

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
December 18, 2012**

The December 18, 2012 meeting was held in the Commissioners' boardroom in the Courthouse located at 200 E. Virginia, Gunnison, Colorado. Present were:

Hap Channell, Chairperson  
Paula Swenson, Vice-Chairperson  
Phil Chamberland, Commissioner

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

**CALL TO ORDER:** Chairperson Channell called the meeting to order at 8:33 am. Commissioner Elect Jonathan Houck was present for the duration of the meeting.

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

**CONSENT AGENDA:** Commissioner Chamberland requested that Item #17 be pulled for further discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Consent Agenda, excluding Item #17. Motion carried unanimously.

1. Resolution; Amending Certain Charges and Fees for Integrated Solid Waste Services Effective July 1, 2012; This Resolution Supersedes Resolution 11-50
2. 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 11-59
3. 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 11-60
4. 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 11-61
5. 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 11-62
6. 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 11-63
7. Acknowledgment of County Manager Approval to Submit; Colorado Department of Public Health and Environment; Budget Narrative, FY 12-13 Federal Title X & CFPI Family Planning Grants; 1/1/13 thru 6/30/13
8. Acknowledgement of County Manager Signature; Colorado Department of Public Health and Environment Grant Application; Women's Wellness Connection Program; 6/30/13 thru 6/29/14; \$31,008
9. Acknowledgement of County Manager Signature; Corporate Membership Agreement; Peak Fitness, LLC; 1/1/13 thru 12/31/13
10. Acknowledgement of County Manager Signature; Memorandum of Understanding between Rocky Mountain Health Plans Foundation (RMHPF) and Gunnison County Public Health (GCPH); Baby & Me – Tobacco Free Program Diaper Vouchers
11. 2013 Agreement between the Office for Resource Efficiency and Board of County Commissioners of the County of Gunnison, Colorado; 1/1/13 thru 12/31/13; \$12,000
12. Acknowledgement of County Manager Signature; Aflac Continental American Insurance Company Group Master Application; Group Critical Illness and Group Accident; Effective 1/1/13
13. Consulting Agreement; Cochran Fish and Wildlife Consulting, LLC; 1/1/13 thru 12/31/13; \$80,000
14. Acknowledgement of County Manager Signature; Consulting Agreement; Dr. Marie Matthews, MD; Professional Services Regarding Medical Consultation for the Gunnison County Public Health Family Planning Program; 1/1/13 thru 12/31/13; \$1,200
15. Consulting Agreement; Dr. John Tarr, MD; Professional Services Regarding Medical Consultation for the Public Health Nurse and the Environmental Health Official and Other Duties of the Gunnison County Medical Officer; 1/1/13 thru 12/31/13; \$1,200
16. Lease Agreement; Gunnison Valley Regional Housing Authority; 1/1/13 thru 12/31/15; \$30,600
17. **Pulled for Discussion and Separate Action:** Broadband Initiative Funding Approval; Board of County Commissioners Discretionary Fund; \$2,500
18. Contract for Services; OMNI Institute; Healthy Kids of Colorado Survey; \$998.50
19. Out-of-State Travel Request; Gunnison County Substance Abuse Prevention Project Staff; National Community Anti-Drug Coalitions of America Annual Conference; Washington, DC; 2/4/13 thru 2/7/13; \$5,944
20. Colorado Division of Criminal Justice Statement of Grant Award (SOGA); Grant Number 12-VA-7-36; Crime Victim Assistance Program; 1/1/13 thru 12/31/13; \$40,643

21. 2012-2015 Community Services Block Grant (CSBG) Application; State of Colorado, Department of Local Affairs; 3/1/13 thru 2/28/14; \$26,503
22. Service Agreement; WisconsinRx Cooperative (d/b/a WisconsinRx and d/b/a National CooperativeRx); Administration of Insurance Coverage on Medical Prescriptions Dispensed to Gunnison County Health Insurance Participants; 1/1/12 thru 12/31/13
23. Second Amendment to Gunnison County Manager Employment Agreement
24. Acknowledgment of County Manager Signature; Contractor Agreement; Carl Colby; Oil & Gas Inspections; \$50/Hour
25. Resolution; Establishing the Schedule of Fees and Rates for Sewer Service within the Tomichi Division of the Gunnison County Water and Sewer District
26. Gunnison County Purchase of Service Agreement; Montrose County Department of Health and Human Services; Restaurant Inspections; 1/1/13 thru 12/31/13; \$12,720
27. Draft Regular Meeting Minutes; 9/4/12
28. Draft Regular Meeting Minutes; 10/2/12
29. Draft Special Meeting Minutes; 10/15/12
30. Draft Regular Meeting Minutes; 10/16/12
31. Draft Special Meeting Minutes; 12/11/12
32. Draft Special Meeting Minutes; 12/14/12

