AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Draft BOCC Meeting Minutes; 12/16/14

Action Requested: Motion

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:
Attached are the draft 12/16/14 Regular Meeting minutes for consideration.

Fiscal Impact: None

Submitted by: Katherine Haase **Submitter's Email Address:** khaase@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date: Certificate of Insurance Required

Yes ○ No ○

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\mbirnie Discharge Date: 1/6/2015

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 1/13/2015 Follow Up Agenda Date:

Revised April 2013

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
December 16, 2014

The December 16, 2014 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 (ABSENT)
Matthew Birnie, County Manager
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT:

CALL TO ORDER: Chairperson Swenson called the meeting to order at 8:30 am.

RATIFICATION OF CORRESPONDENCE; GUNNISON CRESTED BUTTE TOURISM ASSOCIATION RESTRUCTURING: **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to ratify the letter to the mayors and council members and managers dated December 10, 2014 as written and signatures. Motion carried.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to adjourn the meeting. Motion carried. The Gunnison River Valley Local Marketing District meeting adjourned at 8:31 am.

CALL TO ORDER: Chairperson Swenson called the Gunnison County Board of County Commissioners meeting to order at 8:31 am.

AGENDA REVIEW: There were no changes made to the agenda.

MINUTES APPROVAL: **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to approve the minutes from the 11/18/14 and the 12/4/14 Special Meeting and Regular Meeting as presented. Motion carried. Approval of the 11/25/14 meeting minutes had to be rescheduled because Commissioner Chamberland was not in attendance for that meeting.

1. 11/18/2014 Regular Meeting
2. 11/25/2014 Special Meeting
3. 12/4/2014 Special Meeting

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

CONSENT AGENDA: **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to approve the Consent Agenda as presented. Motion carried.

1. Winter Road Maintenance Agreement; Town of Mt. Crested Butte; 10/1/14 thru 9/30/19; $125,000
2. Acknowledgment of County Manager Signature; Approved Task Order Contract – Waiver #154; Colorado Department of Public Health and Environment, CMS Routing No. 15 FHHA 74628; Immunization Core Services Project; 1/1/15 thru 12/31/15; $16,047
3. State of Colorado, Department of Health Care Policy and Financing, Intergovernmental Agreement with Gunnison County for the County Medicaid Incentive Program; Contract Routing Number 2015CMIP051; Gunnison and Hinsdale Counties; Up to $22,342
4. Acknowledgment of County Manager Signature; GE Johnson Construction Company, Owner Change Order 005
5. Ground Transportation Agreement, Gunnison Crested Butte Regional Airport; CB Specialty Services, LLC; 12/1/14 thru 11/30/15 with Automatic Renewal for Two Additional Terms through 11/30/17; $4,044.05
6. Ratification of County Manager Signature; Contractor Agreement; Jim Thomas Construction, Inc.; Professional Services at the Gunnison County Public Works Facility; $20,848.22
7. Ratification of Chairperson Signature; History Colorado; Gunnison County Historic Preservation Commission Grant Application; Survey Plan; $20,000
8. 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 13-34
9. 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 13-35
10. 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 13-36

