect to said fiscal year.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland, and adopted this 20th day of December 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 2013-33**

A RESOLUTION AMENDING THE GUNNISON COUNTY BUDGET FOR FISCAL YEAR 2013 AND AMENDING THE APPROPRIATION RESOLUTION

WHEREAS, at the time of the adoption of the budget for Gunnison County for fiscal year 2013 certain revenues were unassured and certain expenditures were not anticipated; and

WHEREAS, revenues can now be identified for such expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that a supplemental budget and appropriation resolution be adopted in the following respects:

1. General Fund. The revenues are increased in the amount of \$731,332.50 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of \$3,623,225.50 as detailed by account number on Appendix A attached.
2. Road & Bridge Fund. The revenues are increased in the amount of \$4,252,606 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of \$5,136,618 as detailed by account number on Appendix A attached.
3. Human Services Fund. The revenues are increased in the amount of \$24,259 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of \$62,421 as detailed by account number on Appendix A attached.
4. Public Health Fund. The revenues are increased in the amount of \$25,375 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of \$21,169 as detailed by account number on Appendix A attached
5. Conservation Trust Fund. The expenditures are increased in the amount of \$3,100 as detailed by account number on Appendix A attached
6. Debt Service Fund. The revenues are increased in the amount of \$2,068,200 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of \$7,590 as detailed by account number on Appendix A attached
7. Airport Operations Fund. The expenditures are increased in the amount of \$121,711 as detailed by account number on Appendix A attached
8. Sales Tax Fund. The expenditures are increased in the amount of \$72,759.63 as detailed by account number on Appendix A.
9. Land Preservation Fund. The expenditures are increased in the amount of \$300,000 as detailed by account number on Appendix A.
10. Mosquito Control. Fund The expenditures are increased in the amount of \$1,265 as detailed by account number on Appendix A.
11. Sage Grouse Trust Fund. The expenditures are increased in the amount of \$64,035 as detailed by account number on Appendix A attached
12. Capital Expenditures Fund. The revenues are increased in the amount of \$11,458,860 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of \$2,263,844 as detailed by account number on Appendix A attached.
13. Solid Waste Fund. The expenditures are increased in the amount of \$39,000 as detailed by account number on Appendix A attached.
14. Water Fund. The revenues are increased in the amount of \$338,347 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of \$286,093 as detailed by account number on Appendix A attached.
15. ISF-II. The revenues are increased in the amount of \$22,060 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of \$22,060 as detailed by account number on Appendix A attached.
16. ISF III The revenues are increased in the amount of \$996,500 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of \$1,195,469 as detailed by account number on Appendix A attached.
17. Marketing District Fund. The expenditures are increased in the amount of \$30,000 as detailed by account number on Appendix A attached.
18. Transportation Authority Fund. The expenditures are increased in the amount of \$384,341 as detailed by account number on Appendix A attached.

The above sums of money, or as much thereof as may be authorized by law and as may be deemed necessary to defray the expenses and liabilities of the County, are hereby appropriated. It is the intent of the Board to make the necessary amendments and supplements to the budget adoption and appropriation resolutions - Resolution Nos. 2012-38 and 2012-39 respectively - for Gunnison County for the fiscal year beginning January 1, 2013 and ending December 31, 2013; but except as specifically provided for herein, to make no further changes in the budget adoption or appropriation resolutions adopted with respect to said fiscal year.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 20th day of December 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 13-34**

A RESOLUTION ESTABLISHING THE SCHEDULE OF FEES AND RATES FOR WATER SERVICE WITHIN THE
DOS RIOS DIVISION OF THE GUNNISON COUNTY WATER AND SEWER DISTRICT
THIS RESOLUTION SUPERSEDES RESOLUTION 12-44

WHEREAS, pursuant to Colorado Revised Statute 30-20-402(1)(f), the Board of County Commissioners of Gunnison County, Colorado may prescribe, revise and collect, in advance or otherwise, rates, fees, tolls and charges, including but not limited to availability fees, tap fees, and reasonable delinquency penalties for water facilities; and

WHEREAS, Gunnison County must upgrade and maintain the water lines and treatment facilities within the Dos Rios Division; and

WHEREAS, it is the desire of the Board of County Commissioners not to pay for such costs from the capital reserve;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

1. Schedule of Rates. The rate schedule is adopted each year as part of the budget process and is available as Appendix A attached hereto. The schedule of rates will remain in full force and effect for the calendar year for which it was approved. The rate structure will be published in the newspaper and is available from the Gunnison County Finance Office at 200 East Virginia, Gunnison, CO 81230. Any past due account shall be subject to a penalty charge of 1% per month or portion thereof, and any past due amount may, at the option of the Gunnison County Finance Office, be certified for collection in the manner as though they were part of the taxes pursuant to Colorado Revised Statute 30-20-420.

2. Residential Water User Fees. User fees for each residence will be charged upon final meter inspection by the Gunnison County Utility Department. Any user with a three-quarter inch (3/4") meter will be considered a residential user for billing purposes. Additionally, all integrated secondary residences, secondary or accessory residences, multiple-family residences, townhomes, or condominiums will be billed at the residential rate. Base user fees will be billed in advance and overage user fees will be billed in arrears.

3. Commercial Water User Fees. User fees for each commercial connection will be charged upon final meter inspection by the Gunnison County Utility Department. Base user fees will be billed in advance and overage user fees will be billed in arrears. The base user fee will equal the product of the Equivalent Residential Units (ERUs), seventy-five percent (75%), and the current residential base rate according to Appendix A attached hereto. The ERUs will equal the product of the factor according to Appendix C and the number of factor units according to Appendix C.

