

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
February 1, 2022**

The February 1, 2022 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present, either in person or via Zoom, were:

Jonathan Houck, Chairperson
Roland Mason, Vice-Chairperson
Liz Smith, Commissioner

Matthew Birnie, County Manager
Melanie Bollig, Deputy County Clerk
Others Present as Listed in Text

GUNNISON/HINSDALE BOARD OF HUMAN SERVICES SPECIAL MEETING:

CALL TO ORDER: Chairperson Houck called the special meeting to order at 8:30 am. Hinsdale County Commissioner Greg Levine was also present via Zoom.

STATE OF COLORADO INTERGOVERNMENTAL AGREEMENT #22-17137; HINSDALE COUNTY DEPARTMENT OF HUMAN SERVICES; TO CREATE NEW BENCHMARKS, PERFORMANCE STANDARDS AND PERFORMANCE INCENTIVES; EFFECTIVE DATE – JUNE 30, 2022; \$6,072.29: **Moved** by Commissioner Levine of Hinsdale County, seconded by Chairperson Houck to approve the State of Colorado Intergovernmental Agreement #22-17137 for Hinsdale County Department of Human Services, to create new benchmarks, performance standards and incentives, effective date of June 30, 2022 in the amount of \$6,072.29. Motion carried unanimously.

ADJOURN: Chairperson Houck adjourned the special meeting of the Gunnison/Hinsdale Board of Human Services at 8:33 am.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Chairperson Houck called the meeting to order at 8:33 am.

AGENDA REVIEW: No changes were needed for the agenda.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated. Chairperson Houck noted that he would not be present for the February 15th meeting, as he was planning to attend the National Association of Counties (NACo) meetings in Washington, DC on that date. He suggested that there might be a possibility of his attending remotely via Zoom.

Commissioner Smith noted that her meetings with the Southwest Colorado Opioid Regional Council would be at the same time on Thursdays as the Mayors & Managers meetings. She hoped to attend the Mayors & Managers, but added she would need to come late, and that this would be ongoing.

Commissioner Mason and County Manager Birnie both noted that they would potentially be absent for the February 22nd meeting, as it would be Crested Butte's Winter Break. Commissioner Mason noted that he might still be able to attend remotely via Zoom.

MINUTES APPROVAL: **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the October 19, 2021 Regular Meeting minutes, and the December 21, 2021 Regular Meeting minutes. Motion carried unanimously.

1. October 19, 2021 Regular Meeting
2. December 21, 2021 Regular Meeting

CONSENT AGENDA: **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the Consent Agenda, as presented. Motion carried unanimously.

1. Acceptance of Appointments; Saguache County for Regular and Alternate Members to the Gunnison Basin Sage-grouse Strategic Committee; Regular Member Amber Wilson, Alternate Member Virginia Adams
2. Contract Amendment #3, 22 IHIA 173433; Colorado Department of Human Services, Office of Early Childhood; Gunnison County Health and Human Services; for increased work related to Family Child Care Homes and Resource and Referral; State Fiscal Year 2022; \$89,280
3. State Board of the Great Outdoors Colorado (GOCO) Trust Fund Grant; for support of a Fellowship Program; Project Completion Date of June 30, 2024; \$150,000
4. Memorandum of Agreement (MOA); Between US Army Corps of Engineers, Colorado State Historic Preservation Officer, and Colorado Stone Quarries; to resolve adverse effects to historic properties.
5. Memorandum of Agreement to Provide County Financial Assistance to the Center for Mental Health; January 1, 2022 to December 31, 2022; \$4,500
6. Memorandum of Agreement to Provide County Financial Assistance to the Gunnison Country Food Pantry; January 1, 2022 to December 31, 2022; \$6,000

7. Memorandum of Agreement to Provide County Financial Assistance to the Gunnison Valley Animal Welfare League; January 1, 2022 to December 31, 2022; \$6,000
8. Memorandum of Agreement to Provide County Financial Assistance to the Gunnison Valley Health Foundation; January 1, 2022 to December 31, 2022; \$11,500
9. Memorandum of Agreement to Provide County Financial Assistance to Mountain Express; January 1, 2022 to December 31, 2022; \$4,500
10. Memorandum of Agreement to Provide County Financial Assistance to the Project Hope of Gunnison Valley; January 1, 2022 to December 31, 2022; \$10,000
11. Memorandum of Agreement to Provide County Financial Assistance to the Safe Ride of Gunnison, Inc.; January 1, 2022 to December 31, 2022; \$4,500
12. Memorandum of Agreement to Provide County Financial Assistance to the Six Points Evaluation and Training, Inc; January 1, 2022 to December 31, 2022; \$12,000

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

1. Library Project Update. CM Birnie informed the Board that it had been a tough start at the beginning of the year, with 90% of their crew out with COVID. However, they were mostly all back at this point and it was going very well, with siding going up and the project still slightly ahead of schedule. Commissioner Smith noted that it would be good to have a work session in which the Commissioners could tour the new library site, and also mentioned touring the Rady Building, which COVID had prevented a walk-through for at the time of its completion.
2. Airport Project Update. CM Birnie reported that they had also had problems with COVID at the beginning of the year, though not to the extent that the library crew had experienced. He noted that this was a much more challenging project, with supply chain and labor challenges creating major obstacles to keep the project within budget. CM Birnie highlighted that local craftsmen will be putting up a log wall at the entrance, and they were beginning collaboration on that. Architects had recommended artists for creation of an outside mural, plus art inside designed by a local artist. He noted that they still needed to decide if all this would fit within their budget.

DEPUTY COUNTY MANAGER'S REPORT AND PROJECT UPDATES: Deputy County Manager Marlene Crosby was present for discussion, as was Public Works Operations Manager Sparky Casebolt.

