

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
December 7, 2021**

The December 7, 2021 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  
Katherine Haase, Deputy County Clerk  
Others Present as Listed in Text

**CALL TO ORDER:** Chairperson Houck called the meeting to order at 3:01 pm.

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

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

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

1. Gunnison County Attorney Employment Agreement; Matthew Rhodes Hoyt
2. Acknowledgment of County Manager Signature; Gunnison County Employment Agreement; IT Director; Chris Lindner
3. Acknowledgment of County Manager Signature; Memorandum of Understanding between the Shiloh House and Gunnison County; 12/1/2021-12/1/2022
4. Acknowledgment of County Manager Signature; Contractor Agreement; Mountain Tree Scapes; 11/13/2021-11/30/2021; \$2,885
5. Consultant Agreement; Charlier Associates, Inc.; 6/18/2021-12/31/2022; \$15,300
6. Designated Agent's Delegation of Project Management Duties; Colorado Division of Homeland Security & Emergency Management; West Region Wildfire Council
7. Resolution; Repealing Resolution No: 08-36 and Adopting the 2021 Gunnison County, Colorado Emergency Operations Plan
8. Contractor Agreement; Safe Ride of Gunnison, Inc.; 1/1/2021-12/31/2021; \$4,000

**COUNTY MANAGER'S REPORTS:**

1. Library Project Update. CM Birnie informed the Board that the project is coming along well. The roof is on and the facility is closed in for the winter. Framing is almost completed inside, and window areas are covered.
2. Airport Project Update. CM Birnie informed the Board that the team is pushing to transition from tent usage to using the facility. Security screening is now in the newly constructed area. The hold room is being utilized, and travelers are able to board from there. Roofing has begun.

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

**Commissioner Mason:**

1. CB Town Council Meeting. Commissioner Mason informed the Board that he attended last night's meeting remotely. During the meeting, he provided a summary of the County's capital projects for 2022, nine of which will impact the north end of the valley.
2. Region 10. Commissioner Mason attended a Region 10 meeting last week. Region 10 will be hiring a new Small Business Resource Center employee who will office in Gunnison. Broadband was discussed at length, including grant application plans and awards.

**Commissioner Smith:**

1. Division of Taxation Hearing. Commissioner Smith informed the Board that she testified at this hearing last week. There were no other testifiers during the hearing.

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

1. Request for Road Maintenance; Que Qua Home Association; Curecanti Drive. Resident Rob Santilli was present for discussion. DCM Crosby explained that the request was for asphalt maintenance, that the road is currently being plowed privately, and that three different HOAs are involved. She recommended BOCC acceptance. She also asked to work with the County Attorney's Office on a resolution to accept this road for maintenance or dedication. She has the associated property plats, which will need to be reviewed by the County Attorney's Office to determine ownership. The Board agreed to move forward with the County Attorney's Office conducting a threshold review of the submitted plats to determine if they reveal whether the road is public, or whether additional title research is necessary, the burden of which should be placed on the residents.
2. Whitewater Park Improvements Proposal. DCM Crosby explained that structure #3 was damaged, and that it was rebuilt with assistance from a GOCO grant. She hoped to have structure #2 evaluated last year, but teams were not traveling during the pandemic, so it was not evaluated

until this year. As suspected, there is erosion damage under the structure, though the level of damage does not present a safety hazard at this time. She is taking input from surfers and would like to evaluate the part for the possibility of adding a wave shaper. She requested signature on the McLaughlin Whitewater Design Group proposal so that the design process can begin. **Moved** by Commissioner Houck, seconded by Commissioner Mason to approve the expenditure of up to \$60,000 for the whitewater park improvement proposal for engineering and upfront evaluation costs. Motion carried unanimously.

3. Intergovernmental Agreement for Winter Road Maintenance; Town of Marble. DCM Crosby noted that the Town of Marble will reimburse the County for fuel costs. **Moved** by Commissioner Mason, seconded by Commissioner Smith to approve the Intergovernmental Agreement for Winter Road Maintenance with the Town of Marble and authorize the Chairperson's signature. Motion carried unanimously. The County Attorney recommended that the Board should consider an insurance requirement in this or future such agreements.
4. Contractor Agreement; SG Interests I, Ltd; 12/7/2021-7/1/2022; Plowing on CR #265. DCM Crosby noted that SG Interests would not agree to the indemnity language that County Attorney Matt Hoyt recommended to include in the contract. **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the Contractor Agreement with SG Interests I, Ltd. For plowing on County Road #265 and authorize the Chairperson's signature. Motion carried unanimously.
5. Amendment to Intergovernmental Agreement for Winter Road Maintenance; Town of Pitkin. DCM Crosby stated that the Agreement was scheduled for signature by the Town next week. CA Hoyt recommended that any motion be contingent upon ministerial correction of some of the contract language. **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve the Amendment to Intergovernmental Agreement for Winter Road Maintenance with the Town of Pitkin, contingent on the ministerial issue that the County Attorney wishes to address, then authorize the Chairperson's signature and the use of the Chairperson's signature stamp on the final document once it is ready. Motion carried unanimously.