**CONSENT AGENDA ITEM #17:** Commissioner Chamberland asked for additional discussion of this item. He stated that he would check with Assistant Finance Director Ben Cowan to process all necessary paperwork associated with this item. County Manager Birnie explained that this was added to the agenda since this is the last regular meeting of the year. The formal request for this economic-development funding will come from the Gunnison Country Chamber of Commerce. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson to approve Consent Agenda Item #17. Motion carried unanimously.

**SCHEDULING:** The Upcoming Meetings Schedule was discussed and updated.

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

1. Housing Authority Transition Update. County Manager Birnie informed the Board that Housing Authority Executive Director Karl Fulmer has been discussing the transition with the State, and that the State suggested that the Board officially name him as the Executive Director for 2013. This designation will be scheduled to occur in January.
2. Courthouse Renovation Project Update. County Manager Birnie informed the Board that the architects were onsite last week and that all staff interviews related to programming have been completed. Staff agreed that the space requirements proposed by the architects were quite accurate.
3. Request for Courthouse Lawn Use; Summer 2013 Wedding. County Manager Birnie requested policy direction from the Board related to this request to determine whether or not the Board would be supportive of the idea. The Board expressed general support provided that the activity doesn't negatively impact the County. The County Attorney's Office will be asked to consider liability issues and draft a contract. A fee will be assessed for the use of the lawn.

**ASSISTANT COUNTY MANAGER'S REPORT AND PROJECT UPDATES:** Assistant County Manager Marlene Crosby was present for discussion.

1. Antelope Hills Water Project Update. Assistant County Manager Crosby informed the Board that the line has been disinfected, but that pressure testing may be delayed past this week and the connections may not be complete until after the holidays. Disinfection of the Venard property line can begin.
2. Request for Permission to Plow. Assistant County Manager Crosby informed the Board that a film company has requested permission to plow approximately two miles of County road in the Waunita area in mid-January, which would encompass more than a single plowing. The film crew of 28 people will be creating a winter-survival series of films for National Geographic. The Board was supportive of the issuance of a permit.
3. Taylor River Road Project Update. Assistant County Manager Crosby requested permission to sign project-related correspondence. When this project is nearly complete, a final punchlist will be created. To be considered complete, the County must first accept the project and resume maintenance of the road. The Federal Highway Administration is ready to accept the project, contingent upon acceptance by the County and the Forest Service. All remaining work issues are minor. Assistant County Manager Crosby explained that she is not planning to accept the stormwater permit just yet, but that she does plan to accept the less significant issues such as signage. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson to accept the Taylor River Road Project that was done during the construction season this year and authorize Assistant County Manager Crosby's signature. Motion carried unanimously.
4. Funding Request; Crested Butte Land Trust; Sage Grouse Mitigation Funds to Secure a Conservation Easement on a 184-Acre Parcel near the Hartman Rocks Recreation Area; \$20,035. Assistant County Manager Crosby explained to the Board that the Sage-grouse Mitigation Committee has not met frequently because gatherings have been difficult, which is why email balloting has been utilized. The Committee doesn't have a Chairperson, so she may attempt to set a quarterly meeting schedule. In reference to this agenda item, she explained that this

parcel serves as the buffer between residential property and Gunnison-Crested Butte Regional Airport property, and that the conservation easement will enhance the buffer. Gunnison Wildlife Conservation Coordinator Jim Cochran stated his support of this request as it would help to protect Gunnison Sage-grouse habitat. The Land Preservation Commission may provide funding after the County evaluates the request. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to allocate Sage-grouse Mitigation funds to this project with conditions described in the letter submitted by the Crested Butte Land Trust. Gunnison Wildlife Conservation Coordinator Cochran noted that the County has been standardizing plans to require Natural Resources Conservation Service plans, which address issues such as grazing management and weed control that affect agricultural properties. Assistant County Manager Crosby agreed to include this reference in the correspondence. Motion carried unanimously.

