

**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY
RESOLUTION NO. 11-53**

**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 10-63

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

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

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

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

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

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

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

3. Commercial Sewer Fee. User fees for connection of units will be charged upon installation of the service line and the approval of the Gunnison County Utility Manager. The fee amount will equal the product of the current residential sewer rate (partial tap) according to

Appendix A attached hereto, the factor according to Appendix C, and the number of factored units according to Appendix C. User fees will be billed in advance.

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

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

5a. Non-payment of Tap Connection Fee. Each residential property in Parcel 2 as of July 1, 2010 that did not pay the required tap connection fee prior to installation of the service line shall pay an additional \$332.32 per quarter until the quarter ending June 30, 2015. This additional fee shall constitute financing of the tap connection fee according to the following amortization schedule.

| Date Billed | Payment | Principal | Interest | Total |
|-------------|---------|---------------------|---------------------|---------------------|
| 07/01/10 | 1 | (\$229.19) | (\$103.13) | (\$332.32) |
| 10/01/10 | 2 | (\$233.49) | (\$98.83) | (\$332.32) |
| 01/01/11 | 3 | (\$237.87) | (\$94.45) | (\$332.32) |
| 04/01/11 | 4 | (\$242.33) | (\$89.99) | (\$332.32) |
| 07/01/11 | 5 | (\$246.87) | (\$85.45) | (\$332.32) |
| 10/01/11 | 6 | (\$251.50) | (\$80.82) | (\$332.32) |
| 01/01/12 | 7 | (\$256.22) | (\$76.10) | (\$332.32) |
| 04/01/12 | 8 | (\$261.02) | (\$71.30) | (\$332.32) |
| 07/01/12 | 9 | (\$265.91) | (\$66.40) | (\$332.32) |
| 10/01/12 | 10 | (\$270.90) | (\$61.42) | (\$332.32) |
| 01/01/13 | 11 | (\$275.98) | (\$56.34) | (\$332.32) |
| 04/01/13 | 12 | (\$281.15) | (\$51.16) | (\$332.32) |
| 07/01/13 | 13 | (\$286.43) | (\$45.89) | (\$332.32) |
| 10/01/13 | 14 | (\$291.80) | (\$40.52) | (\$332.32) |
| 01/01/14 | 15 | (\$297.27) | (\$35.05) | (\$332.32) |
| 04/01/14 | 16 | (\$302.84) | (\$29.48) | (\$332.32) |
| 07/01/14 | 17 | (\$308.52) | (\$23.80) | (\$332.32) |
| 10/01/14 | 18 | (\$314.30) | (\$18.01) | (\$332.32) |
| 01/01/15 | 19 | (\$320.20) | (\$12.12) | (\$332.32) |
| 04/01/15 | 20 | (\$326.20) | (\$6.12) | (\$332.32) |
| | | <u>(\$5,500.00)</u> | <u>(\$1,146.36)</u> | <u>(\$6,646.36)</u> |

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

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

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

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

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

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

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

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

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

INTRODUCED by Commissioner Swenson, seconded by
Commissioner Chamberland, and adopted this 20th day of December, 2011.



BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

By *Hap Channell*
Hap Channell, Chairperson

By *Paula Swenson*
Paula Swenson, Vice-Chairperson

By *Phil Chamberland*
Phil Chamberland, Commissioner



Attest:
Bobbie [Signature]
Deputy County Clerk

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 | \$ 98.73 per quarter | | | |
| *Original users adjacent to City of Gunnison system | | | | |
| RESIDENTIAL-PHASE II | \$ 144.36 per quarter | | | |
| *All users for which the sytem was extended during USDA/DOLA/CWPA construction | | | | |
| COMMERCIAL | \$ 144.36 per quarter | X factor | X # of factor units | |
| VACANT LOT | \$ 88.68 per quarter | | | |
| ADD'L INSPECTION FEE | \$ 50.00 per additional inspection | | | |

APPENDIX B

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

| <u>WATER SUPPLY SIZE</u> | <u>PAYING AVAILABILITY</u> | | <u>NOT PAYING AVAILABILITY</u> |
|--------------------------|----------------------------|-----------------------------|--------------------------------|
| | <u>PARCEL 1</u> | <u>PARCEL 2 (N. VALLEY)</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 |