**RESOLUTIONS; 2022 WATER, SEWER AND LANDFILL RATES:** DCM Crosby was present for discussion. **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve the following resolutions.

1. Resolution #2021-29, a Resolution Amending Certain Charges and Fees for Integrated Solid Waste Services Effective January 1, 2022; This Resolution Supersedes Resolution 19-19.
2. Resolution #2021-30, 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 19-32.
3. Resolution #2021-31, 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 19-33.
4. Resolution #2021-32, 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 19-34.
5. Resolution #2021-33, 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 19-35.
6. Resolution #2021-34, 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 19-36.
7. Resolution #2021-35, 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 19-37.
8. Resolution #2021-36, 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 19-38.

The fees and associated schedules are all attached in the packet and we will be authorizing the full board signature on the documents. Motion carried unanimously.

**LAND-RELATED REQUESTS:**

1. Boundary Line Adjustment; Land Use Change #21-00052; Louis and Jodee Costello. Administrative Services Manager Beth Baker and property owner Louis Costello were present for discussion. ASM Baker explained that this change will result in two lots of at least one-acre in size. She also noted that this request followed the standard process and the documentation for approval is within the guidelines of how the County processes these types of requests. **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the Boundary Line Adjustment for LUC #21-00052 and authorize the Chairperson's signature on the plat. Motion carried unanimously.
2. Resolution Approving Wattles Rocky River Subdivision Located at Resort Parcel in Rocky River Estates Subdivision and Legally Described in Attached Exhibit A, 4359 County Road 10, Gunnison Colorado, LUC-20-00002. Planner II Rachel Sabbato was present for discussion, along with Dani and Rob Wattles. Planner II Sabbato indicated that hearings occurred, as required by the Land Use Resolution, and that no addition comments were received after the hearings concluded.

**Moved** by Commissioner Smith, seconded by Commissioner Mason to approve Resolution #2021-37, a Resolution Approving Wattles Rockey River Subdivision and authorize the Chairperson's signature on the plat. Motion carried unanimously.

**GUNNISON COUNTY, COLORADO LICENSING REQUIREMENTS FOR BUILDING CONTRACTORS:** Community and Economic Development Director Cathie Pagano was present for discussion, along with the majority of her department's staff.

Building/Environmental Health Official Crystal Lambert stated that staff had been working with the County Attorney's Office to design a program and that the proposal was aligned with the building code and statutes. Over 80% of survey respondents were in favor of the proposal. The licensing exam for contractors will be open book, and it can be taken online or in person. The Board suggested that, when this program is rolled out, license terms are explained clearly to applicants so they know when to renew.

CEDD Pagano noted that there was question related to whether or not the County could revoke a license if a contractor violates the Land Use Resolution. However, CA Hoyt explained that, while it would not be lawful to do so, there may be other tools available. He also stated that this licensure offers protection for consumers.

The licensing requirements will be scheduled for adoption by resolution in the near future.

**COMMISSIONER ITEMS (continued):** This discussion resumed earlier than scheduled due to a gap in the meeting.

**Commissioner Mason:**

1. Broadband. Commissioner Mason informed the Board that work is also being done to get a route to Pitkin.
2. Helicopters Disruption on Mt. Crested Butte. Commissioner Mason informed the Board that he is working with others to find out who was operating the helicopter and what they were doing. The aircraft landed while the ski resort was open, so the assumption is that the craft belongs to the military.

**Commissioner Smith:**

3. Southwest Colorado Regional Council. Commissioner Smith stated that non-voting members have been appointed, and tie-breakers will be handled during the next meeting. There is good representation from the county, and a facilitator will be utilized to meld programs. She will provide some outreach to the Towns in the coming weeks. A full-day retreat with the facilitator will be scheduled to take place in early 2022.
4. Sage-grouse Technical Committee. Commissioner Smith stated that the Committee met yesterday to discuss basin-wide efforts related to cheatgrass mitigation. The Committee hopes to secure a facilitator that will remain for 2-3 years, to provide consistency. Letters of support, including financial commitments are expected to be received. Commissioner Smith will follow up with Commissioner Houck to discuss the issue of FDA-approved herbicides that are thought to be better for the environment, but aren't approved for Bureau of Land Management use.
5. Mobile Home Park Act. Commissioner Smith is continuing discussions with representatives. She has seen the first draft of the Bill. CEDD Pagano will provide contact information for a graduate student working on this issue.