1. Approval of Funding for White River National Forest Service Protection Officers. DCM Crosby explained that this funding agreement had been discussed at the Board's last work session, and now the Town of Marble wished to send to the County the amount of \$3,000 which they had agreed to contribute, with the County's expenditure then becoming \$7,000. She further noted that the contract would then be the same as last year, between the County and the White River National Forest Service.
With the Board's approval, Chairperson Houck **moved** to approve \$7,000 of funding to the White River National Forest Service for a protection officer, with the source of the funding to come from the Board's discretionary funds, and that the County accept the \$3,000 from the Town of Marble, to then enter into a contract in the amount of \$10,000 with the White River National Forest. Seconded by Commissioner Mason. Motion carried unanimously.
2. Progress update on the Somerset water system. DCM Crosby informed the Board that Greg Anderson, the engineer working on the proposed Somerset upgrade, would be submitting his recommendations later that week, based on the Colorado Department of Health's earlier denial and request for changes. She also wanted to let the Board know that Somerset residents were being told the County was going to downgrade the system, rather than upgrade it. As a result, DCM Crosby stated she would be drafting an email for reply to all who reach out to the County on this. The Board then discussed for several minutes the options available at the State and County levels which might assist the community of Somerset with their upgrade needs.
3. Getting calls about the increase in rates for North Gunnison sewer and water. DCM Crosby noted that several have sent in their complaints to her. She added that City of Gunnison Public Works Director, David Gardner, had been very helpful in creating a letter explaining the needs behind the rate changes. The commissioners relayed that they also had been receiving calls, and requested that DCM Crosby forward this letter to them, as well.

RESOLUTION; A RESOLUTION ADOPTING GUNNISON COUNTY POLICY CONCERNING AUTHORITY AND USE OF THE FRED R. FIELD WESTERN HERITAGE CENTER: Deputy County Manager Marlene Crosby and Assistant County Manager for Operations & Sustainability, John Cattles, were both present for discussion.

DCM Crosby introduced this was a resolution looked at every couple of years, whenever they took a look at the fees. Asst CM Cattles explained that the fees were directly connected to offsetting the County's costs for the Fred R. Field Western Heritage Center; they helped soften, but did not cover, the impact of the County's costs to run the facility. CM Birnie also noted that the County owns the liability insurance for the events held at the center, believing this was appropriate for the community asset. Chairperson Houck added that the rates were more than reasonable, in comparison to other event venues in the County. Asst CM Cattles noted that several County departments also utilized the large space for various meetings, highlighting how essential the center had been for vaccine clinics during the pandemic.

With the full support of the Board, it was **moved** by Commissioner Smith, seconded by Commissioner Mason, to adopt Resolution 2022-4, a Resolution Adopting Gunnison County Policy Concerning Authority

and Use of the Fred R. Field Western Heritage Center. Motion carried unanimously.

WATER AND SEWER RESOLUTIONS: Deputy County manager Marlene Crosby was present to discuss the series of water and sewer resolutions with the Board.

Chairperson Houck introduced the resolutions by explaining to those present that there were different rates for all the different districts within Gunnison – and the different areas were not all connected to one central system. He then asked DCM Crosby to outline for the group the reason for all the different rates.

DCM Crosby then gave a brief overview of what the systems looked like for Antelope Hills, Dos Rios, Somerset, Tomichi and North Gunnison divisions. She also explained that the City of Gunnison had significant, recent expenses for a plant which necessitated a sizeable rate increase. The contract between the City and County stipulated that rates for both City and County needed to be set at the same rate. This was not happening; County users were paying 37-43% less. The most recent increases brought that to equity. She added that there will be upcoming improvements needed to some of the older systems, and the increase in tap fees would help to cover these projected costs.

The Board noted that they had already gone over the resolutions and their fee schedules, with DCM Crosby answering any questions they had, and that they were ready to approve the resolution separately, as presented, that day.

1. **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 21-31).** Moved by Chairperson Houck, seconded by Commissioner Smith to approve Resolution 2022-5, 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, as presented. Motion carried unanimously.
2. **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 21-35).** Moved by Chairperson Houck, seconded by Commissioner Smith to approve Resolution 2022-6, 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, as presented. Motion carried unanimously.
3. **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 21-34).** Moved by Chairperson Houck, seconded by Commissioner Smith to approve Resolution 2022-7, 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, as presented. Motion carried unanimously.
4. **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 21-36).** Moved by Chairperson Houck, seconded by Commissioner Smith to approve Resolution 2022-8, 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, as presented. Motion carried unanimously.
5. **A Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the North Gunnison Division of the Gunnison County Water and Sewer District (This Resolution Supersedes Resolution 21-32).** Moved by Chairperson Houck, seconded by Commissioner Smith to approve Resolution 2022-9, 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, as presented. Motion carried unanimously.
6. **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 21-33).** Moved by Chairperson Houck, seconded by Commissioner Smith to approve Resolution 2022-10, a Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the Somerset Division of the Gunnison County Water and Sewer District, as presented. Motion carried unanimously.
7. **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 21-30).** Moved by Chairperson Houck, seconded by Commissioner Smith to approve Resolution 2022-11, a Resolution Establishing the Schedule of Fees and Rates for Sewer Service within the Tomichi Division of the Gunnison County Water and Sewer District, as presented. Motion carried unanimously.

DCM Marlene Crosby closed by thanking Finance Senior Accountant Agnes Kroneraff for her excellent assistance in preparing the resolutions and fees tables.

BREAK: Chairperson Houck recessed the meeting from 9:26 am until 9:30 am.

GUNNISON COUNTY BOARDS AND COMMISSIONS APPOINTMENTS:

1. 7th Judicial Community Corrections Board. There were no applications, so Chairperson Houck directed that this vacancy be re-advertised and advised that the Board would be reaching out for possible candidates as well.