DRAFT

11. 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 13-37
12. 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 13-38
13. 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 13-39
14. 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 13-40
15. Grant Agreement between State of Colorado Department of Local Affairs and Gunnison County; EIAF 7582 - Gunnison County Courthouse Construction Completion, Furniture, Fixtures and Equipment; Thru 1/31/16; $150,000
16. Grant Application; Emergency Management Performance Grant (EMPG), Local Emergency Management Support (LEMS); State of Colorado, Department of Public Safety, Division of Homeland Security and Emergency Management; Federal Fiscal Year 2015
17. Ratification of Approval; Out-of-State Travel Request; Gunnison County Substance Abuse Prevention Project Staff; Washington D.C.; Drug Free Communities New Grantee Orientation; 12/7/14 thru 12/11/14; $4,000
18. Colorado Wireless Interoperability Network (CWIN) Memorandum of Understanding between Gunnison County and the State of Colorado, Governor's Office of Information Technology (OIT) Communication Services; Sharing of Building and Tower Space for CWIN Digital Trunked Radio and Microwave Equipment; 25-Year Term
19. Colorado Counties Casualty and Property Pool Agreement for Partially Self-Funded Program; 1/1/15 thru 12/31/15
20. Proclamations Honoring Leland Partch, Richard Scott Jackson, Linda K. Nienhueser, Richard D. Besecker, David M. Baumgarten, Kimberley W. Bemis, Janette G. Metroz, Randy J. Barnes, Jeffrey Williamson, Melody L. Roper, William Steve Crane, Elizabeth A. Baker, Carol L. Worrall, Randy H. Morgan, Shawn C. McConnell, Dale A. Tillman, Ryan J. Willis, Kurt A. Biesemeyer, Barbara A. Marlow, Scott A. Morrill, Angela M. Miller, Sally Wilcox and Mary K. Mast for Years of Service to Gunnison County
21. Ground Transportation Agreement, Gunnison Crested Butte Regional Airport; Crested Butte Shuttle Company, LLC; 12/1/14 thru 11/30/15, Renewable for Up to Two Additional Terms
22. Ground Transportation Agreement, Gunnison Crested Butte Regional Airport; San Miguel Mountain Ventures, LLC; 12/1/14 thru 11/30/15, Renewable for Up to Two Additional Terms
23. Ground Transportation Agreement, Gunnison Crested Butte Regional Airport; Black Canyon Limousine, LLC; 12/1/14 thru 11/30/15, Renewable for Up to Two Additional Terms
24. Baggage Delivery Services Agreement, Gunnison-Crested Butte Regional Airport; Patrick McKee and Adam McKee, dba The Delivery Company; 11/1/14 thru 10/31/15
25. Agreement; Keith Templeton; Building Maintenance Support Services to the Mountain View Apartment Complex; 12/16/14 thru 12/31/15; $25/hour

COUNTY MANAGER'S REPORT: County Manager Birnie was present for discussion.

1. Human Resources Director Vacancy Update. County Manager Birnie informed the Board that Amy Sharkey has accepted the Human Resources Director position. The employment contract was executed yesterday, and Ms. Sharkey will begin work on 1/20/15.
2. Health and Human Services Director Vacancy Update. County Manager Birnie informed the Board that up to five finalists, all of whom are strong candidates, will be interviewed on 1/16/15. Senior Resources Director Karin Stewart has been selected as one of the finalists. Two separate interview panels will be created, and Commissioner Chamberland has agreed to serve on the stakeholder panel. County Manager Birnie has decided not to hire a new Child Welfare Manager until after the Director is hired and in place, which could take up to four months. In the interim, the department will utilize part-time assistance.
3. Courthouse Project Update. County Manager Birnie informed the Board that the enclosure celebration will take place tomorrow and that the project is moving ahead well.
4. Strategic Planning Retreat. County Manager Birnie informed the Board that he will be coordinating a two-day retreat to update the County's strategic plan, and he asked the Board to give him a list of available dates in January or February.
5. Annual Contracts for Services. County Manager Birnie asked if the Board would like to schedule a work session to discuss the annual contracts, and both commissioners were agreeable to the amounts that have already been proposed.

DEPUTY COUNTY MANAGER'S REPORT AND PROJECT UPDATES: Deputy County Manager Marlene Crosby and Jim Kint were present for discussion.

1. Change Order #1; McLaughlin Whitewater Design Group; Gunnison Whitewater Park Project; Extension thru 6/1/15; $119,500. **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to approve the amendment. Motion carried.