**Commissioner Houck:**

1. Colorado Counties, Inc. Winter Conference. Commissioner Houck stated that all three commissioners attend last week. Tracking of funding sources and programs was discussed, as was County lodging taxes.
2. Elected Official Dinner. Commissioner Houck stated that he attended the dinner last week, and that he thought it went well.

**EXECUTIVE SESSION, 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 MODIFICATIONS TO WATER QUALITY STANDARDS IMPLICATING WATER SOURCES IN AND AROUND GUNNISON COUNTY:** County Attorney Matt Hoyt was present for discussion. **Moved** by Commissioner Houck, seconded by Commissioner Smith to enter into executive session, 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 modifications to water quality standards implicating water sources in and around Gunnison County, participants will include the County Attorney, the full Board of County Commissioners, our Community and Economic Development Director and our County Manager. Motion carried unanimously.

The board went into executive session at 4:26 pm. 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 C.R.S. 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)(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)(b).

Date: \_\_\_\_\_

\_\_\_\_\_  
Jonathan Houck, Chairperson  
Gunnison County Board of Commissioners

The Board came out of executive session at 4:41 pm. **Moved** by Commissioner Houck, seconded by Commissioner Smith to come out of executive session, we stayed on topic, the participants were consistent with those read into the record. Motion carried unanimously. The Board asked CA Hoyt to continue working the issues with Commissioner Mason being the point commissioner.

**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 THE MT. EMMONS/RED LADY MINE, 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 THE MT. EMMONS/RED LADY MINE:**

**Moved** by Commissioner Houck, seconded by Commissioner Mason 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 the Mt. Emmons/Red Lady Mine, 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 the Mt. Emmons/Red Lady Mine; the participants will include the full Board of County Commissioners, the County Manager, the Community Development Director and Deputy County Manager Marlene Crosby. Motion carried unanimously.

The board went into executive session at 4:43 pm. 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 C.R.S. 24-6-402(4)(e)(i) and to C.R.S. 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 to C.R.S. 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 to C.R.S. 24-6-402(4)(b).

Date: \_\_\_\_\_

\_\_\_\_\_  
Jonathan Houck, Chairperson  
Gunnison County Board of Commissioners

The Board came out of executive session at 5:21 pm. **Moved** by Commissioner Houck, seconded by Commissioner Mason to come out executive session, the executive session stayed on task, the participants were those read into the record, and that Commissioner Smith left a moment ago, but that she was here for the entirety of the executive session. Motion carried unanimously.

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

**BREAK:** The meeting recessed from 5:23 until 5:30 pm for a short break and then from 5:30 until 5:41 pm in order to hold the below public hearing.

**PUBLIC HEARING; PROPOSED 2022 GUNNISON COUNTY BUDGET:** Chief Financial Officer Juan Guerra was present for discussion.

Chairperson Houck opened the Public Hearing at 5:30 pm. He thanked the Finance staff for their work to prepare the budget. He noted that numerous work sessions were held over the past couple of months to answer questions and work through all changes, so this opportunity would be for the public to offer comments and suggestions. The budget will be adopted on 12/14/2021, ahead of the 12/15/2021 deadline.

CFO Guerra thanked the Board, all directors and his team. CM Birnie also thanked staff, as well as CFO Guerra for his leadership.

CFO Guerra provided a budget summary, and he stated that transparency efforts are being continued in that this third draft of the budget document is available on the County website for public consumption. He also noted that the Capital Improvements Plan (CIP), which historically was adopted prior to the budget, will be adopted with the budget on 12/14/2021 to ensure that the first year of the CIP is fully funded.

Chairperson Houck closed the Public Hearing at 5:41 pm and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

**ADJOURN:** **Moved** by Commissioner Smith, seconded by Commissioner Mason to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 5:41 pm.