2. Board of Adjustments and Board of Appeals. There were no applications, so Chairperson Houck directed that the former board members be contacted to see if there was interest, and to re-advertise for the two vacancies.
3. Environmental Health Board. **Moved** by Commissioner Mason, seconded by Commissioner Smith to appoint Lucinda Clauter-Lull, Ashley Bembenek, Bill Barvitski and Lynn Cudlip to the Environmental Health Board as regular members. Motion carried unanimously. Chairperson Houck also directed that the two alternate vacancies be re-advertised.
4. Extension Advisory Board. There were no applications received, so Chairperson Houck directed that the former board members be contacted to see if there was interest, and to re-advertise for the two vacancies.
5. Gunnison Basin Sage-grouse Strategic Committee. After a discussion by the Board regarding how an added seat for a representative from Western Colorado University might best be added, the Board decided to go ahead with appointments and work on this added seat with a revision of the charter at a later date. Chairperson Houck also directed to re-advertise for the three vacancies in the At-Large alternate positions. **Moved** by Chairperson Houck, seconded by Commissioner Smith to appoint Polly Oberosler to the Development At-Large seat, Peter Caloger to the Community At-Large seat, and Tim Kugler to the Recreation At-Large seat on the Gunnison Basin Sage-grouse Strategic Committee. Motion carried unanimously.
6. Gunnison Cemetery District Board. **Moved** by Chairperson Houck, seconded by Commissioner Smith to appoint Camille Besse to the Gunnison Cemetery District Board. Motion carried unanimously.
7. Gunnison Valley Regional Housing Authority. As there was one late application for the vacant position, Chairperson Houck directed that the vacancy be re-advertised, and that the late application be added to this second search.
8. Gunnison Watershed Weed Commission. With no applications made to the Gunnison Watershed Weed Commission, Chairperson Houck directed that the two vacancies be re-advertised. He also requested that Commissioner Smith – in light of her recent collaboration regarding cheat grass mitigation – reach out to possible applicants.
9. Historic Preservation Committee. There were no applications, so Chairperson Houck directed that the former board members be contacted to see if there was interest, and to re-advertise for the two vacancies.
10. Library Board of Trustees. After a brief discussion between the commissioners, reviewing the qualifications for each applicant, it was **moved** by Chairperson Houck, seconded by Commissioner Smith to appoint Kim Sherman and Micah Russell to the Library Board of Trustees. Motion carried unanimously.
11. Medical Health Officer. Chairperson Houck noted that there was one late re-application from Dr. John Tarr. He directed that the vacancy be re-advertised and that Dr. Tarr’s application be included in this second search.
12. Planning Commission. The Board and Assistant County Manager for Community & Economic Development, Cathie Pagano, briefly discussed the applications received, as well as the timing needed for Planning Commission appointments. The Board then decided to re-advertise the two regular and two alternate vacancies, in order to develop a deeper pool of qualified candidates.
13. Region 10. Chairperson Houck noted that there was one vacancy for transportation, with no applications submitted. He directed Commissioner Mason to continue his search for a qualified applicant, and to re-advertise the vacancy.
14. Sustainable Tourism and Outdoor Recreation. Noting the late applications received, the Board elected to re-advertise for the five At-Large positions, and to add the late applications to the candidate pool.
15. Western Regional EMS Council. **Moved** by Chairperson Houck, seconded by Commissioner Smith to reappoint Robert Weisbaum to the Western Regional EMS Council. Motion carried unanimously.

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

COMMISSIONER ITEMS:

Commissioner Mason

1. Air Command updates. Commissioner Mason gave a quick overview of the traffic to Gunnison-Crested Butte Regional Airport in January 2022. He reported 63% load factors out of Denver, 65% out of Dallas, and 56% out of Houston, with cancellations and the airport remodel taken into consideration. He noted that this increase may also be due to the airlines being able to refund or change tickets in a more timely manner.
2. Attended the Saguache County Board of County Commissioners meeting two weeks ago, on January 18th. Commissioner Mason reported that the meeting centered on a Homestake Mine presentation and ordinance which would allow deeper wells to be drilled for current landowners, with no further wells to be drilled in the area. Gunnison County was particularly interested in any potential uranium-contaminated waters which could still come out of the surface water from Marshall Creek flowing eventually into Tomichi Creek and the Gunnison River. Commissioner Mason reported that Saguache County would be working with the mine for a revision of their ordinance before it can go before the Water Quality Control Commission. He added that the mine would be bringing their ordinance before the Water Quality Control Commission in March and the process would go through June. County Attorney Hoyt interjected that,

from what he understood, the drilling of deeper wells and preventing other wells will be the mine's mitigation effort. They will take the ordinance to the Water Quality Control Commission and ask them to modify their standards based on the mitigation effort that has been made with Saguache County. CA Hoyt stated that the implications went beyond just Tomichi Creek and the County's water sources – if this would become a precedent in Colorado where mines could merely move the person's effective bio-pollutant away from the pollutant, rather than mitigating the actual pollutant, it would create a precedent with the Water Quality Control Commission for other mine sites. Commissioner Mason added that he had visited with Saguache County Commissioner McCracken about the possibility of the Gunnison County Board visiting some of the sites. Chairperson Houck thanked him for following this and highlighted that this was a very important issue to the County.

3. Attended a Marble Stakeholder two-day workshop regarding the Marble area and Lead King Loop areas. Commissioner Mason noted that there had been good engagement from those who attended, and more outreach would be done to reach those who had not come – particularly, representatives of both the 4-wheel user groups and the hiking community. He went on to outline that ground rules had been set at the meeting, and another listening session was set for the community, with the next 2-day workshop on February 17-18. He asserted that he would keep the Board informed on the next workshops and listening sessions, adding that he felt it was money well spent in partnership with the White River National Forest for the study.
4. Commissioner Mason stated he is not seeking re-election. He informed the Board that he had considered the time which this job needs, and weighing it with family and business had made him come to this difficult decision. Both Commissioners Smith and Houck remarked on his great work as a commissioner, and total commitment to whatever he became involved with, adding that they regretfully understood his need for time revisions.

