

**RESOLUTION
OF THE
ST. MARY'S GLACIER WATER AND SANITATION DISTRICT**

Regarding Water and Wastewater Fees, Rates, Tolls, Penalties, and Charges

WHEREAS, St. Mary's Glacier Water and Sanitation District ("District") is a special district in Clear Creek County, Colorado governed by its Board of Directors ("Board") and operating pursuant to Article 1 of Title 32, Colorado Revised Statutes, known as the "Special District Act"; and

WHEREAS, the Board from time to time fixes, increases, or decreases fees, rates, tolls, penalties or charges for services, programs or facilities pursuant to § 32-1-1001(1)(j)(I), C.R.S.; and

WHEREAS, the Board assesses availability of service or facilities charges pursuant to § 32-1-1006(1)(h)(I), C.R.S. and the Board's Resolution to Adopt Availability of Service Fees dated April 18, 2016 ("ASF Resolution"); and

WHEREAS, the District's facilities, operations, maintenance, and debt service costs are funded from revenues generated in whole or in part from water and wastewater fees, rates and charges as generally identified in Appendix A of the District's Rules and Regulations and the ASF Resolution; and

WHEREAS, the Board has analyzed the District's current water and wastewater fees, rates, tolls, penalties, and charges in light of the existing and future demand for services and the District's facilities, operations, maintenance, and debt service costs and obligations; and

WHEREAS, the Board deems it necessary to increase and/or modify certain fees, rates, tolls, penalties, and charges to meet the District's facilities, operations, maintenance, and existing and proposed debt service obligations; and

WHEREAS, notice of the Board's determination to consider the increase of fees, rates, tolls, penalties, and charges was posted on a publicly accessible section of the Special District Association's website at least thirty days prior to the public meeting at which this resolution was considered and adopted pursuant to § 32-1-1001(2)(a)(IV), C.R.S.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF ST. MARY'S GLACIER WATER AND SANITATION DISTRICT, CLEAR CREEK COUNTY, COLORADO, THAT:

1. Increase of Fees. Effective January 1, 2023, the Board approves an increase in the District's Service Fees/User Charges as identified in Appendix A of the District's Rules and Regulations, so that the Water Service Fee shall be equal to \$110.00 per month and the Sewer Service Fee shall be equal to \$110.00 per month. A revised Appendix A is attached hereto as **Exhibit A** and shall be incorporated into the District's Rules and Regulations.

2. Availability of Service or Facilities Fees. Effective January 1, 2023, Availability of Service or Facilities Fees shall be at the rate of \$178.50 per year and continue to be charged in the manner described in the ASF Resolution, which remains in full force and effect and a copy of which is attached hereto as **Exhibit B**.

3. Facilities Improvement Fees. Effective January 1, 2023, the Board approves an increase in the District’s Facilities Improvement Fees as identified in Appendix A of the District’s Rules and Regulations, so that the Water Facilities Improvement Fee shall be equal to \$12,750.00 per each SFE or increment thereof, and the Sewer Facilities Improvement Fee shall be equal to \$12,750.00 per each SFE or increment thereof.

4. Rational Basis for Increase. The Board finds, after analyzing and discussing the data presented by its consultants, that the increases to fees, rates, tolls, penalties, and charges described herein bear a rational relationship to the legitimate government purpose of providing safe and efficient water and sanitation services to the customers, inhabitants, and property owners of the District.

5. Legislative Action. This Resolution is a legislative action of the District and may be modified only by formal action of the Board.

APPROVED AND ADOPTED THIS 21ST DAY OF NOVEMBER.

ST. MARY’S GLACIER WATER AND SANITATION DISTRICT

By: DocuSigned by:
Bruce Hohne
0509EC4575A9427...
Bruce Hohne, President

ATTEST:

By: DocuSigned by:
Jason Yoho
DFC70FDDCF7046C...
Secretary or Assistant Secretary

EXHIBIT A
Appendix A to Rules and Regulations
Water and Wastewater Fees, Rates and Charges

APPENDIX A
SCHEDULE OF COSTS AND
CHARGES WATER AND
WASTEWATER SERVICE

1. PERMIT CHARGE

Single-Family Home/Mobile Home	\$ 50.00
Second Building on Single Lot	\$ 50.00
Duplex	\$ 100.00
Multi-Family	\$ 50.00 per each SFE, or increment thereof
Commercial	\$ 50.00 per each SFE, or increment thereof

There shall be one Permit Charge for each application for service. If a property owner applies for water and sewer service simultaneously, only one Permit Charge shall be charged by the District.