\_\_\_\_\_  
Jonathan Houck, Chairperson

\_\_\_\_\_  
Roland Mason, Vice-Chairperson

\_\_\_\_\_  
Liz Smith, Commissioner

Minutes Prepared By:

\_\_\_\_\_  
Katherine Haase, 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: 2021-28**

A RESOLUTION REPEALING RESOLUTION NO: 08-36 AND ADOPTING THE 2021 GUNNISON COUNTY, COLORADO EMERGENCY OPERATIONS PLAN

WHEREAS, in the best interest of public health, safety and welfare of the citizens and visitors of Gunnison County, Colorado, the Board of County Commissioners of the County of Gunnison, Colorado

("Board") adopted an emergency operations plan through Resolution No: 2017-22, A Resolution Adopting the Gunnison County Emergency Operations Plan; and

WHEREAS, in order to address current operations, the emergency operations plan adopted in 2017 has been amended and updated and a new emergency operations plan has been drafted which is titled: Gunnison County, Colorado Emergency Operations Plan, dated Sept 17, 2021 ("2021 Emergency Operations Plan"); and

WHEREAS, the 2021 Emergency Operations Plan provides general guidelines and principles for managing and coordinating the overall response and recovery activities before, during and after major emergencies and disasters that affect unincorporated areas of Gunnison County, including incorporated areas of Gunnison County which have agreements with and/or rely on Gunnison County for the provision of emergency management assistance; and

WHEREAS, the 2021 Emergency Operations Plan also provides clarification and guidance on the National Incident Management System, concept of operations, designated roles and responsibilities, continuity of government and plan maintenance, training and exercises; and

WHEREAS, to more specifically address emergency support functions and operations, define types of disasters and the appropriate response procedures, and to identify other emergency support resources, there are annexes attached and incorporated within the 2021 Emergency Operations Plan. The annexes will be amended at times in order to reflect changes in information, procedure and techniques; and

WHEREAS, the personnel, departments, agencies and other entities that have designated roles and responsibilities identified in the 2021 Emergency Operations Plan have accepted or, it is reasonable to anticipate, will accept said roles and responsibilities in Section 8 of the 2021 Emergency Operations Plan titled Designated Roles & Responsibilities; and

WHEREAS, the 2021 Emergency Operations Plan, would be implemented in conjunction with Resolution 2008-15, A Resolution Establishing Gunnison County Emergency and Disaster Management and Procedures which has been recently amended through Resolution No: 2020-11, A Resolution Amending Gunnison County Emergency and Disaster Management and Procedures; and

WHEREAS, the Board has reviewed the 2021 Emergency Operations Plan and believes that it is a crucial and necessary guidance tool for emergency management and it is in the best interest of public health, safety and welfare of the citizens of Gunnison County, Colorado that is be utilized.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that Resolution No: 2017-22, A Resolution Adopting the Gunnison County Emergency Operations Plan shall be and hereby is repealed and the "Gunnison County, Colorado Emergency Operations Plan", dated September 17, 2021, with incorporated annexes as they may be amended, shall be and hereby is adopted as the primary guidance tool for emergency management for Gunnison County, Colorado as of the date of execution of this resolution.

INTRODUCED by Commissioner Smith, seconded by Commissioner Mason, and adopted this 7<sup>th</sup> day of December, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO

Houck – yes; Mason – yes; Smith – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 21-29**

**A RESOLUTION AMENDING CERTAIN CHARGES AND FEES FOR INTEGRATED SOLID WASTE SERVICES  
EFFECTIVE JANUARY 1, 2022  
THIS RESOLUTION SUPERSEDES RESOLUTION 19-19**

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

WHEREAS, the Solid Waste Fund is operated and funded through charges and fees for services at the Landfill site and sales of materials at the Gunnison County Recycling Center located at 195 Basin Park Drive; and

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that the following charges and fees are hereby established, to be effective January 1, 2022:

Fee Distribution Rates per Unit

CHARGE	Recycling	Closure	Construction	Sage Grouse	State Fees	Landfill	TOTAL
Compacted	16.36	2.79	10.38	3.75	1.17	21.55	\$ 56.00 /t
Clean Wood	16.36	2.79	10.38	3.75	-	22.72	\$ 56.00 /t
Concrete <12" Diam.	16.36	2.79	10.38	3.75	-	22.72	\$ 56.00 /t
Concrete >12" Diam.	16.19	2.76	10.27	3.75	-	46.03	\$ 79.00 /t
Ground Constr. Debris	16.36	2.79	10.38	3.75	1.17	21.55	\$ 56.00 /t
Loose	16.36	2.79	10.38	3.75	1.17	42.56	\$ 77.00 /t
Tires-Passenger	2.33	0.39	1.43	0.35	-	7.50	\$ 12.00 /ea
Tires-Passenger w/rim	3.31	0.55	2.02	0.53	-	10.59	\$ 17.00 /ea
Tires-Truck	3.31	0.55	2.02	0.84	-	10.28	\$ 17.00 /ea
Tires-Truck w/rim	6.83	1.14	4.17	1.68	-	21.18	\$ 35.00 /ea
Tires-Loader	6.83	1.14	4.17	1.40	-	21.46	\$ 35.00 /ea
Tires-Loader w/rim	13.44	2.24	8.21	2.80	-	42.31	\$ 69.00 /ea
Tire Rim	0.54	-	-	-	-	2.46	\$ 3.00 /ea
Tire Rim w/tire	2.70	-	-	-	-	12.30	\$ 15.00 /ea
Mattress or Box Spring	-	-	-	-	-	29.00	\$ 29.00 /ea
Biosolids	16.20	2.76	10.27	3.75	1.17	44.84	\$ 79.00 /t
Appliance	2.52	-	-	-	-	11.48	\$ 14.00 /ea
Refrigerator/Freezer	5.22	-	-	-	-	23.78	\$ 29.00 /ea
Special Waste	-	2.76	10.27	3.75	1.17	17.05	\$ 35.00 /t
Beneficial Use	-	-	-	-	-	28.00	\$ 28.00 /t
Asbestos	16.16	2.76	10.27	3.75	1.17	253.90	\$ 288.00 /t
Administration Fee	-	-	-	-	-	207.00	\$ 207.00
Minimum Charge	-	-	-	-	-	14.00	\$ 14.00
Untarped Load Penalty	-	-	-	-	-	138.00	\$ 138.00