2. Approval of Signature; Great Outdoors Colorado Grant Contract; Gunnison County Whitewater Park Project; $350,000. Deputy County Manager Crosby stated that the contract should arrive within the next five days, and she requested authorization for County Manager Birnie's signature on the contract when ready. The preliminary engineering should be done by 1/9/15. **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to authorize County Manager Birnie's signature on the Great Outdoors Colorado Grant contract when ready. Motion carried.
3. Noxious Weed Management Update. Deputy County Manager Crosby informed the Board that the Colorado Department of Agriculture has announced a new grant cycle in which $24,000 could be available for part-time assistance. She spoke with Weed Coordinator Jon Mugglestone yesterday, and he is interested in pursuing this possibility.
4. Taylor River Road Project Update. Deputy County Manager Crosby informed the Board that she had been holding approximately $400,000 in the budget for the final payment on this project. She now expects the final payment to be only $139,419.
5. Federal Lands Access Program Project Memorandum of Understanding; Preliminary Engineering, Construction and Construction Engineering for 12.5 Miles of Gunnison County Road 209 (Cottonwood Pass). Deputy County Manager Crosby informed the Board that the Colorado Department of Transportation (CDOT) has offered to pay 12.21% of the match on this project, which will reduce the County's portion to approximately $1,500,000. The first payment would not be due until September, 2016, and the final payment would not be due until December, 2018. She confirmed that this schedule should work, and she requested that the contract documents be finalized at the next regular meeting. The Board agreed that the project should be pursued.

BREAK: The meeting recessed from 9:00 until 9:05 am for a short break, and then again from 9:05 until 9:08 am in order to hold the below Public Hearing.

PUBLIC HEARING; MARIJUANA CULTIVATION FACILITY LICENSE; CANNATONIC, LLC; 400 INDUSTRIAL PARK ROAD, LOT 5, SIGNAL PEAK INDUSTRIAL PARK, FILING 1; KELLY SCHMALZ: Community Development Director Russ Forrest, Deputy County Attorney Art Trezise, and Tony and Kelly Schmalz were present for discussion.

1. Open Public Hearing. Chairperson Swenson opened the Public Hearing at 9:05 am.

2. Public Notice Confirmation. Community Development Director Forrest confirmed that the Public Hearing had been properly public noticed.

3. Identify Ex Parte Communications. There were no ex parte communications identified.

4. Staff Presentation. N/A.

5. Applicant Presentation. Mr. Schmalz stated that the operation would be strictly wholesale.

6. Board Questions. Commissioner Chamberland asked about the ownership of the property, and Mr. Schmalz stated that it is owned by his parents.

   Community Development Director Forrest reminded the Board that a cultivation facility located across the street from this location was approved last month, and he recommended approval of the Cannatonic, LLC application with elimination of Recommendation #2.

7. Public Comments. Chairperson Swenson opened the Public Hearing to comments at 9:08 am, but no comments were provided.

8. Acknowledge Correspondence Received. No additional correspondence was identified.

9. Applicant Response. N/A.

10. Close Public Hearing. Chairperson Swenson closed the Public Hearing at 9:08 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

Moved by Commissioner Chamberland, seconded by Chairperson Swenson to approve the Marijuana Cultivation Facility License for Cannatonic, LLC at 400 Industrial Park Road in Signal Peak in Gunnison with the minor amendments presented today. Motion carried.

BREAK: The meeting recessed from 9:08 until 9:17 am for a short break.

CONSULTING AGREEMENT; COCHRAN FISH AND WILDLIFE CONSULTING, LLC; PROFESSIONAL CONSULTING SERVICES OF JAMES O. COCHRAN REGARDING WILDLIFE SPECIES CONSERVATION MATTERS; 1/1/15 THRU 12/13/15; $84,000: Gunnison Wildlife Conservation Coordinator Jim Cochran and Deputy County Attorney Trezise were present for discussion.

DRAFT

Gunnison Wildlife Conservation Coordinator Cochran noted that he would prefer to work more from home during the winter instead of having the mandatory two days per week in office. The Board was agreeable to this modification since Gunnison Wildlife Conservation Coordinator Cochran has been handling the requirements of his contract. **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to approve the Consulting Agreement with Cochran Fish and Wildlife Consulting, LLC and James O. Cochran for 1/1/15 through 12/31/15. Motion carried. Gunnison Wildlife Conservation Coordinator Cochran noted that he and the County will need to devise a transition plan within the next year before he retires.