The base gallons for each commercial connection will equal the product of the ERUs and the residential base gallons according to Appendix A attached hereto.

4. Availability of Service Fee. An availability of service fee will be charged for each parcel of real property in the Dos Rios Division which has water service available to that parcel but which parcel is not connected to the Division water lines. The availability of service fee will start on the date of final board approval for proposed property developments, subdivisions, etc.

5. Tap Connection Fee. There is a fee for water service tap connection within the Dos Rios Division for each connection based on Appendix B attached hereto according to meter size. The tap connection includes the cost of a Gunnison County water meter and required installation materials. This fee also includes the first inspection of the meter. If an additional inspection is required, the additional inspection fee will be charged.

6. Excessive Connection Costs. Water service will be extended to the property line, unless cost of such extension of service exceeds three thousand dollars (\$3,000) or the product of the number of new users to be served by said sewer extension and three thousand dollars (\$3,000). Costs exceeding three thousand dollars for a single user or the product of the number of new users to be served by said sewer extension and three thousand dollars (\$3,000) will be the sole responsibility of the property owner(s) to be served. An estimate of the total costs will be provided to users in advance of work performed. Such work will be managed by Gunnison County staff.

7. Building Permit Shall Not Be Issued. No building permit shall be issued for any building on a parcel of land in the Dos Rios Division unless the tap fee for that parcel has been paid in full as set forth above.

8. Minimum Charges. Any property connected to the system shall pay the minimum rate for four quarters per year whether or not the property is occupied or the water system is used.

9. Perpetual Lien. Until paid, all fees, rates, tolls, penalties, interests on delinquencies, and other costs shall constitute a perpetual lien on and against the property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law.

10. Additional Inspection Fee. The first inspection of the water service line is included with the meter fee. If an additional inspection is required, the additional inspection fee will be charged.

11. Repair Responsibility. Customers are responsible for costs associated with leaks and repairs that occur after water has passed through the curb stop. The County is responsible for costs associated with leaks and repairs on the main line, the service line that reaches from the main line to the curb stop, and the curb stop.

12. Meter Malfunction. Should a customer reasonably and prudently believe a meter is malfunctioning, a replacement meter and/or readout will be provided free of charge. The replacement meter and/or readout must be installed by a licensed plumber at the customer's expense.

13. Fees May Be Amended. The fees hereby established may be amended from time to time by the Board of County Commissioners. It is the intention of the Board of County Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

BE IT FURTHER RESOLVED THAT these fees shall remain in effect until changed by resolution by the Board of County Commissioners.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 20th day of December, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

APPENDIX A
GUNNISON COUNTY, COLORADO
DOS RIOS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - WATER

	<u>QTRLY BASE RATE</u>		<u>BASE GAL.</u>	<u>OVERAGE RATES</u>
Residential	\$100.80	per quarter	18,000	\$5.78 / 1,000 gal. to 36,000 gal. \$9.16 / 1,000 gal. over 36,000 gal.
Commercial	See Appendix C		See Appendix C	\$6.09 / 1,000 gal. over base gal.
Availability of Service	\$42.30	per quarter		
Add'l Inspection Fee	\$50.00	per add'l inspection		

APPENDIX B
GUNNISON COUNTY, COLORADO
DOS RIOS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - WATER TAP CONNECTION FEE

Meter Size	FEE
0.75	\$ 3,000.00
1.00	\$ 4,000.00
1.50	\$ 5,500.00
2.00	\$ 7,000.00
3.00	\$ 10,500.00
4.00	\$ 14,000.00
6.00	\$ 20,500.00

NOTE: Meter size is measured by inches

APPENDIX C
GUNNISON COUNTY, COLORADO
DOS RIOS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF FACTORS

CUSTOMER CLASSIFICATION	FACTOR	FACTOR UNIT
Office	1.0000	Office
Veterinary Clinic	1.0000	Veterinary Clinic
Motel Room w/ kitchen	0.7500	Motel Room
Motel Room w/o kitchen	0.2000	Motel Room
Campground w/ full sewer hookup	0.2000	Camp Space
Campground w/ water only	0.0525	Camp Space Seating
Restaurant w/ banquet facilities	0.0525	Capacity Seating
Restaurant	0.0500	Capacity Seating
Golf Club (Dos Rios Country Club)	0.0500	Capacity Seating
Lounge	0.0250	Capacity
Concrete Plant	13.0000	Concrete Plant

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY

RESOLUTION NO. 13-35

A RESOLUTION ESTABLISHING THE SCHEDULE OF FEES AND RATES FOR SEWER SERVICE WITHIN THE
DOS RIOS DIVISION OF THE GUNNISON COUNTY WATER AND SEWER DISTRICT
THIS RESOLUTION SUPERSEDES RESOLUTION 12-45

WHEREAS, pursuant to Colorado Revised Statute 30-20-402(1)(f), the Board of County Commissioners of Gunnison County, Colorado may prescribe, revise and collect, in advance or otherwise, rates, fees, tolls and charges, including but not limited to availability fees, tap fees, and reasonable delinquency penalties for sewerage facilities; and

WHEREAS, there have been increased ongoing operation costs for the cooperative agreement between Gunnison County and the City of Gunnison concerning the operation of the sewage treatment plant providing service to the Dos Rios Division; and

WHEREAS, Gunnison County must upgrade and maintain the connection lines within the Dos Rios Division; and

WHEREAS, it is the desire of the Board of County Commissioners not to pay for such costs from the capital reserve;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