Commissioner Smith

1. Participated in the Welcoming America Initiative kick-off. Commissioner Smith noted that three other communities were also participating in this from across the nation. She explained that this was a national, non-profit organization seeking to help the City of Gunnison welcome new residents and immigrants, and to advance equity and inclusion for them. She also felt that it was a wonderful opportunity for Gunnison to kick this off and then radiate it outward, and thanked the Board for appointing her to this committee as Gunnison County's representative.
2. Continuing to stay engaged with State Representative Boesenecker's mobile home park legislation. Commissioner Smith explained that these are improvements to the Mobile Home Park Act, addressing opportunity for residents to purchase, strengthening all the protocols that made it so difficult for the County to assist the residents of Country Meadows as they tried to organize and become a resident-owned community. She noted that she was also still engaged with the Country Meadows organization formed last year.
3. Met with Sarah McCarthy and Senator Hickenlooper's camp. Commissioner Smith highlighted that topics covered were the infrastructure legislation and resources that are coming through the federal government. She wanted to point out that there was still a lack of addressing recycling trash as part of the infrastructure within local groups as well as the federal, and she felt it was important to continue to emphasize those issues.
4. Met with Julie Baca, Taryn Mead and others at Western Colorado University February 28th. On a related trash topic, Commissioner Smith noted that the Western group had discussed processing recyclables and developing markets for more closed-loop recycling. She believed there might be exciting opportunities for Western to become involved in this process. She let the Board know that Western was pursuing grants and asked the Board to look at what that kind of community investment would look like. She felt there might be State opportunities for funding and resources, and expressed her wish that this could be a big part of the way businesses innovate and develop here locally.
5. Met at ICELab last week to hear presentations from companies moving to and developing in the Gunnison Valley. Commissioner Smith highlighted the main companies presenting were SheFly, Blister, Rady Testing Lab for outdoor equipment, with several micro-pitches from companies in the early stages of their development. She was excited to see how many innovative ideas were coming from the community and where some of these companies might go.
6. Southwest Colorado Opioid Regional Council will be holding a retreat the end of February. Commissioner Smith noted that she was now the chair for this council and the retreat would likely be held in the Montrose area, to continue to work on the details of receiving settlement funds. She felt that in terms of timeline, they were really ahead of the other regions, and she hoped they would be set up to compete for more of the additional funding and resources that were being made available from the State.
7. Cheatgrass mitigation work is moving forward. Commissioner Smith reported that she had heard a great presentation from Sublette County in Wyoming the day before; they have done a phenomenal job with cheatgrass mitigation and were a great model and resource to draw from. She further reported that Gunnison area organizations were contributing to help hire a cheatgrass mitigation coordinator who could also help them apply for grants. Commissioner Smith had talked to John Whitney in Senator Bennet's office and he had let her know there was interest in helping at the federal level, so she felt that the potential for larger-scale funding looked very promising.

Commissioner Houck

1. Participated in Colorado Counties Inc (CCI) hearing committee meetings. Chairperson Houck briefly outlined that it was only the beginning of legislative season, and that maybe by mid-February, there would be more clarity on what bills Gunnison County will want to oppose or support, noting that he

believed there would be bills really showing the rural/urban divide this year. He closed by noting that he would be flying to Denver to testify on CCI priority bill next Monday, February 7th.

RECESS: Chairperson Houck recessed the regular meeting at 10:40 am, in order to go into an executive session.

EXECUTIVE SESSION, PURSUANT TO C.R.S. § 24-6-402(4)(E)(I), FOR DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS RELATED TO PROPERTY INTEREST(S) LOCATED AT SOUTH 14TH STREET WORKFORCE HOUSING PROJECT IN GUNNISON COUNTY, COLORADO, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND INSTRUCTING NEGOTIATORS, AND PURSUANT TO C.R.S. § 24-6-402(4)(B) CONFERENCES WITH THE COUNTY ATTORNEY OR DEPUTY COUNTY ATTORNEY FOR GUNNISON COUNTY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE RELATED TO PROPERTY INTEREST(S) LOCATED AT SOUTH 14TH STREET WORKFORCE HOUSING PROJECT IN GUNNISON COUNTY, COLORADO: Commissioner Houck **moved** to go into Executive Session, pursuant to C.R.S. § 24-6-402 (4) (e) (I), for determining positions relative to matters that may be subject to negotiations related to property interest(s) located at South 14th Street Workforce Housing Project in Gunnison County, Colorado, developing strategy for negotiations, and instructing negotiators, and pursuant to C.R.S. § 24-6-402(4)(b) conferences with the County Attorney or Deputy County Attorney for Gunnison County for the purpose of receiving legal advice related to property interest(s) located at South 14th Street Workforce Housing Project in Gunnison County, Colorado. The participants in the Executive Session would be Commissioner Houck, Commissioner Mason, Commissioner Smith, County Manager Matthew Birnie, County Attorney Matthew Hoyt, Assistant County Manager for Operations and Sustainability John Cattles, and Assistant County Manager for Community and Economic Development Cathie Pagano. Because any discussion in the executive session would be protected by attorney-client privilege, no contemporaneous record of the meeting would be kept. Commissioner Mason seconded the motion, and the motion carried.

The Board went into executive session at 10:41 am. The executive session was held in the BOCC Boardroom, and no contemporaneous records were kept. *Executive sessions of the Board of County Commissioners are conducted as per C.R.S. §24-6-402(4). This specific session was conducted as per §24-6-402 (4) (e) (I) and §24-6-402 (4) (b).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. § 24-6-402(4)(e)(I) and 24-6-402(4)(b) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____

Matthew Hoyt
Gunnison County Attorney

Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Chairperson of the Gunnison County Board of Commissioners, that I attended all of the above referenced executive session, and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. § 24-6-402(4)(e)(I) and 24-6-402(4)(b).

Date: _____

Jonathan Houck, Chairperson
Gunnison County Board of Commissioners

At 11:26 am, it was **moved** by Chairperson Houck to come out of executive session, affirming that the participants in the executive session remained consistent with those read into the record, and that they did stay on topic. Commissioner Mason seconded the motion. Motion carried.

Chairperson Houck then gave direction by **moving** to delegate full authority from the Board of County Commissioners to the County Manager, to negotiate and execute contracts and documents, and to obtain financing, with support from the County Attorney’s Office, Community Development, and from our Sustainability and Operations Manager, to work toward next steps on the South 14th Street Workforce Housing Project that has been discussed publicly. Seconded by Commissioner Smith. Motion carried unanimously.

County Manager Birnie let those present know that there will be a later work session with site plans and ideas on the project for the public to be able to view.

ADJOURN: Chairperson Houck adjourned the Gunnison County Board of County Commissioners Regular Meeting at 11:29 am.