CERTIFICATE OF INCLUSION FOR THE SOUTH PARCEL OF W MOUNTAIN RANCH: Gunnison Wildlife Conservation Coordinator Cochran, Community Development Director Forrest and Deputy County Attorney Trezise were present for discussion. **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to approve the Certificate of Inclusion. Motion carried.

ANNUAL RENEWAL; CLUB 20; $1,000: **Moved** by Chairperson Swenson, seconded by Commissioner Chamberland to approve the annual renewal of the Club 20 dues for 2015. Motion carried.

REQUEST FOR USE OF LAND PRESERVATION FUNDS; $41,000: **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to approve the request for appropriation for use of Land Preservation funds in the amount of $41,000 for the 2014 budget. Motion carried.

COLORADO COUNTIES, INC. 2015 VOTING PROXY: **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to designate Renee Brown, and her successor when that occurs, as our Health and Human Services proxy for CCI for the calendar year 2015. Motion carried.

COMMISSIONER ITEMS: This discussion began earlier than scheduled due to a gap in the meeting.

Commissioner Chamberland:

1. Broadband Update. Commissioner Chamberland informed the Board that a regional multi-county project may cost in the $10,000,000 to $20,000,000 range, and that providing redundant fiber to Montrose is projected to cost $4,000,000. Discussions are continuing.
2. Local Technology Planning Team Update. Commissioner Chamberland informed the Board that this group met last Monday and that discussions will continue. The Colorado Department of Local Affairs has $20,000,000 set aside for broadband projects. The individual grants will include a maximum of $2,000,000 and a 50% match. The question of project ownership is being discussed.

BREAK: The meeting recessed from 9:45 until 9:50 am in order to hold the below Public Hearing.

PUBLIC HEARING; COMMUNITY SERVICES BLOCK GRANT FUNDS: Deputy County Attorney Art Trezise, Health and Human Services Director Renee Brown and Eligibility Technician April Sparks were present for discussion.

1. Open Public Hearing. Chairperson Swenson opened the Public Hearing at 9:48 am.

2. Public Notice Confirmation. Proof of confirmation that the Public Hearing had been properly public noticed was included in the meeting portfolio.

3. Identify Ex Parte Communications. There were no ex parte communications identified.

4. Staff Presentation. HHS Director Brown introduced Eligibility Technician Sparks, who sits on the Community Services Block Grant board. She indicated that the scope of work would remain the same for this three-year grant, and that it will be updated annually to reflect approximate annual funding of $26,000 or $27,000.

5. Applicant Presentation. N/A.

6. Board Questions. N/A.

7. Public Comments. Chairperson Swenson opened the Public Hearing to comments at 9:50 am, but no comments were provided.

8. Acknowledge Correspondence Received. No additional correspondence was identified.

9. Applicant Response. N/A.

10. Close Public Hearing. Chairperson Swenson closed the Public Hearing at 9:50 am and immediately reconvened the Gunnison County Board of County Commissioners meeting.

BREAK: The meeting recessed from 9:50 until 10:19 am to call to order as the Gunnison/Hinsdale Board of Human Services (see separate minutes).

DRAFT

PROPOSED DEPARTMENTAL AND PERSONAL SOCIAL MEDIA POLICIES: This discussion began earlier than scheduled due to a gap in the meeting.

Deputy County Attorney Trezise explained that the overarching objective is to avoid employees from representing the County on their personal social media accounts, which would limit liability. These policies will also control the departmental side of the equation and provide central access to all accounts in case of emergency. **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to adopt the proposed Departmental and Personal Social Media Policies as presented today. Motion carried.

BREAK: The meeting recessed from 10:27 until 10:45 am.

GUNNISON COUNTY BOARD OF HEALTH: Public Health Director Carol Worrall, Health and Human Services Director Renee Brown and Dr. John Tarr were present for discussion.

CALL TO ORDER: Chairperson Swenson called the Gunnison County Board of Health meeting to order at 10:45 am.