Fee Distribution Rates per Unit

CHARGE	Recycling	Closure	Construction	Sage Grouse	State Fees	Landfill	TOTAL
Weight Slip	-	-	-	-	-	12.00	\$ 12.00
Failed Inspection	-	-	-	-	-	69.00	\$ 69.00
Ticket Copies	-	-	-	-	-	7.00	\$ 7.00

BE IT FURTHER RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that, in the event of impairment of the scale, the following charges and fees are hereby established:

Fee Distribution Rates per Unit

CHARGE	Recycling	Closure	Construction	Sage Grouse	State Fees	Landfill	TOTAL
Compacted	6.14	1.04	3.90	1.38	0.35	8.19	\$ 21.00 /yd
Clean Wood	4.97	0.85	3.15	1.10	-	6.93	\$ 17.00 /yd
Concrete <12" Diam.	10.23	1.75	6.49	2.30	-	14.23	\$ 35.00 /yd
Concrete >12" Diam.	26.52	4.53	16.81	6.14	-	50.00	\$ 104.00 /yd
Ground Constr. Debris	6.14	1.04	3.90	1.38	0.35	8.19	\$ 21.00 /yd
Loose	4.49	0.77	2.85	1.01	0.35	11.53	\$ 21.00 /yd
Biosolids	8.40	1.43	5.33	1.97	0.35	23.52	\$ 41.00 /yd
Special Waste	-	1.68	6.23	2.25	0.35	10.49	\$ 21.00 /yd
Beneficial Use	-	-	-	-	-	21.00	\$ 21.00 /yd
Asbestos	3.88	0.66	2.45	0.90	0.35	60.76	\$ 69.00 /yd

BE IT FURTHER RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that:

1. Local Tires and Asbestos. Tires and Asbestos will not be accepted from sources outside Gunnison or Hinsdale County.
2. Administration Fee. The Administration Fee shall be collected once per year per type of single source waste that requires a special waste characterization.

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 7<sup>th</sup> day of December, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Houck – yes; Mason – yes; Smith – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 21-30**

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 19-32

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, tap fees, and reasonable delinquency penalties for sewerage facilities; and

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

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

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

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

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

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

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 7<sup>th</sup> day of December, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Houck – yes; Mason – yes; Smith – yes.

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

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

NOTE: Water supply size is measured by inches

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 21-31**

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 19-33

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, tap fees, and reasonable delinquency penalties for sewerage facilities; and

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

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

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

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

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

Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 7<sup>th</sup> day of December, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

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

	<u>QRTLY BASE RATE</u>		
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	\$50.00 per additional inspection		

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

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

NOTE: Water supply size is based on inches.

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

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

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 21-32**

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 19-34

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

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

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

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

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

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

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

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 7<sup>th</sup> day of December, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

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

	<u>QTRLY BASE RATE</u>		
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 of units
VACANT LOT	\$190.30 per quarter		
ADD'L INSPECTION FEE	\$50 per additional inspection		

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

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

NOTE: Supply size is measured by inches

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

<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
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. 21-33**

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 19-35

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

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

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

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

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

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

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 7<sup>th</sup> day of December, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

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 -  
 TAP CONNECTION FEE

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

NOTE: Water supply size is based on inches.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
 RESOLUTION NO. 21-34**