1. Schedule of Rates. The rate schedule is adopted each year as part of the budget process and is available as Appendix A attached hereto. The schedule of rates will remain in full force and effect for the calendar year for which it was approved. The rate structure will be published in the newspaper and is available from the Gunnison County Finance Office at 200 East Virginia, Gunnison, CO 81230. Any past due account shall be subject to a penalty charge of 1% per month or portion thereof, and any past due amount may, at the option of the Gunnison County Finance Office, be certified for collection in the manner as though they were part of the taxes pursuant to Colorado Revised Statute 30-20-420.
2. Residential Sewer Fee. User fees for connection of each residence, as defined in the Gunnison County Land Use Resolutions (LUR), to the Gunnison County collection system will be charged upon installation of the service line and the approval of the Gunnison County Utility Manager. Residences with an integrated secondary residence are counted as if they were just one residence. Multiple-family residences are considered commercial accounts for billing purposes. User fees will be billed in advance.
3. Commercial Sewer Fee. User fees for connection of units will be charged upon installation of the service line and the approval of the Gunnison County Utility Manager. The fee amount will equal the product of the current residential sewer rate according to Appendix A attached hereto, the factor according to Appendix C, and the number of factored units according to Appendix C. User fees will be billed in advance.
4. Vacant Lot Sewer Fee. A vacant lot sewer fee will be charged for each parcel of real property in the Dos Rios Division which has sewer service available to that parcel but which parcel is not connected to the Division sewer lines. The vacant lot sewer fee will start on the date of final board approval for proposed property developments, subdivisions, etc.
5. Tap Connection Fee. There is a fee for sewer service tap connection within the Dos Rios Division for each connection based on Appendix B attached hereto according to water supply size. Water supply size is either the meter size or line size from the well to the structure when no meter is present.
6. Excessive Connection Costs. Sewer service will be extended to the property line, unless cost of such extension of service exceeds two thousand five hundred dollars (\$2,500) or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500). Costs exceeding two thousand five hundred for a single user or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500) will be the sole responsibility of the property owner(s) to be served. An estimate of the total costs will be provided to users in advance of work performed. Such work will be managed by Gunnison County staff.
7. Minimum Charges. Any property connected to the system shall pay the minimum rate for four quarters per year whether or not the property is occupied or the sewer system is used.
8. Perpetual Lien. Until paid, all fees, rates, tolls, penalties, interests on delinquencies, and other costs shall constitute a perpetual lien on and against the property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law.
9. Building Permit Shall Not Be Issued. No building permit shall be issued for any building on a parcel of land in the Dos Rios Division unless the tap fee for that parcel has been paid in full as set forth above.
10. Additional Inspection Fee. The first inspection of the sewer service line is included with the tap connection fee. If an additional inspection is required, a flat fee will be charged for each additional inspection.
11. Fees May Be Amended. The fees hereby established may be amended from time to time by the Board of County Commissioners. It is the intention of the Board of County Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

BE IT FURTHER RESOLVED THAT these fees shall remain in effect until changed by resolution by the Board of County Commissioners.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 20th day of December, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

APPENDIX A
GUNNISON COUNTY, COLORADO
DOS RIOS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - SEWER

	<u>QTRLY BASE RATE</u>					
Residential	\$	62.40	per quarter			
Commercial	\$	62.40	per quarter	X	factor	X # of factor units
Vacant Lot	\$	21.42	per quarter			
Add'l Inspection Fee	\$	50.00	per additional inspection			

APPENDIX B
GUNNISON COUNTY, COLORADO
DOS RIOS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - SEWER TAP CONNECTION FEE

WATER SUPPLY SIZE	FEE
0.75	\$ 5,500.00
1.00	\$ 9,500.00
1.50	\$ 20,500.00
2.00	\$ 35,500.00
3.00	\$ 70,500.00
4.00	\$ 120,500.00
6.00	\$ 240,500.00

NOTE: Water supply size is measured by inches

APPENDIX C
GUNNISON COUNTY, COLORADO
DOS RIOS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF FACTORS

<u>CUSTOMER CLASSIFICATION</u>	<u>FACTOR</u>	<u>FACTOR UNIT</u>
Residence	1.0000	Residence
Integrated Secondary Residence	0.0000	Integrated Secondary Residence
Secondary or Accessory Residence	0.7500	Secondary or Accessory Residence
Multiple-family Residence	1.0000	Residence
Townhouse, Townhome, or Condominium	1.0000	Townhouse, Townhome, or Condominium
Office	1.0000	Office
Veterinary Clinic	2.0000	Veterinary Clinic
Motel Room w/ kitchen	0.7500	Motel Room
Motel Room w/o kitchen	0.2000	Motel Room
Campground w/ full sewer hookup	0.2000	Camp Space
Campground w/ water only	0.0525	Camp Space
Restaurant w/ banquet facilities	0.0525	Seating Capacity
Restaurant	0.0500	Seating Capacity
Golf Club (Dos Rios Country Club)	0.0500	Seating Capacity
Lounge	0.0250	Seating Capacity

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 13-36**

A RESOLUTION ESTABLISHING THE SCHEDULE OF FEES AND RATES FOR SEWER SERVICE WITHIN THE ANTELOPE HILLS DIVISION OF THE GUNNISON COUNTY WATER AND SEWER DISTRICT
THIS RESOLUTION SUPERSEDES RESOLUTION 12-46

WHEREAS, pursuant to Colorado Revised Statute 30-20-402(1)(f), the Board of County Commissioners of Gunnison County, Colorado may prescribe, revise and collect, in advance or otherwise, rates, fees, tolls and charges, including but not limited to availability fees, tap fees, and reasonable delinquency penalties for sewerage facilities; and