5. Six Points Facility Project Update. Assistant County Manager Crosby confirmed that her department will be available to assist with preparatory work such as excavating. She will not be able to assist with the deep utilities as her department generally does not handle that type of work within the City of Gunnison.

**COLORADO COUNTIES, INC. (CCI) 2013 VOTING PROXY:** The Board stated that this proxy for Health and Human Services Director Renee Brown would only be applicable to the Health and Human Services Committee. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to appoint Renee Brown as the proxy to the Health and Human Services Board for CCI and authorize the Chairperson's signature on the proxy form.

**HOUSING FOUNDATION BOARD OF DIRECTORS:** County Manager Birnie informed the Board that Jim Starr contacted him to determine the expiration date of his appointment to the Foundation Board. He explained that he could not find any record of the County formally appointing or nominating Mr. Starr, but that the bylaws indicate that the County does nominate someone to serve. He asked the Board if this appointment should be added to the annual boards and commissions appointment schedule. Terms on this board are for three years, and they are to be staggered. Chairperson Channell stated that there is history of local non-profits writing into their bylaws that a position will be County-appointed, but that the County doesn't have to accept that. County Manager Birnie suggested that this appointment be added to the annual process since the Foundation Board's bylaws indicate that a position must be filled by a person nominated by the County. He also suggested that the County not appoint the same individual that serves on the Gunnison Valley Regional Housing Authority because there is already a lot of overlap between the two groups. The Board requested additional information about this appointment, and County Manager Birnie agreed to contact the Foundation and then report back to the Board.

**BREAK:** The meeting recessed from 9:21 until 9:27 am.

**VOUCHERS AND TRANSFERS APPROVAL:** Finance Director Linda Nienhueser presented the voucher approval report dated December 18, 2012 and the cash transfer authorization dated November 2012 for discussion and approval. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the vouchers for December 18, 2012 in the amount of \$896,714.27. Motion carried unanimously. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson to approve the cash transfer authorization in the amount of \$2,178,681.72. Motion carried unanimously.

**TREASURER'S MONTHLY REPORT:** County Treasurer Melody Marks presented the November 2012 Treasurer's report and an investment report dated November 30, 2012 for discussion and acceptance. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to accept the Treasurer's monthly report. Motion carried unanimously.

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

**Commissioner Channell:**

1. Early Childhood Council (ECC) Meeting. Chairperson Channell met with this group last week. The meetings continue to be well attended, and the next meeting will take place later this week. The Nurturing Youth Conference, arranged by the ECC this last fall at Western State Colorado University, was very successful with approximately 70 attendees. Another conference may be scheduled to take place in late spring or early summer.
2. Office for Resource Efficiency Board Meeting. Chairperson Channell attended this meeting, along with potential new board members. Sustainability is an ongoing discussion, and the group may evaluate the potential for a landfill fee that would provide a dedicated revenue stream for waste management and environmental education programs.

**Commissioner Swenson:**

1. Gunnison Country Chamber of Commerce Update. Commissioner Swenson informed the Board that the \$20,000 in Gunnison Greenbacks were sold out within 13 minutes. The Chamber may expand the program next year.

**APPEAL OF PLANNING COMMISSION DECISION; JOHN NICHOLS, LUC2012-23, LOT 4, RIVERLAND INDUSTRIAL PARK, FILING NO. 1; APPELLANT WILLIAM J. LACY, JR., REPRESENTED BY WILDERSON LOCK & HILL, LLC:** Assistant Community Development Director Neal Starkebaum, County Attorney Baumgarten, attorney Marcus Lock of Wilderson Lock & Hill, LLC, and John Nichols were present for discussion.

County Attorney Baumgarten explained that the Board could either conduct the review via paper or audio evaluation of the Planning Commission meetings, or it could conduct a separate hearing. Commissioner Swenson stated that she was ready to set a date to conduct the review. Commissioner Chamberland noted that he attended the public hearing at the Planning Commission level, and he asked what a new public hearing would entail. County Attorney Baumgarten explained that setting a new hearing would open the record to the introduction of new evidence.