Jonathan Houck, Chairperson

Roland Mason, Vice-Chairperson

Liz Smith, Commissioner

Minutes Prepared By:

Melanie Bollig, Deputy County Clerk

Attest:

Kathy Simillion, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO: 2022-4**

**A RESOLUTION ADOPTING GUNNISON COUNTY POLICY CONCERNING
AUTHORITY AND USE OF THE FRED R. FIELD WESTERN HERITAGE CENTER**

WHEREAS, in 2019, Gunnison County adopted Policy No. 5.2.4, a *Policy Concerning Authority and Use of the Fred R. Field Western Heritage Center*, to reflect Gunnison County's current practices and fees;

WHEREAS, increased costs to the County necessitate an increase in the fees set forth in Policy No. 5.2.4; and

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado has determined that no other changes to Policy No. 5.2.4 are necessary or warranted at this time;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the attached *Policy Concerning Authority and Use of the Fred R. Field Western Heritage Center* (Policy No. 5.2.4) (Exhibit A) is hereby adopted. Such policy shall remain in effect until modified or rescinded by future resolution of this Board.

INTRODUCED by Commissioner Smith, seconded by Commissioner Mason, and adopted this 1st day of February, 2022.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS

Houck – yes, Mason – yes, Smith – yes.



Policy Name:	Authority and Use of the Fred R. Field Western Heritage Center		Policy Number:	5.2.4
Approval Authority:	Gunnison County Board of County Commissioners		Adoption Document	Resolution #
Date of Initial Adoption:	11/5/2019	Effective Date:	1/1/2022	Policy Custodian: Fairgrounds Manager
Last Review / Revision Date:	N/A	Review Frequency:	Every one (1) year.	Next Review Due: 1/1/2023

PURPOSE

The Board of County Commissioners of Gunnison County (the "Board") owns and oversees the buildings, improvements, maintenance and use of the Fred R. Field Western Heritage Center (the "Center"). Pursuant to Colorado Revised Statutes, 18-9-117(b), the Board also has the power to control, manage and supervise the buildings and property, and to adopt such orders, rules or regulations as are reasonably necessary for the administration, protection and maintenance of such buildings and property.

The Center has several indoor and outdoor areas that can be made available by the Board for public use. Such use incurs costs related to maintenance, improvements, security and management. Usage fees are charged to offset a portion of those costs.

SCOPE

This policy applies to all users of the Fred R. Field Western Heritage Center.

DEFINITIONS

- Fred R. Field Western Heritage Center: Any and all structures and grounds located at 275 S. Spruce Street, Gunnison, CO 81230.
- Smoking: The act of releasing particles into the air from the use of pipes, cigars, cigarettes and/or electronic smoking devices.

POLICY STATEMENTS

Gunnison County reserves the right to control and manage the present and future usage of the facility and to enforce all necessary and proper rules and for its authorized representatives and employees to enforce rules and regulations, maintenance, inspection and repair of the facility. Gunnison County reserves the right, but not the duty, through its duly appointed representative to eject any person(s) from the Center's premises for violation of these rules or of any law or ordinance.

Scheduling.

Indoor and outdoor areas and meeting rooms at the Center may be scheduled for use by contacting Center staff directly at (970) 641-8561. Scheduling will be done on a first-come, first-served basis.

Use:

1. All users will be required to sign a user's contract (see attached) prior to Center use.
2. The Center will be used in a safe and careful manner. Users will comply with all applicable municipal, County, State and Federal laws, rules and regulations as may be in force and effect during their scheduled event.
3. Users must obtain all required permits and licenses, including those required by the City of Gunnison, Gunnison County, State and/or Federal government for the scheduled usage. All taxes must be paid promptly according to the nature of the usage.
4. Users are responsible for clean-up of utilized spaces and parking areas. The person signing the contract will be individually responsible for any damages to the building or for any fees charged for clean-up.
5. Unless otherwise arranged in advance, users will be responsible for setting up and taking down chairs and tables.
6. Any special equipment requirements must be stated on the contract.
7. Gunnison County will not be responsible for losses due to theft, fire or vandalism during contracted use of the Center. Any special equipment furnished by the user will be the responsibility of the user.
8. Nails or other objects will not be placed in any of the Center's walls. Masking tape or painter's tape may be used on walls.
9. Smoking (see definition) is not allowed within 30 feet of any Center building.
10. All animals, domestic or otherwise, are restricted to the outdoor arena and pavilion, stalls, pens and trailers when not physically being moved from one location to another by a qualified animal handler. No animals will be allowed in Center facilities or on Center grounds, unless specifically allowed by Gunnison County Policy #5.2.3.
11. Only designated Center staff and other staff-trained persons may operate the PA systems.
12. Parking shall be in designated areas only. Users are responsible for parking control and ensuring that fire lanes and access lanes are kept clear of obstruction.
13. General Center hours are from 7:00 am to 11:00 pm. Exceptions may be granted with prior approval from the Fairgrounds Manager. Use lasting later than 11:00 pm will result in an additional charge of \$25 per night.
14. If any event will require extra costs (such as increased staffing, insurance, etc.), the Fairgrounds Manager will charge the user for the anticipated costs related to the event in advance.
15. Gunnison County is not responsible for providing AV equipment unless agreed to in the use contract. Gunnison County is not responsible for providing technical assistance.
16. It is the responsibility of the user to make arrangements to pick up and return any and all building/room keys. Lost keys will result in a fine of \$100, per key, and possible loss of the privilege to use the Center.
17. Users must be respectful of users in other rooms at the Center, including maintaining appropriate noise levels and not allowing children/youth to roam around the Center.

Equine Activity Sponsor and/or Equine Professional and/or Other Non-Commercial Activity Sponsors:

Equine activity sponsors and/or equine professionals, as defined by C.R.S. 13-21-119 and may be amended, are not obligated to obtain insurance covering injury to spectators at equine activities as a condition of Center use.

A sponsor of an activity at the Center that does not charge an admission to such activity is not obligated to obtain insurance covering injury to spectators at such non-commercial activity as a condition of Center use.