WHEREAS, there have been increased ongoing operation costs for the cooperative agreement between Gunnison County and the City of Gunnison concerning the operation of the sewage treatment plant providing service to the Antelope Hills Division; and

WHEREAS, Gunnison County must upgrade and maintain the connection lines within the Antelope Hills Division; and

WHEREAS, it is the desire of the Board of County Commissioners not to pay for such costs from the capital reserve;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

1. Schedule of Rates. The rate schedule is adopted each year as part of the budget process and is available as Appendix A attached hereto. The schedule of rates will remain in full force and effect for the calendar year for which it was approved. The rate structure will be published in the newspaper and is available from the Gunnison County Finance Office at 200 East Virginia, Gunnison, CO 81230. Any past due account shall be subject to a penalty charge of 1% per month or portion thereof, and any past due amount may, at the option of the Gunnison County Finance Office, be certified for collection in the manner as though they were part of the taxes pursuant to Colorado Revised Statute 30-20-420.

2. Residential Sewer Fee. User fees for connection of each residence, as defined in the Gunnison County Land Use Resolutions (LUR), to the Gunnison County collection system will be charged upon installation of the service line and the approval of the Gunnison County Utility Manager. Residences with an integrated secondary residence are counted as if they were just one residence. Multiple-family residences are considered commercial accounts for billing purposes. User fees will be billed in advance.

3. Commercial Sewer Fee. User fees for connection of units will be charged upon installation of the service line and the approval of the Gunnison County Utility Manager. The fee amount will equal the product of the current residential sewer rate according to Appendix A attached hereto, the factor according to Appendix C, and the number of factored units according to Appendix C. User fees will be billed in advance.

4. Vacant Lot Sewer Fee. A vacant lot sewer fee will be charged for each parcel of real property in the Antelope Hills Division which has sewer service available to that parcel but which parcel is not connected to the Division sewer lines. The vacant lot sewer fee will start on the date of final board approval for proposed property developments, subdivisions, etc.

5. Tap Connection Fee. There is a fee for sewer service tap connection within the Antelope Hills Division for each connection based on Appendix B attached hereto according to water supply size. Water supply size is either the meter size or line size from the well to the structure when no meter is present.

6. Excessive Connection Costs. Sewer service will be extended to the property line, unless cost of such extension of service exceeds two thousand five hundred dollars (\$2,500) or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500). Costs exceeding two thousand five hundred for a single user or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500) will be the sole responsibility of the property owner(s) to be served. An estimate of the total costs will be provided to users in advance of work performed. Such work will be managed by Gunnison County staff.

7. Minimum Charges. Any property connected to the system shall pay the minimum rate for four quarters per year whether or not the property is occupied or the sewer system is used.

8. Perpetual Lien. Until paid, all fees, rates, tolls, penalties, interests on delinquencies, and other costs shall constitute a perpetual lien on and against the property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law.

9. Building Permit Shall Not Be Issued. No building permit shall be issued for any building on a parcel of land in the Antelope Hills Division unless the tap fee for that parcel has been paid in full as set forth above.

10. Additional Inspection Fee. The first inspection of the sewer service line is included with the tap connection fee. If an additional inspection is required, a flat fee will be charged for each additional inspection.

11. Fees May Be Amended. The fees hereby established may be amended from time to time by the Board of County Commissioners. It is the intention of the Board of County Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

BE IT FURTHER RESOLVED THAT these fees shall remain in effect until changed by resolution by the Board of County Commissioners.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland, and adopted this 20th day of December, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

APPENDIX A
 GUNNISON COUNTY, COLORADO
 ANTELOPE HILLS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
 SCHEDULE OF RATES - SEWER

	<u>QTRLY BASE RATE</u>		
Residential	\$ 95.49	per quarter	
Commercial	\$ 95.49	per quarter	X factor X # of factor units
Vacant Lot	\$ 31.83	per quarter	
Add'l Inspection Fee	\$ 50.00	per additional inspection	

APPENDIX B
 GUNNISON COUNTY, COLORADO
 ANTELOPE HILLS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
 SCHEDULE OF RATES - SEWER TAP CONNECTION FEE

<u>WATER SUPPLY SIZE</u>	<u>FEE</u>
0.75	\$ 5,500.00
1.00	\$ 9,500.00
1.50	\$ 20,500.00
2.00	\$ 35,500.00
3.00	\$ 70,500.00
4.00	\$ 120,500.00
6.00	\$ 240,500.00

NOTE: Water supply size is based on inches

APPENDIX C
 GUNNISON COUNTY, COLORADO
 ANTELOPE HILLS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
 SCHEDULE OF FACTORS

<u>CUSTOMER CLASSIFICATION</u>	<u>FACTOR</u>	<u>FACTOR UNIT</u>
Residence	1.0000	Residence
Integrated Secondary Residence	0.0000	Integrated Secondary Residence
Secondary or Accessory Residence	0.7500	Secondary or Accessory Residence
Multiple-family Residence	1.0000	Residence
Townhouse, Townhome, or Condominium	1.0000	Townhouse, Townhome, or Condominium
Office	1.0000	Office
Veterinary Clinic	2.0000	Veterinary Clinic
Motel Room w/ kitchen	0.7500	Motel Room
Motel Room w/o kitchen	0.2000	Motel Room
Campground w/ full sewer hookup	0.2000	Camp Space
Campground w/ water only	0.0525	Camp Space
Restaurant w/ banquet facilities	0.0525	Seating Capacity
Restaurant	0.0500	Seating Capacity
Golf Club (Dos Rios Country Club)	0.0500	Seating Capacity
Lounge	0.0250	Seating Capacity