Mr. Lock asked that the Board conduct a public hearing in order to hear from all sides of the issue, and he stated that the standards that would allow the public hearing have been met. He confirmed that outside storage on this lot is now allowed per the Land Use Change, although some people don't appear to be aware of it.

Chairperson Channell deferred to the other commissioners as his term on the Board was coming to an end and he wouldn't be present at any future public hearing, should one be set. He did note, however, that he found a lot of irregularities in the process that was followed, which may or may be aired during a subsequent public hearing.

John Nichols stated that the Beautification and Scenic Corridor Committee's (now defunct) focus was on the view from Hwy 135, which has been addressed. He stated that the process has been going since June and that the Planning Commission has toured the site and conducted the process thoroughly. Chairperson Channell explained that the thoroughness of the Planning Commission is not the issue at hand, and he clarified the issue to be that the Planning Commission made a decision based on covenants that did not allow outside storage at the time. Assistant Community Development Director Starkebaum added that approval by the Planning Commission was conditional upon a variance being approved by the Board.

County Attorney Baumgarten explained that criteria in the Gunnison County Land Use Resolution allows the Board to hold a separate public hearing if details and testimony were not presented in the original public hearing due to availability during the Planning Commission's decision, or if additional information may be deemed significant by the Board. Mr. Lock stated his belief that a number of people were not previously aware of the County's process, and he asked that the Board consider the fact that the appellant wasn't notified of the Board's 12/4/13 meeting.

Commissioner Chamberland opined that a second public hearing would not be necessary, and Commissioner Swenson agreed with him while also explaining that she had some questions and would be reviewing the audio records in an effort to gain more information. County Attorney Baumgarten confirmed that there was no certain date by which this decision had to be made. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to hear this appeal without a new public hearing and that without opening additional record pursuant to LUR 8-103C2c. Chairperson Channell restated that he intended to vote in favor of the motion, although he was inclined not to, as he won't be here for subsequent discussions on the issue and he respects his fellow commissioners' thoughts on the matter. Motion carried unanimously.

**BREAK:** The meeting recessed from 10:15 until 10:31 am for a short break and then from 10:31 until 11:01 am in order to call to order as the Gunnison/Hinsdale Board of Human Services (see separate minutes).

**CORRESPONDENCE; GUNNISON HOME ASSOCIATION:** The draft correspondence was discussed. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the letter to the Gunnison Home Association for the very nice gift that they have given the Mountain View folks. Chairperson Channell noted that he was at the facility and saw the television in place at the facility. Motion carried unanimously.

**STOP LOSS INSURANCE PROPOSAL FOR THE GUNNISON COUNTY EMPLOYEE MEDICAL PLAN; HM LIFE INSURANCE COMPANY; 1/1/13 THRU 12/31/13:** Human Resources Director Debbie Moore was present for discussion.

HR Director Moore explained the proposal to reduce the deductible from \$45,000 to \$40,000. She explained that the County had a \$25,000 deductible during the first year of being self-funded, and that an increased deductible will cause a decreased premium. She also noted that a lot of what the County does with the health insurance fund is unpredictable, so modifying the deductible is a gamble. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to raise our stop loss deductible to \$45,000 for the year of 2013. Motion carried unanimously.

**AUTHORIZATION TO STAFF TO REQUEST PARTY STATUS BEFORE THE COLORADO WATER QUALITY CONTROL COMMISSION REGARDING RULEMAKING ON POTENTIAL NEW REGULATION #43 WHICH WOULD: A. REPEAL GUIDELINES ON INDIVIDUAL SEWAGE DISPOSAL SYSTEMS; AND B. ADOPT A NEW ON-SITE WASTE WATER TREATMENT REGULATION:** County Attorney Baumgarten and Environmental Health Official Richard Stenson were present for discussion.

Chairperson Channell stated that the Environmental Health Board reviewed these regulations extensively, and EH Official Stenson confirmed that it had and that the EH Board, by unanimous vote, would like the Board to request party status in this matter.

EH Official Stenson also stated that the EH Board would like to recommend significant changes to the County's regulations, the implementation cost of which would be dependent on whether the County creates new On-Site Wastewater Treatment System Regulations or simply adopts the State regulations with local amendments.