This policy shall not be construed to be a waiver of limits of or exemptions from liability by the Board of County Commissioners, including its elected or appointed officers, employees or agents, under C.R.S. 13-21-119 and/or C.R.S. 24-10-101 *et seq.*

This policy is not and shall not be construed to be an acceptance, either partially or wholly, by the Board of County Commissioners, and/or its elected or appointed officers, employees and agents, of any risk or liability of any equine activity sponsor, equine professional, sponsor of non-commercial activity or spectator at the Center.

This policy is not and shall not be construed to be advice or counsel, legal or otherwise, to equine activity sponsors or equine professionals or sponsors of non-commercial activity who may use the Center whether to obtain insurance for spectators of equine activities or non-commercial activities.

The Center will post and maintain signage containing the warning language specifically required by and in the manner outlined by C.R.S. 13-21-119, as it may be amended.

Fees:

The fees below will be charged and collected by Center staff for use of the Center, and fees must be paid in advance of the scheduled use. Stated fees are for daily use unless otherwise stated, and fees will not be prorated for portions of a day. No fee listed below may be reduced or waived without pre-approval from the Board. However, if time constraints are an issue, such pre-approval may be provided by the County Manager so long as that decision is acknowledged by the Board during the next available regular meeting. Use of the Center for official County and 4H activities will not incur fees.

Area/Room	Description	Daily Fee (unless noted)	Additional Information
McDonough Room	Small conference room downstairs, 24' x 24', seats 35.	\$33	Reservations may be made no more than 30 days prior to use. Users are responsible for arranging the room for use and leaving the room as they found it.
Hartman Room	Upstairs conference room, 34' x 57', seats 50.	\$70	Food and drink are not allowed in this carpeted area.
Van Tuyl Room	Concrete-floored multi-purpose room, 50' x 80', seats 220.	\$85 for up to 150 people. \$116 for up 151-220 people.	
Esty Room	Rubber-floored multi-purpose room, 125' x 80', seats 400.	\$74 for up to 40 people. \$158 for 51-150 people. \$200 for 151-400 people.	
Kitchen	Refrigerator, sinks, sanitizer, ice-maker, two ovens, four-burner stove, commercial microwave oven, and food preparation surfaces.	\$40	
Outside Arena and Pavilion		\$110 (arena will be watered before event and worked with drag each morning), plus \$50 for midday working and \$46/hour if tractor and driver are requested to be available for dragging between barrel racers.	Use for clinics, horse shows, circuses, lessons, and motor sports.
		\$1,000	Mud races
		\$1,200 per Season	Use by local team-roping and barrel-racing clubs that use the Center for weekly events from May through September annually.
Arena Only		\$25 annually	Use by individuals.
Pavilion Only	50' x 80'	\$50	

Vehicle Parking Only	Approximately 10 acres.	\$30 per vehicle if camping with access to electric; \$25 per vehicle if camping with access to water and electric; there is no charge for dry camping if meeting space, pavilion and/or arena are rented concurrently.	RV conventions and Jeep Jamborees. Groups must provide additional dumpsters and portable toilets.
Covered Stalls & Outside Pens	Stalls hold one animal, pens hold more than one animal.	\$20 per stall or pen	Stalls are to be left clean. Locations are identified in each barn for manure and shavings.
Alcohol	Serving and/or selling alcohol anywhere on Center property.	\$90	Users provide their own alcohol. Serving and/or selling alcohol at the Center requires prior approval. See below for more information.
Dance Floor	Up to 450 square feet.	\$100	
Portable Stage	Up to six sections (each are 4' x 8') are available for various	\$10	
LCD Projector		\$10	
Sound Equipment	Amplifier, speakers, corded/wireless mics.	\$10	
Podium	Standing and table-top options.	\$4	

Serving Alcohol:

Alcoholic beverages may be served, but **NOT SOLD**, at the Center when the Center is rented for a private function and the event is by invitation only. If there is any doubt as to whether your function is considered private, please call the City Clerk’s Office at 970-641-8080. A written request describing the event must be submitted for approval at least 72 hours prior to the event to Gunnison County Deputy County Manager Marlene Crosby or designated staff member at 195 Basin Park Drive, Gunnison Colorado 81230. The request must include the following information or it will not be processed:

1. Name of Person/Organization renting the facility
2. Address of contact person responsible for ensuring compliance with the conditions imposed
3. Phone number (if available) of contact person
4. Date of the Event
5. Time of the Event
6. Type of Event (wedding reception, birthday party, etc.)

Gunnison County reserves the right to approve, deny or place conditions on any request to serve alcoholic beverages at the Center.

Selling Alcohol:

Alcoholic beverages **MAY BE SOLD**, but only with prior approval of the City of Gunnison and the State of Colorado in compliance with the Special Events Liquor Permit application that must be submitted to the City of Gunnison no later than 30 (thirty) days prior to the event.

A written request describing the event must also be submitted for approval at least 72 hours prior to the event to Gunnison County Deputy County Manager Marlene Crosby or designated staff member at 195 Basin Park Drive, Gunnison Colorado 81230. Gunnison County reserves the right to approve, deny or place conditions on any request to sell alcoholic beverages at the facility. The request must include the following information or it will not be processed:

1. Name of Person/Organization renting the facility
2. Address of contact person responsible for ensuring compliance with the conditions imposed
3. Phone number (if available) of contact person
4. Date of the Event
5. Time of the Event
6. Type of Event (wedding reception, birthday party, etc.)

COMPLIANCE

This policy shall be complied with in all respects. Revisions to this policy may occur. However, when deemed necessary in order to fully protect the County’s interests, the interest of the public, and to more fully protect the safety of the public, including employees governed by this policy, this policy may be changed without notice.

APPLICABLE LEGISLATION AND/OR RELATED REGULATIONS, POLICIES AND FORMS

1. C.R.S. 13-21-119. Equine activities – llama activities – legislative declaration – exemption from civil liability.
2. C.R.S. 18-9-117. Unlawful conduct on public property.
3. C.R.S. 24-10-101, *et seq.* Governmental immunity.
4. Gunnison County Policy #5.2.3. Allowances, Restrictions and Responsibilities Regarding Animals in County Facilities and on County Grounds.

All policies are subject to amendment. Refer to the Gunnison County website (www.GunnisonCounty.org/Policies) for the official, most recent version of any policy adopted by the Gunnison County Board of County Commissioners.