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 19-36

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

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

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

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

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

1. Schedule of Rates. The rate schedule is adopted each year as part of the budget process and is available as Appendix A attached hereto. The schedule of rates will remain in full force and effect for the calendar year for which it was approved. The rate structure will be published in the newspaper and is available from the Gunnison County Finance Office at 200 East Virginia, Gunnison, CO 81230. Any past due account shall be subject to a penalty charge of 1% per month or portion thereof, and any past due amount may, at the option of the Gunnison County Finance Office, be certified for collection in the manner as though they were part of the taxes pursuant to Colorado Revised Statute 30-20-420.
2. Residential Sewer Fee. User fees for connection of each residence, as defined in the Gunnison County Land Use Resolutions (LUR), to the Gunnison County collection system will be charged upon installation of the service line and the approval of the Gunnison County Utility Manager. Residences with an integrated secondary residence are counted as if they were just one residence. Multiple-family residences are considered commercial accounts for billing purposes. User fees will be billed in advance.
3. Commercial Sewer Fee. User fees for connection of units will be charged upon installation of the service line and the approval of the Gunnison County Utility Manager. The fee amount will equal the product of the current residential sewer rate according to Appendix A attached hereto, the factor according to Appendix C, and the number of factored units according to Appendix C. User fees will be billed in advance.
4. Vacant Lot Sewer Fee. A vacant lot sewer fee will be charged for each parcel of real property in the Dos Rios Division which has sewer service available to that parcel but which parcel is not connected to the Division sewer lines. The vacant lot sewer fee will start on the date of final board approval for proposed property developments, subdivisions, etc.
5. Tap Connection Fee. There is a fee for sewer service tap connection within the Dos Rios Division for each connection based on Appendix B attached hereto according to water supply size. Water supply size is either the meter size or line size from the well to the structure when no meter is present.
6. Excessive Connection Costs. Sewer service will be extended to the property line, unless cost of such extension of service exceeds two thousand five hundred dollars (\$2,500) or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500). Costs exceeding two thousand five hundred for a single user or the product of the number of new users to be served by said sewer extension and two thousand five hundred dollars (\$2,500) will be the sole responsibility of the property owner(s)

- to be served. An estimate of the total costs will be provided to users in advance of work performed. Such work will be managed by Gunnison County staff.
7. Minimum Charges. Any property connected to the system shall pay the minimum rate for four quarters per year whether or not the property is occupied or the sewer system is used.
  8. Perpetual Lien. Until paid, all fees, rates, tolls, penalties, interests on delinquencies, and other costs shall constitute a perpetual lien on and against the property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law.
  9. Building Permit Shall Not Be Issued. No building permit shall be issued for any building on a parcel of land in the Dos Rios Division unless the tap fee for that parcel has been paid in full as set forth above.
  10. Additional Inspection Fee. The first inspection of the sewer service line is included with the tap connection fee. If an additional inspection is required, a flat fee will be charged for each additional inspection.
  11. Fees May Be Amended. The fees hereby established may be amended from time to time by the Board of County Commissioners. It is the intention of the Board of County Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

BE IT FURTHER RESOLVED THAT these fees shall remain in effect until changed by resolution by the Board of County Commissioners.  
 INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 7<sup>th</sup> day of December, 2021.

BOARD OF COUNTY COMMISSIONERS  
 OF GUNNISON COUNTY, COLORADO

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

	<u>QTRLY BASE RATE</u>		
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	\$50.000 per additional inspection		

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

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

NOTE: Water supply size is based on inches.

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

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

Restaurant	0.0500	Seating Capacity
Golf Club (Dos Rios Country Club)	0.0500	Seating Capacity
Lounge	0.0250	Seating Capacity