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
 RESOLUTION NO. 13-37**

A RESOLUTION ESTABLISHING THE SCHEDULE OF FEES AND RATES FOR SEWER SERVICE WITHIN THE
 SOMERSET DIVISION OF THE GUNNISON COUNTY WATER AND SEWER DISTRICT
 THIS RESOLUTION SUPERSEDES RESOLUTION 12-47

WHEREAS, pursuant to Colorado Revised Statute 30-20-402(1)(f), the Board of County Commissioners of Gunnison County, Colorado may prescribe, revise and collect, in advance or otherwise, rates, fees, tolls and charges, including but not limited to availability fees, tap fees, and reasonable delinquency penalties for sewerage facilities; and

WHEREAS, there have been increased ongoing operation costs for the operation of the sewage treatment system providing service to the Somerset Division; and

WHEREAS, Gunnison County must upgrade and maintain the connection lines within the Somerset Division; and

WHEREAS, it is the desire of the Board of County Commissioners not to pay for such costs from the capital reserve;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

1. Schedule of Rates. The rate schedule is adopted each year as part of the budget process and is available as Appendix A attached hereto. The schedule of rates will remain in full force and effect for the calendar year for which it was approved. The rate structure will be published in the newspaper and is available from the Gunnison County Finance Office at 200 East Virginia, Gunnison, CO 81230. Any past due account shall be subject to a penalty charge of 1% per month or portion thereof, and any past due amount may, at the option of the Gunnison County Finance Office, be certified for collection in the manner as though they were part of the taxes pursuant to Colorado Revised Statute 30-20-420.
2. Residential Sewer Fee. User fees for connection of each residence, as defined in the Gunnison County Land Use Resolutions (LUR), to the Gunnison County collection system will be charged upon installation of the service line and the approval of the Gunnison County Utility Manager. Residences with an integrated secondary residence are counted as if they were just one residence. User fees will be billed in advance.
3. Vacant Lot Sewer Fee. A vacant lot sewer fee will be charged for each parcel of real property in the Somerset Division which has sewer service available to that parcel but which parcel is not connected to the Division sewer lines. The vacant lot sewer fee will start on the date of final board approval for proposed property developments, subdivisions, etc.
4. Tap Connection Fee. There is a fee for sewer service tap connection within the Somerset Division for each connection based on Appendix B attached hereto according to water supply size. Water supply size is either the meter size or line size from the well to the structure when no meter is present.
5. Excessive Connection Costs. Sewer service will be extended to the property line, unless cost of such extension of service exceeds two thousand five hundred dollars (\$2,500) or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500). Costs exceeding two thousand five hundred for a single user or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500) will be the sole responsibility of the property owner(s) to be served. An estimate of the total costs will be provided to users in advance of work performed. Such work will be managed by Gunnison County staff.
6. Minimum Charges. Any property connected to the system shall pay the minimum rate for four quarters per year whether or not the property is occupied or the sewer system is used.
7. Perpetual Lien. Until paid, all fees, rates, tolls, penalties, interests on delinquencies, and other costs shall constitute a perpetual lien on and against the property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law.
8. Building Permit Shall Not Be Issued. No building permit shall be issued for any building on a parcel of land in the Somerset Division unless the tap fee for that parcel has been paid in full as set forth above.
9. Additional Inspection Fee. The first inspection of the sewer service line is included with the tap connection fee. If an additional inspection is required, a flat fee will be charged for each additional inspection.
10. Fees May Be Amended. The fees hereby established may be amended from time to time by the Board of County Commissioners. It is the intention of the Board of County Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

BE IT FURTHER RESOLVED THAT these fees shall remain in effect until changed by resolution by the Board of County Commissioners.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland, and adopted this 20th day of December, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

SOMERSET DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - SEWER

	<u>QTRLY BASE RATE</u>	
Residential	\$ 108.84	per quarter
Vacant Lot	\$ 35.92	per quarter
Add'l Inspection Fee	\$ 50.00	per additional inspection

APPENDIX B
GUNNISON COUNTY, COLORADO
SOMERSET DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - TAP CONNECTION FEE

<u>WATER SUPPLY SIZE</u>	<u>FEE</u>
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0.75	\$ 5,500.00
1.00	\$ 9,500.00
1.50	\$ 20,500.00
2.00	\$ 35,500.00
3.00	\$ 70,500.00
4.00	\$ 120,500.00
6.00	\$ 240,500.00

NOTE: Water supply size is based on inches

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 13-38**

A RESOLUTION ESTABLISHING THE SCHEDULE OF FEES AND RATES FOR SEWER SERVICE WITHIN THE NORTH GUNNISON DIVISION OF THE GUNNISON COUNTY WATER AND SEWER DISTRICT
THIS RESOLUTION SUPERSEDES RESOLUTION 12-48

WHEREAS, pursuant to Colorado Revised Statute 30-20-402(1)(f), the Board of County Commissioners of Gunnison County, Colorado may prescribe, revise and collect, in advance or otherwise, rates, fees, tolls and charges, including but not limited to availability fees, tap fees, and reasonable delinquency penalties for sewerage facilities; and

WHEREAS, there have been increased ongoing operation costs for the cooperative agreement between Gunnison County and the City of Gunnison concerning the operation of the sewage treatment plant providing service to the North Gunnison Division; and

WHEREAS, Gunnison County must upgrade and maintain the connection lines within the North Gunnison Division; and

WHEREAS, it is the desire of the Board of County Commissioners not to pay for such costs from the capital reserve;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