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO: 2022-5**

**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 21-31

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, utility investment 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 collection 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. Utility Investment 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 utility investment 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 utility investment fee. If an additional inspection is required, a flat fee will be charged for each additional inspection.

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

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 1st day of February, 2022.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS

Houck – yes, Mason – yes, Smith – yes.

APPENDIX A

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

QTRLY BASE RATE

RESIDENTIAL	\$	143.70	per quarter			
COMMERCIAL	\$	143.70	per quarter	X	factor	X # of factor units
VACANT LOT	\$	48.00	per quarter			

ADD'L INSPECTION FEE

APPENDIX B

GUNNISON COUNTY, COLORADO
 ANTELOPE HILLS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
 SCHEDULE OF RATES - SEWER UTILITY INVESTMENT FEE

<u>WATER SUPPLY SIZE</u>	<u>STANDARD FEE</u>	<u>AFFORDABLE/ WORKFORCE* FEE</u>
¾"	\$ 8,000.00	\$ 5,000.00
1"	\$ 14,400.00	\$ 9,000.00
1 ½"	\$ 32,000.00	\$ 20,000.00
2"	\$ 56,000.00	\$ 35,000.00
3"	\$ 112,000.00	\$ 70,000.00
4"	\$ 192,000.00	\$ 120,000.00
6"	\$ 384,000.00	\$ 240,000.00

NOTE: Fees are based on either the water meter size or the line size from the well to the structure when no meter is present.

* Deed restricted housing unit.

APPENDIX C

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

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

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 22-6**

**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 21-35

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, utility investment 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. Utility Investment 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 utility investment fee 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 utility investment fee for that parcel has been paid in full as set forth above.

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

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

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

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

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

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

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 1st day of February, 2022.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS

Houck – yes, Mason – yes, Smith – yes.

APPENDIX A

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

	<u>QTRLY BASE RATE</u>	<u>BASE GAL.</u>	<u>OVERAGE RATES</u>
RESIDENTIAL	\$ 165.30 per quarter	18,000	\$ 4.50 / 1,000 gal. to 36,000 gal. \$ 7.20 / 1,000 gal. over 36,000 gal.
AVAILABILITY OF SERVICE	\$ 33.00 per quarter		
ADD'L INSPECTION FEE	\$ 50.00 per additional inspection		

APPENDIX B

GUNNISON COUNTY, COLORADO
 ANTELOPE HILLS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
 SCHEDULE OF RATES - WATER UTILITY INVESTMENT FEE

<u>METER SIZE</u>	<u>STANDARD FEE</u>	<u>AFFORDABLE WORKFORCE FEE</u>
¾"	\$ 6,000.00	\$ 1,680.00
1"	\$ 8,000.00	\$ 2,240.00
1 ½"	\$ 11,000.00	\$ 3,080.00
2"	\$ 14,000.00	\$ 3,920.00
3"	\$ 21,000.00	\$ 5,880.00
4"	\$ 28,000.00	\$ 7,840.00
6"	\$ 41,000.00	\$ 11,480.00

NOTE: Fees are based on water meter

* Deed restricted housing unit

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
 RESOLUTION NO. 22-7**

**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 21-34

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, utility investment 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 collection 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. Utility Investment 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 utility investment 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 utility investment fee. If an additional inspection is required, a flat fee will be charged for each additional inspection.

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

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 1st day of February, 2022.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS

Houck – yes, Mason – yes, Smith – yes.

APPENDIX A

GUNNISON COUNTY, COLORADO
DOS RIOS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES – SEWER

QTRLY BASE RATE

RESIDENTIAL	\$	158.40	per quarter			
COMMERCIAL	\$	158.40	per quarter	X	factor	X # of factor units
VACANT LOT	\$	54.30	per quarter			
ADD'L INSPECTION FEE						

APPENDIX B

GUNNISON COUNTY, COLORADO
DOS RIOS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - SEWER UTILITY INVESTMENT FEE

WATER SUPPLY SIZE	FEE	AFFORDABLE/ WORKFORCE* FEE
¾"	\$ 8,000.00	\$ 5,000.00
1"	\$ 14,400.00	\$ 9,000.00
1 ½"	\$ 32,000.00	\$ 20,000.00
2"	\$ 56,000.00	\$ 35,000.00
3"	\$ 112,000.00	\$ 70,000.00
4"	\$ 192,000.00	\$ 120,000.00
6"	\$ 384,000.00	\$ 240,000.00

NOTE: Fees are based on either the water meter size or the line size from the well to the structure when no meter is present.

* Deed restricted housing unit.

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

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

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 22-8**

**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 21-36

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, utility investment 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. Utility Investment 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 utility investment fee includes the cost of a Gunnison County water meter and required installation materials. This fee also includes the first inspection of the meter. If an additional inspection is required, the additional inspection fee will be charged.

6. Excessive Connection Costs. Water service will be extended to the property line, unless cost of such extension of service exceeds three thousand dollars (\$3,000) or the product of the number of new users to be served by said sewer extension and three thousand dollars (\$3,000). Costs exceeding three thousand dollars for a single user or the product of the number of new users to be served by said sewer extension and three

thousand dollars (\$3,000) will be the sole responsibility of the property owner(s) to be served. An estimate of the total costs will be provided to users in advance of work performed. Such work will be managed by Gunnison County staff.

7. Building Permit Shall Not Be Issued. No building permit shall be issued for any building on a parcel of land in the Dos Rios Division unless the utility investment 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 Houck, seconded by Commissioner Smith, and adopted this 1st day of February, 2022.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS

Houck – yes, Mason – yes, Smith – yes.