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 21-35**

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 19-37

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

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

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

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

1. Schedule of Rates. The rate schedule is adopted each year as part of the budget process and is available as Appendix A attached hereto. The schedule of rates will remain in full force and effect for the calendar year for which it was approved. The rate structure will be published in the newspaper and is available from the Gunnison County Finance Office at 200 East Virginia, Gunnison, CO 81230. Any past due account shall be subject to a penalty charge of 1% per month or portion thereof, and any past due amount may, at the option of the Gunnison County Finance Office, be certified for collection in the manner as though they were part of the taxes pursuant to Colorado Revised Statute 30-20-420.
2. Residential Water User Fees. User fees for each residence will be charged upon final meter inspection by the Gunnison County Utility Department. Any user with a three-quarter inch (3/4") meter will be considered a residential user for billing purposes. Additionally, all integrated secondary residences, secondary or accessory residences, multiple-family residences, townhomes, or condominiums will be billed at the residential rate. Base user fees will be billed in advance and overage user fees will be billed in arrears.
3. Availability of Service Fee. An availability of service fee will be charged for each parcel of real property in the Antelope Hills Division which has water service available to that parcel but which parcel is not connected to the Division water lines. The availability of service fee will start on the date of final board approval for proposed property developments, subdivisions, etc.
4. Tap Connection Fee. There is a fee for water service tap connection within the Antelope Hills Division for each connection based on Appendix B attached hereto according to meter size. The tap connection includes the cost of a Gunnison County water meter and required installation materials. This fee also includes the first inspection of the meter. If an additional inspection is required, the additional inspection fee will be charged.
5. Excessive Connection Costs. Water service will be extended to the property line, unless cost of such extension of service exceeds three thousand dollars (\$3,000) or the product of the number of new users to be served by said sewer extension and three thousand dollars (\$3,000). Costs exceeding three thousand dollars for a single user or the product of the number of new users to be served by said sewer extension and three thousand dollars (\$3,000) will be the sole responsibility of the property owner(s) to be served. An estimate of the total costs will be provided to users in advance of work performed. Such work will be managed by Gunnison County staff.
6. Building Permit Shall Not Be Issued. No building permit shall be issued for any building on a parcel of land in the Antelope Hills Division unless the tap fee for that parcel has been paid in full as set forth above.
7. Minimum Charges. Any property connected to the system shall pay the minimum rate for four quarters per year whether or not the property is occupied or the water system is used.
8. Perpetual Lien. Until paid, all fees, rates, tolls, penalties, interests on delinquencies, and other costs shall constitute a perpetual lien on and against the property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law.
9. Additional Inspection Fee. The first inspection of the water service line is included with the meter fee. If an additional inspection is required, the additional inspection fee will be charged.
10. Repair Responsibility. Customers are responsible for costs associated with leaks and repairs that occur after water has passed through the curb stop. The County is responsible for costs associated with leaks and repairs on the main line, the service line that reaches from the main line to the curb stop, and the curb stop.
11. Meter Malfunction. Should a customer reasonably and prudently believe a meter is malfunctioning, a replacement meter and/or readout will be provided free of charge. The replacement meter and/or readout must be installed by a licensed plumber at the customer's expense.
12. Fees May Be Amended. The fees hereby established may be amended from time to time by the

Board of County Commissioners. It is the intention of the Board of County Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 7<sup>th</sup> day of December, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

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 quarter		

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

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

NOTE: Meter size is measured by inches

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 21-36**

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 19-38

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

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

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

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

1. Schedule of Rates. The rate schedule is adopted each year as part of the budget process and is available as Appendix A attached hereto. The schedule of rates will remain in full force and effect for the calendar year for which it was approved. The rate structure will be published in the newspaper and is available from the Gunnison County Finance Office at 200 East Virginia, Gunnison, CO 81230. Any past due account shall be subject to a penalty charge of 1% per month or portion thereof, and any past due amount may, at the option of the Gunnison County Finance Office, be certified for collection in the manner as though they were part of the taxes pursuant to Colorado Revised Statute 30-20-420.
2. Residential Water User Fees. User fees for each residence will be charged upon final meter inspection by the Gunnison County Utility Department. Any user with a three-quarter inch (3/4") meter will be considered a residential user for billing purposes. Additionally, all integrated secondary residences, secondary or accessory residences, multiple-family residences, townhomes, or condominiums will be billed at the residential rate. Base user fees will be billed in advance and overage user fees will be billed in arrears.
3. Commercial Water User Fees. User fees for each commercial connection will be charged

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

4. Availability of Service Fee. An availability of service fee will be charged for each parcel of real property in the Dos Rios Division which has water service available to that parcel but which parcel is not connected to the Division water lines. The availability of service fee will start on the date of final board approval for proposed property developments, subdivisions, etc.
5. Tap Connection Fee. There is a fee for water service tap connection within the Dos Rios Division for each connection based on Appendix B attached hereto according to meter size. The tap connection includes the cost of a Gunnison County water meter and required installation materials. This fee also includes the first inspection of the meter. If an additional inspection is required, the additional inspection fee will be charged.
6. Excessive Connection Costs. Water service will be extended to the property line, unless cost of such extension of service exceeds three thousand dollars (\$3,000) or the product of the number of new users to be served by said sewer extension and three thousand dollars (\$3,000). Costs exceeding three thousand dollars for a single user or the product of the number of new users to be served by said sewer extension and three thousand dollars (\$3,000) will be the sole responsibility of the property owner(s) to be served. An estimate of the total costs will be provided to users in advance of work performed. Such work will be managed by Gunnison County staff.
7. Building Permit Shall Not Be Issued. No building permit shall be issued for any building on a parcel of land in the Dos Rios Division unless the tap fee for that parcel has been paid in full as set forth above.
8. Minimum Charges. Any property connected to the system shall pay the minimum rate for four quarters per year whether or not the property is occupied or the water system is used.
9. Perpetual Lien. Until paid, all fees, rates, tolls, penalties, interests on delinquencies, and other costs shall constitute a perpetual lien on and against the property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law.
10. Additional Inspection Fee. The first inspection of the water service line is included with the meter fee. If an additional inspection is required, the additional inspection fee will be charged.
11. Repair Responsibility. Customers are responsible for costs associated with leaks and repairs that occur after water has passed through the curb stop. The County is responsible for costs associated with leaks and repairs on the main line, the service line that reaches from the main line to the curb stop, and the curb stop.
12. Meter Malfunction. Should a customer reasonably and prudently believe a meter is malfunctioning, a replacement meter and/or readout will be provided free of charge. The replacement meter and/or readout must be installed by a licensed plumber at the customer's expense.
13. Fees May Be Amended. The fees hereby established may be amended from time to time by the Board of County Commissioners. It is the intention of the Board of County Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 7<sup>th</sup> day of December, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