1. Schedule of Rates. The rate schedule is adopted each year as part of the budget process and is available as Appendix A attached hereto. The schedule of rates will remain in full force and effect for the calendar year for which it was approved. The rate structure will be published in the newspaper and is available from the Gunnison County Finance Office at 200 East Virginia, Gunnison, CO 81230. Any past due account shall be subject to a penalty charge of 1% per month or portion thereof, and any past due amount may, at the option of the Gunnison County Finance Office, be certified for collection in the manner as though they were part of the taxes pursuant to Colorado Revised Statute 30-20-420.
2. Residential Sewer Fee. User fees for connection of each residence, as defined in the Gunnison County Land Use Resolutions (LUR), to the Gunnison County collection system will be charged upon installation of the service line and the approval of the Gunnison County Utility Manager. Residences with an integrated secondary residence are counted as if they were just one residence. Multiple-family residences are considered commercial accounts for billing purposes. User fees will be billed in advance.
3. Commercial Sewer Fee. User fees for connection of units will be charged upon installation of the service line and the approval of the Gunnison County Utility Manager. The fee amount will equal the product of the current residential sewer rate (partial tap) according to Appendix A attached hereto, the factor according to Appendix C, and the number of factored units according to Appendix C. User fees will be billed in advance.
4. Vacant Lot Sewer Fee. A vacant lot sewer fee will be charged for each parcel of real property in the North Gunnison Division which has sewer service available to that parcel but which parcel is not connected to the Division sewer lines. The vacant lot sewer fee will start on the date of final board approval for proposed property developments, subdivisions, etc.
5. Tap Connection Fee. There is a fee for sewer service tap connection within the North Gunnison Division for each connection based on Appendix B attached hereto according to water supply size. Water supply size is either the meter size or line size from the well to the structure when no meter is present.
- 5a. Non-payment of Tap Connection Fee. Each residential property in Parcel 2 as of July 1, 2010 that did not pay the required tap connection fee prior to installation of the service line shall pay an additional \$332.32 per quarter until the quarter ending June 30, 2015. This additional fee shall constitute financing of the tap connection fee according to the following amortization schedule.

<u>Date Billed</u>	<u>Payment</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
07/01/10	1	(\$229.19)	(\$103.13)	(\$332.32)
10/01/10	2	(\$233.49)	(\$98.83)	(\$332.32)
01/01/11	3	(\$237.87)	(\$94.45)	(\$332.32)
04/01/11	4	(\$242.33)	(\$89.99)	(\$332.32)

07/01/11	5	(\$246.87)	(\$85.45)	(\$332.32)
10/01/11	6	(\$251.50)	(\$80.82)	(\$332.32)
01/01/12	7	(\$256.22)	(\$76.10)	(\$332.32)
04/01/12	8	(\$261.02)	(\$71.30)	(\$332.32)
07/01/12	9	(\$265.91)	(\$66.40)	(\$332.32)
10/01/12	10	(\$270.90)	(\$61.42)	(\$332.32)
01/01/13	11	(\$275.98)	(\$56.34)	(\$332.32)
04/01/13	12	(\$281.15)	(\$51.16)	(\$332.32)
07/01/13	13	(\$286.43)	(\$45.89)	(\$332.32)
10/01/13	14	(\$291.80)	(\$40.52)	(\$332.32)
01/01/14	15	(\$297.27)	(\$35.05)	(\$332.32)
04/01/14	16	(\$302.84)	(\$29.48)	(\$332.32)
07/01/14	17	(\$308.52)	(\$23.80)	(\$332.32)
10/01/14	18	(\$314.30)	(\$18.01)	(\$332.32)
01/01/15	19	(\$320.20)	(\$12.12)	(\$332.32)
04/01/15	20	(\$326.20)	(\$6.12)	(\$332.32)
		<u>(\$5,500.00)</u>	<u>(\$1,146.36)</u>	<u>(\$6,646.36)</u>

Upon default, unpaid principal and interest shall constitute a lien on and against the real property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law. Default shall not cause acceleration of the entire unpaid principal, accrued interest, and penalties.

Upon sale or transfer of the real property served, the entire unpaid principal, accrued interest, and penalties shall accelerate and become due and payable immediately.

Prepayments may be made at any time, provided all unpaid principal is paid in one lump-sum. There is no fee or penalty for prepayment.

6. Excessive Connection Costs. Sewer service will be extended to the property line, unless cost of such extension of service exceeds two thousand five hundred dollars (\$2,500) or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500). Costs exceeding two thousand five hundred for a single user or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500) will be the sole responsibility of the property owner(s) to be served. An estimate of the total costs will be provided to users in advance of work performed. Such work will be managed by Gunnison County staff.

7. Minimum Charges. Any property connected to the system shall pay the minimum rate for four quarters per year whether or not the property is occupied or the sewer system is used.

8. Perpetual Lien. Until paid, all fees, rates, tolls, penalties, interests on delinquencies, and other costs shall constitute a perpetual lien on and against the property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law.

9. Building Permit Shall Not Be Issued. No building permit shall be issued for any building on a parcel of land in the North Gunnison Division unless the tap fee for that parcel has been paid in full as set forth above.

10. Additional Inspection Fee. The first inspection of the sewer service line is included with the tap connection fee. If an additional inspection is required, a flat fee will be charged for each additional inspection.