APPENDIX A

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

	<u>QTRLY BASE RATE</u>	<u>BASE GAL.</u>	<u>OVERAGE RATES</u>
RESIDENTIAL	\$ 117.90 per quarter	18,000	\$ 6.77 / 1,000 gal. to 36,000 gal. \$ 10.71 / 1,000 gal. over 36,000 gal.
COMMERCIAL	See Appendix C	See Appendix C	\$ 7.12 / 1,000 gal. over base gal.
AVAILABILITY OF SERVICE	\$ 49.50 per quarter		
ADD'L INSPECTION FEE			

APPENDIX B

**GUNNISON COUNTY, COLORADO
DOS RIOS DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - WATER UTILITY INVESTMENT FEE**

<u>METER SIZE</u>	<u>STANDARD FEE</u>	<u>AFFORDABLE/ WORKFORCE* FEE</u>
3/4"	\$ 6,000.00	\$ 1,680.00
1"	\$ 8,000.00	\$ 2,240.00
1 1/2"	\$ 11,000.00	\$ 3,080.00
2"	\$ 14,000.00	\$ 3,920.00
3"	\$ 21,000.00	\$ 5,880.00
4"	\$ 28,000.00	\$ 7,840.00
6"	\$ 41,000.00	\$ 11,480.00

NOTE: Fees are based on water meter size.

* Deed restricted housing unit.

APPENDIX C

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

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

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
 RESOLUTION NO. 22-9**

**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 21-32

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, utility investment 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 collection 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. Utility Investment 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.

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 utility investment 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 utility investment fee. If an additional inspection is required, a flat fee will be charged for each additional inspection.

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

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 1st day of February, 2022.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS

Houck – yes, Mason – yes, Smith – yes.

APPENDIX A

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

QTRLY BASE RATE

RESIDENTIAL-PHASE I	\$ 211.90 per quarter				
	*Original users adjacent to City of Gunnison system				
RESIDENTIAL-PHASE II	\$ 309.80 per quarter				
	*All users for which the system was extended during USDA/DOLA/CWPA construction				
COMMERCIAL	\$ 309.80 per quarter	X factor	X	# of factor units	
VACANT LOT	\$ 190.30 per quarter				
ADD'L INSPECTION FEE					

APPENDIX B

GUNNISON COUNTY, COLORADO
NORTH GUNNISON DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - SEWER UTILITY INVESTMENT FEE

WATER SUPPLY SIZE	STANDARD FEE		AFFORDABLE/ WORKFORCE* FEE
	PAYING AVAILABILITY	NOT PAYING AVAILABILITY	
¾"	\$8,000	\$13,000	\$5,000
1"	\$14,400	\$19,400	\$9,000
1 ½"	\$32,000	\$37,000	\$20,000
2"	\$56,000	\$61,000	\$35,000
3"	\$112,000	\$117,000	\$70,000
4"	\$192,000	\$197,000	\$120,000
6"	\$384,000	\$389,000	\$240,000

NOTE: Fees are based on either the water meter size or the line size from the well to the structure when no meter is present.

* Deed restricted housing unit.

APPENDIX C

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

<u>CUSTOMER CLASSIFICATION</u>	<u>FACTOR</u>	<u>FACTOR UNIT</u>
Residence	1.0000	Residence
Integrated Secondary Residence	0.0000	Integrated Secondary Residence
Secondary or Accessory Residence	0.7500	Secondary or Accessory Residence
Mobile Home in Centrally Owned Park	0.7500	Mobile Home
Multiple-family Residence	1.0000	Residence
Townhouse, Townhome, or Condominium	1.0000	Townhouse, Townhome, or Condominium

APPENDIX C (CONTINUED)

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

<u>CUSTOMER CLASSIFICATION</u>	<u>FACTOR</u>	<u>FACTOR UNIT</u>
Small Office	0.5000	Office
Large Office	1.0000	Office
Veterinary Clinic	2.0000	Veterinary Clinic
Church	1.0000	Church
Motel Room w/ kitchen	0.7500	Motel Room
Motel Room w/o kitchen	0.2000	Motel Room
Campground w/ full sewer hookup	0.2000	Camp Space
Campground w/ water only	0.0525	Camp Space
Restaurant w/ banquet facilities	0.0525	Seating Capacity
Restaurant	0.0500	Seating Capacity
Golf Club	0.0500	Seating Capacity
Lounge	0.0250	Seating Capacity

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
 RESOLUTION NO. 22-10**

**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 21-33

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, utility investment 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 collection 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. Utility Investment 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 utility investment 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 utility investment fee. If an additional inspection is required, a flat fee will be charged for each additional inspection.

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

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 1st day of February, 2022.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS

Houck – yes, Mason – yes, Smith – yes.

APPENDIX A

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

QTRLY BASE RATE

RESIDENTIAL	\$	266.94	per quarter
VACANT LOT	\$	88.09	per quarter
ADD'L INSPECTION FEE	\$	50.00	per additional inspection

APPENDIX B

**GUNNISON COUNTY, COLORADO
SOMERSET DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
SCHEDULE OF RATES - SEWER UTILITY INVESTMENT FEE**

<u>WATER SUPPLY SIZE</u>	<u>STANDARD FEE</u>	<u>AFFORDABLE/ WORKFORCE* FEE</u>
¾"	\$ 8,000.00	\$ 5,000.00
1"	\$ 14,400.00	\$ 9,000.00

NOTE: Fees are based on either the water meter size or the line size from the well to the structure when no meter is present.

* Deed restricted housing unit.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 22-11**

**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 21-30

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, utility investment 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 collection 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. Utility Investment Fee. There is a fee for sewer service tap connection within the Tomichi Division for each connection based on Appendix A attached hereto according to water supply size. Water supply size is either the meter size or line size from the well to the structure when no meter is present.

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

4. Minimum Charges. The user connected to the system shall pay the actual costs four quarters per year whether or not the property is occupied or the sewer system is used.

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

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

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 1st day of February, 2022.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS

Houck – yes, Mason – yes, Smith – yes.

APPENDIX A

GUNNISON COUNTY, COLORADO
 TOMICHI DIVISION OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT
 SCHEDULE OF RATES - SEWER UTILITY INVESTMENT FEE

WATER SUPPLY SIZE	STANDARD FEE
¾"	\$ 8,000.00
1"	\$ 14,400.00
1 ½"	\$ 32,000.00
2"	\$ 56,000.00
3"	\$ 112,000.00
4"	\$ 192,000.00
6"	\$ 384,000.00

NOTE: Fees are based on either the water meter size or the line size from the well to the structure when no meter is present

February 1, 2022