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	\$50.00 per additional inspection		

APPENDIX B

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

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

NOTE: Meter size is measured by inches

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

<u>CUSTOMER CLASSIFICATION</u>	<u>FACTOR</u>	<u>FACTOR UNIT</u>
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. 21 – 37**

A RESOLUTION APPROVING WATTLES ROCKEY RIVER SUBDIVISION LOCATED AT RESORT PARCEL IN ROCKEY RIVER ESTATES SUBDIVISION AND LEGALLY DESCRIBED IN ATTACHED EXHIBIT A. 4359 COUNTY ROAD 10, GUNNISON COLORADO, LUC-20-00002

WHEREAS, the applicant Robert and Danette Wattles are proposing to subdivide 6.9 acres, previously known as Rockey River Resort, into a two lot subdivision with resulting parcels of 4.333 acres for Lot A and 2.551 acres for Lot B. A new common driveway from Lots A and B off County Road 10 will access the property along the northern property line, and the current driveway along the river will be reclaimed and revegetated at the time of construction of the new access. Lot B has a domestic well but no On-site Waste Water System exists.

WHEREAS, a joint public hearing was conducted by the Planning Commission and Board of County Commissioners on November 5, 2021. The Gunnison County Planning Commission approved a Recommendation of conditional approval of the *WATTLES ROCKEY RIVER SUBDIVISION* on November 5, 2021, and forwarded said Recommendation to the Board of County Commissioners for their review; and

WHEREAS, the Board of Commissioners did, on December 7, 2021, receive and review the Planning Commission's Recommendation and considered the Recommendation in evaluating the request and intends to approve the request by the adoption in full of the Planning Commission's November 5, 2021 Recommendation, with the following Findings and Conditions of Approval:

Findings:

The Board finds that:

1. The Planning Commission classified the application as a Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects A, 2-4 Units*.
2. The land use change complies with all applicable requirements of the *Gunnison County and Use Resolution* and *Section 6-10: Standards of Approval for Minor Impact Projects*.
3. A Sage Grouse review was conducted by Aleshia Rummel, Gunnison Conservation District Wildlife Biologist, dated March 17, 2020 that stated the proposed activity will not adversely impact Gunnison sage-grouse or their habitats.
4. A new well permit, 82976-F, for Lot B from Colorado Division of Water Resources dated February 27, 2019 has been provided.
5. Upper Gunnison River Water Conservancy District Augmentation Agreement #ASP19- 216A,

dated March 12, 2019 has been provided.

- 6. Plat of The Resort at Rocky River, a Replat of the Resort Lot of Rocky River Estates Subdivision by Skip Hewitt dated August 8, 2021.
- 7. Restrictive Covenants for The Resort at Rocky River, with access agreement was provided August 8, 2021.
- 8. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development file relative to this application; including all exhibits, references and documents as included therein.

Conditions of Approval:

- 1. A mylar subdivision plat, in compliance with Section 6-105, *Gunnison County Land Use Resolution*, shall be provided to the Community Development Department, for signature by the Board of County Commissioners. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder. The applicant shall ensure that the plat will contain required language addressing concerns with domestic animals, fencing and ditch maintenance, pursuant to Section 1-105. L.8.e. of the *Land Use Resolution*.
- 2. The approval shall be memorialized by Board Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.
- 3. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
- 4. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
- 5. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
- 6. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
- 7. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. 2020-00002 *WATTLES ROCKEY RIVER SUBDIVISION*, is approved as a Minor Impact Project, subject to each and all conditions, as identified above.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Smith, seconded by Commissioner Mason, and adopted this 7<sup>th</sup> day of December, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Houck – yes; Mason – yes; Smith – yes.