11. Fees May Be Amended. The fees hereby established may be amended from time to time by the Board of County Commissioners. It is the intention of the Board of County Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

BE IT FURTHER RESOLVED THAT these fees shall remain in effect until changed by resolution by the Board of County Commissioners.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 20th day of December, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

APPENDIX A
GUNNISON COUNTY, COLORADO
NORTH GUNNISON DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - SEWER

	<u>QTRLY BASE RATE</u>	
RESIDENTIAL-PHASE I	\$104.25	per quarter
*Original users adjacent to City of Gunnison system		

RESIDENTIAL-PHASE II	\$152.40	per quarter			
*All users for which the sytem was extended during USDA/DOLA/CWPA construction					
COMMERCIAL	\$152.40	per quarter	X	factor	X # of factor units
VACANT LOT	\$93.63	per quarter			
ADD'L INSPECTION FEE	\$50.00	per additional inspection			

APPENDIX B
 GUNNISON COUNTY, COLORADO
 NORTH GUNNISON DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
 SCHEDULE OF RATES - TAP CONNECTION FEE

WATER SUPPLY SIZE	PAYING AVAILABILITY		
	PARCEL 1	PARCEL 2 (N. VALLEY)	NOT PAYING AVAILABILITY
0.75	\$3,000	\$5,500	\$10,500
1.00	\$5,400	\$7,900	\$14,500
1.50	\$12,000	\$14,500	\$25,500
2.00	\$21,000	\$23,500	\$40,500
3.00	\$42,000	\$44,500	\$75,500
4.00	\$72,000	\$74,500	\$125,500
6.00	\$144,000	\$146,500	\$245,500

NOTE: Supply size is measured by inches

APPENDIX C
 GUNNISON COUNTY, COLORADO
 NORTH GUNNISON DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
 SCHEDULE OF FACTORS

CUSTOMER CLASSIFICATION	FACTOR	FACTOR UNIT
Residence	1.0000	Residence
Integrated Secondary Residence	0.0000	Integrated Secondary Residence
Secondary or Accessory Residence	0.7500	Secondary or Accessory Residence
Mobile Home in Centrally Owned Park	0.7500	Mobile Home
Multiple-family Residence	1.0000	Residence
Townhouse, Townhome, or Condominium	1.0000	Townhouse, Townhome, or Condominium
Small Office	0.5000	Office
Large Office	1.0000	Office
Veterinary Clinic	2.0000	Veterinary Clinic
Church	1.0000	Church
Motel Room w/ kitchen	0.7500	Motel Room
Motel Room w/o kitchen	0.2000	Motel Room
Campground w/ full sewer hookup	0.2000	Camp Space
Campground w/ water only	0.0525	Camp Space
Restaurant w/ banquet facilities	0.0525	Seating Capacity
Restaurant	0.0500	Seating Capacity
Golf Club	0.0500	Seating Capacity
Lounge	0.0250	Seating Capacity

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
 RESOLUTION NO. 13-39**

A RESOLUTION ESTABLISHING THE SCHEDULE OF FEES AND RATES FOR SEWER SERVICE WITHIN THE
 TOMICHI DIVISION OF THE GUNNISON COUNTY WATER AND SEWER DISTRICT
 THIS RESOLUTION SUPERSEDES RESOLUTION 12-49

WHEREAS, pursuant to Colorado Revised Statute 30-20-402(1)(f), the Board of County Commissioners of Gunnison County, Colorado may prescribe, revise and collect, in advance or otherwise, rates, fees, tolls and charges, including but not limited to availability fees, tap fees, and reasonable delinquency penalties for sewerage facilities; and

WHEREAS, there have been increased ongoing operation costs for the cooperative agreement between Gunnison County and the City of Gunnison concerning the operation of the sewage treatment plant providing service to the Tomichi Division; and

WHEREAS, Gunnison County must upgrade and maintain the connection lines within the Tomichi Division; and

WHEREAS, the Tomichi Division currently serves a single customer; and

WHEREAS, it is the desire of the Board of County Commissioners not to pay for such costs from the capital reserve;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

1. Schedule of Rates. The customer currently served by the Tomichi Division will pay actual costs of operation and maintenance of the Tomichi Division. Payments will be made on a reimbursement basis, billed by the end the month following each calendar quarter. Amounts due will be considered past due if unpaid by the end of the calendar quarter following the then current calendar quarter. Any past due account shall be subject to a penalty charge of 1% per month or portion thereof, and any past due amount may, at the option of the Gunnison County Finance Office, be certified for collection in the manner as though they were part of the taxes pursuant to Colorado Revised Statute 30-20-420.
2. Tap Connection Fee. There is a fee for sewer service tap connection within the Tomichi Division for each connection based on Appendix A attached hereto according to water supply size. Water supply size is either the meter size or line size from the well to the structure when no meter is present.
3. Excessive Connection Costs. Sewer service will be extended to the property line, unless cost of such extension of service exceeds two thousand five hundred dollars (\$2,500) or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500). Costs exceeding two thousand five hundred for a single user or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500) will be the sole responsibility of the property owner(s) to be served. An estimate of the total costs will be provided to users in advance of work performed. Such work will be managed by Gunnison County staff.
4. Minimum Charges. The user connected to the system shall pay the actual costs four quarters per year whether or not the property is occupied or the sewer system is used.
5. Perpetual Lien. Until paid, all fees, rates, tolls, penalties, interests on delinquencies, and other costs shall constitute a perpetual lien on and against the property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law.
6. Fees May Be Amended. The fees hereby established may be amended from time to time by the Board of County Commissioners. It is the intention of the Board of County Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

BE IT FURTHER RESOLVED THAT these fees shall remain in effect until changed by resolution by the Board of County Commissioners.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland, and adopted this 20th day of December, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