EH Official Stenson explained that if the State adopts the new regulations on 3/12/13, counties will have one year to decide on a path, along with other considerations at the discretion of each individual county, while the State regulations must be used as a minimum standard.

County Attorney Baumgarten asked that the Board authorize staff to notify the State that the County wants to participate as a formal party. He noted that the majority of the cost would be determined in the future and that modifying the County's regulations would be a significant task. County Manager Birnie stated that the County would need to consider the fee structure because the costs would need to be passed on. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to authorize staff to seek party status on the On-Site Wastewater Treatment System rewrite of Regulation #43. Motion carried unanimously.

**UNSCHEDULED CITIZENS:**

1. John Murphy. Mr. Murphy asked for assistance with a personal matter between himself and Community Banks, although he noted that at least three other local businesses were in jeopardy because of the Community Banks' transition. He asked that the Board consider sending correspondence in support of his issue to Judge J. Stephen Patrick. He also asked that the Board put pressure on Community Banks to be flexible with local business owners. County Attorney Baumgarten agreed to contact Community Banks to discuss the matter, and the Board was supportive of this action.

**BREAK:** The meeting recessed from 11:40 until 11:50 am.

**GUNNISON VALLEY HEALTH DEBT REFINANCE:** County Attorney Baumgarten was present for discussion. Attorney Kimberley Crawford of Sherman & Howard, LLC was available for discussion via telephone. County Manager Birnie confirmed that all of the documentation presented was representative of all previous discussions on the matter that were held during work sessions. Over the course of the next three years, the County funds will be returned.

1. Resolution; Gunnison Valley Health 2012 Bond Issue. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adopt Resolution #2012-42, a Resolution reauthorizing the 1998 bond issue for Gunnison Valley Health. Motion carried unanimously.
2. Intergovernmental Cooperation Agreement Between Gunnison County, Colorado, and the Board of Trustees for the Gunnison Valley Hospital. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adopt the Intergovernmental Cooperation Agreement between Gunnison County, Colorado and the Board of Trustees for the Gunnison Valley Hospital and authorize appropriate signatures. Motion carried unanimously.
3. Pledge Agreement; Board of Trustees for the Gunnison Valley Hospital, Gunnison County, Colorado and CoBiz Bank d/b/a Colorado Business Bank. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Pledge Agreement and authorize signatures. Motion carried unanimously.

**ADJOURN:** **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:57 am.

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Hap Channell, Chairperson

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Paula Swenson, Vice-Chairperson

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Phil Chamberland, Commissioner

Minutes Prepared By:

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Katherine Haase, Deputy County Clerk

Attest:

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Stella Dominguez, County Clerk

**GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES**

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 12-43**

A RESOLUTION AMENDING CERTAIN CHARGES AND FEES FOR INTEGRATED SOLID WASTE SERVICES  
EFFECTIVE JULY 1, 2012  
THIS RESOLUTION SUPERSEDES RESOLUTION 11-50

WHEREAS, the Gunnison County Landfill, also known as the Six Mile Lane Landfill ("Landfill") was established pursuant to Resolution No. 18, Series 1985; and

WHEREAS, the Solid Waste Fund is operated and funded through charges and fees for services at the Landfill site and sales of materials at the Gunnison County Recycling Center located at Tenth Street and Rio Grande Avenue; and

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado, wants to adjust the charges and fees for the Landfill to better fund that operation and make it self-supporting; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting any and all costs of a County administered recycling program; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting any and all costs of future closure and post-closure of the Landfill site; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting any and all costs of future Landfill expansion construction costs of the Landfill site; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting costs associated with sage grouse mitigation; and

WHEREAS, a solid waste user fee shall be imposed in addition to all charges and fees specified herewith pursuant to Colorado Revised Statutes § 25-16-104.5;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that the following charges and fees are hereby established, to be effective July 1, 2012:

CHARGE	Fee Distribution Rates per Unit						TOTAL
	Recycling	Closure	Construction	Sage Grouse	State Fees	Landfill	
Administration Fee	0.00	0.00	0.00	0.00	0.00	105.00	105.00
Appliance Disposal	0.00	0.00	0.00	0.00	0.00	10.00	10.00
Bales: 4'x6'x2.5'	0.00	0.00	0.00	0.00	0.56	17.44	18.00
Beneficial Use Yardage	0.00	0.00	0.00	0.00	0.00	5.25	5.25
Biosolid Yardage	2.27	0.45	1.74	1.00	0.28	14.26	20.00
Car	1.31	0.26	1.00	0.57	0.09	3.62	6.85
Car Wash Sludge	2.27	0.45	1.74	1.00	0.28	4.51	10.25
Clean Wood Yardage	2.27	0.45	1.74	1.00	0.00	4.54	10.00
Concrete<12" Diameter	2.27	0.45	1.74	1.00	0.00	1.04	6.50
Concrete>12" Diameter	2.27	0.45	1.74	1.00	0.00	15.04	20.50
Dead Animals	0.00	0.00	0.00	0.00	0.56	11.94	12.50
Friable Asbestos Yards	2.27	0.45	1.74	1.00	0.28	24.26	30.00
Grnd Const Debris Yds	1.52	0.45	1.74	0.00	0.28	4.01	8.00
Loose Yardage	2.27	0.45	1.74	1.00	0.28	6.26	12.00
Mini Pickup	2.86	0.57	2.19	1.26	0.18	7.94	15.00
Minimum Charge	0.00	0.00	0.00	0.00	0.28	3.72	4.00
Organic Material Yards	0.00	0.00	0.00	0.00	0.00	5.25	5.25
Packed Yardage	2.27	0.45	1.74	1.00	0.28	6.26	12.00
Refrigerator/Freezer	0.00	0.00	0.00	0.00	0.00	15.00	15.00
Special Waste Yardage	2.27	0.45	1.74	1.00	0.28	6.26	12.00
Standard Pickup	4.54	0.90	3.48	2.00	0.18	12.90	24.00
Tire Rims	0.00	0.00	0.00	0.00	0.00	1.25	1.25
Tires-Loader	0.00	0.02	0.08	0.04	0.00	10.36	10.50
Tires-Passenger	0.00	0.02	0.08	0.04	0.00	4.11	4.25
Tires-Truck	0.00	0.02	0.08	0.04	0.00	5.11	5.25

Uncovered, blowable loads shall be charged double the above charges.

The Finance Program of the Administration Department may, at its discretion, charge a \$5.00 service charge for copies of landfill invoices.

BE IT FURTHER RESOLVED that the above fees amend and supersede any previous conflicting fees and shall remain in full force and effect until changed by resolution of the Board of County Commissioners.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Chamberland, and adopted this 18<sup>th</sup> day of December, 2012.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Channell – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 12-44**

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 11-59

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.

6. Meter Fee. There is a one-time fee for the use of a Gunnison County owned water meter. This fee will be "at cost" for the 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.

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 Swenson, seconded by Commissioner Chamberland, and adopted this 18<sup>th</sup> day of December, 2012.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Channell – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 12-45**

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 11-60

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. 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 Dos Rios 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 Swenson, seconded by Commissioner Chamberland, and adopted this 18<sup>th</sup> day of December, 2012.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Channell – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 12-46**

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 11-61

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. 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 Antelope Hills 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 Swenson, seconded by Commissioner Chamberland, and adopted this 18<sup>th</sup> day of December, 2012.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Channell – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 12-47**

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 11-62

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. 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.

6. 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.

7. 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.

8. 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.

9. 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 Swenson, seconded by Commissioner Chamberland, and adopted this 18<sup>th</sup> day of December, 2012.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Channell – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 12-48**

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 11-63

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.

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)
		<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. 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 North Gunnison 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 Swenson, seconded by Commissioner Chamberland, and adopted this 18<sup>th</sup> day of December, 2012.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Channell – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 12-49**

**A RESOLUTION ESTABLISHING THE SCHEDULE OF FEES AND RATES FOR SEWER SERVICE WITHIN THE  
TOMICHI DIVISION OF THE GUNNISON COUNTY WATER AND SEWER DISTRICT**

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 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 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. 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.

4. 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.

5. 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 Swenson, seconded by Commissioner Chamberland, and adopted this 18<sup>th</sup> day of December, 2012.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Channell – yes; Swenson – yes.