ENVIRONMENTAL HEALTH:

1. Contract with Montrose County. County Manager Birnie stated that the County won't make a decision about this contract until a new HHS Director is hired. Montrose County can continue to provide this service in the interim. Public Health Director Worrall noted that Montrose County has a contract with the State of Colorado that runs through July 1st, at which time they will drop Gunnison County from the contract.
2. Legislation to Increase Licensing Fees. Public Health Director Worrall stated that the Colorado Restaurant Association is working with Colorado Counties, Inc. on this issue and that a bill hasn't been sponsored or drafted yet. The proposed legislation would increase annual restaurant fees by $167. The last increase happened in 2009. HHS Director Brown explained that Boulder County and Pitkin County began this discussion with CCI last year. Discussions will likely continue during the upcoming legislative sessions.

EPIDEMIOLOGY:

1. Influenza Update; Antigenic Drift; Local Surveillance; Guidance for Childcare/Schools and Long-term Care. Public Health Director Worrall informed the Board that H3N2 is currently the dominant strain, which is partially protected by the immunization. Western State Colorado University has seen some signs of the illness, and Dr. Tarr believes that the pattern indicates that the numbers will increase in January and February. Public Health Director Worrall stated that there have been 95 hospital stays for influenza in the State this season, but there are no confirmed stays within Gunnison County. The majority of the hospitalizations have involved children under six months of age, which cannot be vaccinated, and adults 65 and older. Dr. Tarr stated that patients in the senior care center can begin treatment without confirmation of influenza, and that visitors will have to be handled through the infection control practices at the facility. Public Health Director Worrall reminded the Board that her office has tracked the number of children absent from local schools during the past few years and used those numbers as an indication of sickness. However, the schools no longer have the capacity to track this information, so a new surveillance program will be started through local physician offices.
2. Norovirus. Public Health Director Worrall informed the Board that this virus is the main culprit for vomiting and diarrhea symptoms, which generally last for 24 hours. The potential for spread is high, and lab confirmation cannot be made locally.
3. Tularemia. Public Health Director Worrall explained that this bacteria is generally seen in rabbits and fleas, and that it is found across the state. The bacteria causes serious illness, though the illness does respond to antibiotics. Recently, two dead beavers tested positive for Tularemia, so she put a notice in the papers.
4. Ebola. Public Health Director Worrall informed that Board that, on 11/1, Public Health agencies across the state were asked to estimate the amount of time that had been used for training, which yielded figures of over 20,000 personnel hours and costs of over $3,600,000. The State hasn't released figures with regard to how many people are traveling to/from unsafe regions, but there are semi-quarantine protocols in place.

EMERGENCY PREPAREDNESS RESPONSE RULING UPDATE: Public Health Director Worrall informed the Board that the rule is being updated, though there shouldn't be many changes. It was presented to the State Board of Health last week, and it should be finalized in February. Our local supply of doxycycline has expired, so we will have to restock after the final rule identifies which drug should be kept on hand.

PRENATAL PROGRAM PROVIDER EXPANSION: Public Health Director Worrall informed the Board that this program originally involved up to eight providers, but participation has decreased to just Dr. Matthews. One other provider has submitted the paperwork to become a provider in

DRAFT

this program. Dr. Tarr noted that a handful of other doctors have expressed the desire to practice medicine in the community.

MULTICULTURAL RESOURCE SERVICES FUNDING UPDATE: Public Health Director Worrall informed the Board that the El Pomar Foundation currently funds the Coordinator's position with 10 hours of time to for oral health, which will end on 12/31 and is not being renewed. She has tried to locate other sources of funding for staff time. Caring for Colorado serves as the Coordinator's primary funding source for health navigation, and the current contract ends in March 2015. The County has applied for another round of funding.

COOKING MATTERS PROGRAM: Public Health Director Worrall informed the Board that the program will resume in January for low-income residents. During the last session, there were 12 participants. The program utilizes the kitchen at the fairgrounds, which is commercially inspected and licensed.