APPENDIX A
GUNNISON COUNTY, COLORADO
TOMICHI DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - TAP CONNECTION FEE

WATER SUPPLY SIZE	FEE
0.75	\$ 5,500.00
1.00	\$ 9,500.00
1.50	\$ 20,500.00
2.00	\$ 35,500.00
3.00	\$ 70,500.00
4.00	\$ 120,500.00
6.00	\$ 240,500.00

NOTE: Water supply size is measured by inches

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 13-40**

A RESOLUTION ESTABLISHING THE SCHEDULE OF FEES AND RATES FOR WATER SERVICE WITHIN THE ANTELOPE HILLS DIVISION OF THE GUNNISON COUNTY WATER AND SEWER DISTRICT
THIS RESOLUTION SUPERSEDES RESOLUTION 13-17

WHEREAS, pursuant to Colorado Revised Statute 30-20-402(1)(f), the Board of County Commissioners of Gunnison County, Colorado may prescribe, revise and collect, in advance or otherwise, rates, fees, tolls

and charges, including but not limited to availability fees, tap fees, and reasonable delinquency penalties for water facilities; and

WHEREAS, Gunnison County must upgrade and maintain the water lines and treatment facilities within the Antelope Hills Division; and

WHEREAS, it is the desire of the Board of County Commissioners not to pay for such costs from the capital reserve;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

1. Schedule of Rates. The rate schedule is adopted each year as part of the budget process and is available as Appendix A attached hereto. The schedule of rates will remain in full force and effect for the calendar year for which it was approved. The rate structure will be published in the newspaper and is available from the Gunnison County Finance Office at 200 East Virginia, Gunnison, CO 81230. Any past due account shall be subject to a penalty charge of 1% per month or portion thereof, and any past due amount may, at the option of the Gunnison County Finance Office, be certified for collection in the manner as though they were part of the taxes pursuant to Colorado Revised Statute 30-20-420.

2. Residential Water User Fees. User fees for each residence will be charged upon final meter inspection by the Gunnison County Utility Department. Any user with a three-quarter inch (3/4") meter will be considered a residential user for billing purposes. Additionally, all integrated secondary residences, secondary or accessory residences, multiple-family residences, townhomes, or condominiums will be billed at the residential rate. Base user fees will be billed in advance and overage user fees will be billed in arrears.

3. Availability of Service Fee. An availability of service fee will be charged for each parcel of real property in the Antelope Hills Division which has water service available to that parcel but which parcel is not connected to the Division water lines. The availability of service fee will start on the date of final board approval for proposed property developments, subdivisions, etc.

4. Tap Connection Fee. There is a fee for water service tap connection within the Antelope Hills Division for each connection based on Appendix B attached hereto according to meter size. The tap connection includes the cost of a Gunnison County water meter and required installation materials. This fee also includes the first inspection of the meter. If an additional inspection is required, the additional inspection fee will be charged.

5. Excessive Connection Costs. Water service will be extended to the property line, unless cost of such extension of service exceeds three thousand dollars (\$3,000) or the product of the number of new users to be served by said sewer extension and three thousand dollars (\$3,000). Costs exceeding three thousand dollars for a single user or the product of the number of new users to be served by said sewer extension and three thousand dollars (\$3,000) will be the sole responsibility of the property owner(s) to be served. An estimate of the total costs will be provided to users in advance of work performed. Such work will be managed by Gunnison County staff.

6. Building Permit Shall Not Be Issued. No building permit shall be issued for any building on a parcel of land in the Antelope Hills Division unless the tap fee for that parcel has been paid in full as set forth above.

7. Minimum Charges. Any property connected to the system shall pay the minimum rate for four quarters per year whether or not the property is occupied or the water system is used.

8. Perpetual Lien. Until paid, all fees, rates, tolls, penalties, interests on delinquencies, and other costs shall constitute a perpetual lien on and against the property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law.

9. Additional Inspection Fee. The first inspection of the water service line is included with the meter fee. If an additional inspection is required, the additional inspection fee will be charged.

10. Repair Responsibility. Customers are responsible for costs associated with leaks and repairs that occur after water has passed through the curb stop. The County is responsible for costs associated with leaks and repairs on the main line, the service line that reaches from the main line to the curb stop, and the curb stop.

11. Meter Malfunction. Should a customer reasonably and prudently believe a meter is malfunctioning, a replacement meter and/or readout will be provided free of charge. The replacement meter and/or readout must be installed by a licensed plumber at the customer's expense.

12. Fees May Be Amended. The fees hereby established may be amended from time to time by the Board of County Commissioners. It is the intention of the Board of County Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

BE IT FURTHER RESOLVED THAT these fees shall remain in effect until changed by resolution by the Board of County Commissioners.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 20th day of December, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

APPENDIX A
GUNNISON COUNTY, COLORADO

ANTELOPE HILLS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
 SCHEDULE OF RATES - WATER

	<u>QTRLY BASE RATE</u>		<u>BASE GAL.</u>	<u>OVERAGE RATES</u>
Residential	\$146.40	per quarter	18,000	\$3.98 / 1,000 gal. to 36,000 gal. \$6.31 / 1,000 gal. over 36,000 gal.
Availability of Service	\$29.12	per quarter		
Add'l Inspection Fee	\$50.00	per additional inspection		

APPENDIX B
 GUNNISON COUNTY, COLORADO
 DOS RIOS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
 SCHEDULE OF RATES - WATER TAP CONNECTION FEE

<u>Meter Size</u>	<u>FEE</u>
0.75	\$3,000.00
1.00	\$4,000.00
1.50	\$5,500.00
2.00	\$7,000.00
3.00	\$10,500.00
4.00	\$14,000.00
6.00	\$20,500.00

NOTE: Meter size is measured by inches