DR. TARR UPDATE: Dr. Tarr confirmed that he would serve on the hiring panel for the HHS Director position. He also confirmed his desire to continue to serve as the County Medical Health Officer and as a Gunnison Valley Health Trustee.

ADJOURN: Chairperson Swenson adjourned the Gunnison County Board of Health meeting adjourned at 11:30 am and then immediately reconvened the Gunnison County Board of County Commissioners meeting.

CODE ENFORCEMENT ACTION UPDATE; 71 MYSTERY LANE; ERIC KIKLEVICH: Deputy County Attorney Trezise explained that the shed on this property exceeds the permitted size and violates the setback requirement. In September, the property owner agreed to bring this into compliance, but he has done nothing to date. Deputy County Attorney Trezise explained that the County would, if approved, pursue action through the County Court, which can impose a $100/day fine for each day of noncompliance. **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson that the County continue pursuing code enforcement for 71 Mystery Lane, Eric Kiklevich, and the structure that has been built on the premises that is out of compliance, and that includes filing legal action. Motion carried.

UNSCHEDULED CITIZENS: There were no Unscheduled Citizens present for discussion.

BREAK: The meeting recessed from 11:38 am until 1:01 pm for lunch.

GUARANTEE REQUEST FOR ANTHRACITE PLACE: Gunnison Valley Regional Housing Authority (GVRHA) Executive Director Karl Fulmer was present for discussion.

GVRHA Executive Director Fulmer requested $100,000 to be used as a guarantee, and he stated that there is very little chance of the money not being returned to the County. **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to approve the $100,000 for the contingency fund for the Housing Authority's Anthracite Place project from linkage fees. Motion carried. Regarding the optional request related to serving as a guarantor, County Manager Birnie opined that the County is statutorily prohibited from lending its credit to another entity.

GUNNISON SAGE-GROUSE; POSSIBLE LITIGATION; UPDATE; EXECUTION OF COMMON INTEREST AGREEMENT IN ANTICIPATION OF JOINT PARTICIPATION IN LITIGATION BETWEEN THE STATE OF COLORADO AND GUNNISON COUNTY, COLORADO; FURTHER DIRECTION TO COUNTY ATTORNEY: County Attorney David Baumgarten was present for discussion.

County Attorney Baumgarten explained that execution of this agreement would allow the sharing of information that would not be discoverable by other parties. Moved by Commissioner Chamberland, seconded by Chairperson Swenson to authorize County Attorney David Baumgarten to execute, on behalf of the board, a Common Interest Agreement in Anticipation of Joint Participation in Litigation between the State of Colorado and Gunnison County. Motion carried.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to adjourn the meeting. Motion carried. The meeting adjourned at 1:14 pm.

_____
Paula Swenson, Chairperson

_____
Phil Chamberland, Vice-Chairperson

DRAFT

_____
Jonathan Houck, Commissioner

Minutes Prepared By:

_____
Katherine Haase, Deputy County Clerk

Attest:

_____
Stella Dominguez, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 14-38

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 13-34

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

DRAFT

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 Swenson, and adopted this 16th day of December, 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 14-39

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 13-35

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

DRAFT

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 Swenson, and adopted this 16th day of December, 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 14-40

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 13-36

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.

DRAFT

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 Chamberland, seconded by Commissioner Swenson, and adopted this 16th day of December, 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 14-41

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 13-37

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

DRAFT

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 Chamberland, seconded by Commissioner Swenson, and adopted this 16th day of December, 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 14-42

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 13-38

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;

DRAFT

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.

Date Billed	Payment	Principal	Interest	Total
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)
		($5,500.00)	($1,146.36)	($6,646.36)

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.

DRAFT

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 Swenson, and adopted this 16th day of December, 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 14-43

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 13-39

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

DRAFT

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 Chamberland, seconded by Commissioner Swenson, and adopted this 16th day of December, 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 14-44

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 13-40

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.

DRAFT

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 Swenson, and adopted this 16th day of December, 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

DRAFT