2. FACILITIES IMPROVEMENT FEE

Water: \$12,750 per each SFE or increment thereof.

Sewer: \$12,750 per each SFE or increment thereof.

3. TAP FEE

Water \$750 per each SFE or increment thereof.

Sewer: \$750 per each SFE or increment thereof.

Properties for which proof of a prepaid Tap Fee can be shown as described in the District's Rules and Regulations shall not be charged an additional Tap Fee pursuant to the District's Rule and Regulations. Those properties shall still be responsible for payment of the Facilities Improvement Fee subsequent to the properties' connection to the District's systems and prior to the District authorizing the turn-on of service through the connections.

4. SERVICE CHARGE/USER FEE

Water (Annual Flat-Rate Charge):

Residential (single/family)	\$1,320 per year for each SFE, billed in equal monthly installments.
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Multi-Family	\$1,320 per year for each SFE, billed in equal monthly installments.
Commercial	\$1,320 per year for each SFE, billed in equal monthly installments.
Seasonal Bed & Breakfast Regulations.	Calculated as set forth in the Rules and Regulations.

Sewer (Annual Flat-Rate Charge):

Residential (single/family)	\$1,320 per year for each SFE, billed in equal monthly installments.
Multi-Family	\$1,320 per year for each SFE, billed in equal monthly installments.
Commercial	\$1,320 per year for each SFE, billed in equal monthly installments.
Seasonal Bed & Breakfast Regulations.	Calculated as set forth in the Rules and Regulations.

5. SURCHARGES

\$0.018 per gallon used over 60,000 gallons per year for residential and each unit in a multi-family dwelling. \$0.018 per gallon surcharge will be assessed for commercial dwellings over the baseline established by Board of Directors.

6. FEES FOR SECOND BUILDING ON LOT

SERVICE:	FEE:
Fee for Second Building that Connects to Property’s Existing Service Lines:	\$500.00
Fee for Second Building that Connects Directly to District’s Main Lines	\$1,500.00
Permit Charge for Second Building (as referenced in Section 1 above)	\$50.00
Monthly Service Charge/User Fee for Second Building	\$10.00/month

7. AVAILABILITY OF SERVICE OR FACILITIES CHARGES

Availability of Service or Facilities Charges are assessed in the manner and amounts identified in the Resolution regarding Adoption of Availability of Service Fees approved and adopted by the District’s Board of Directors on April 18, 2016 and reaffirmed by the Resolution regarding Water and Wastewater Fees, Rates, Tolls, Penalties, and

Charges approved and adopted by the District's Board of Directors on November 21, 2022. The availability of service fee for 2023 has be determined to be \$178.50 annually.

8. DISCONNECTION CHARGE

\$250.00 for each disconnection as set forth in the Rules and Regulations.

9. ADDITIONAL FEES, RATES, CHARGES, AND

PENALTIES SERVICE:	FEE:
Pressure Release Valves ("PRVs"): Purchase and self install: District to install:	\$130.00/each \$100.00 per hour
CURB STOPS: Replacement (no repairs, only replacement)	\$950.00
METERS:	
Replacement (meter + labor)	\$600.00
Transponder replacement	\$300.00
Freeze Plate replacement	\$50.00
Bracket replacement plus gasket	\$200.00
DUAL CHECK VALVE:	\$200.00
CURB STOP BOX:	\$200.00
WATER SERVICE TURN ON/OFF:	
First Turn On and Turn Off per year	FREE
Additional turn on or off during calendar year	\$50.00 each
LOCATES:	\$100.00/hour +/- 24" from locate line
Easement Vacation Request Fee (Fee is charged to property owner who requests the District vacate an easement)	\$100.00
Status Letter Fee	\$100.00
Property Transfer Fee	\$300.00

DISTRICT PENALTIES:

Customer refusal to grant District personnel access to inspect meters or water and sewer facilities	\$500.00
Failure to provide triangulation:	\$250.00 plus any damage to District systems
Failure to turn off water services when absent over 1 week	\$500.00 plus any damage to District systems
Unauthorized turn-on by customer	\$1,500.00
Meter tampering	\$500.00
Damage to meter (cost of meter plus \$100)	\$500.00
Returned check fee	\$25.00
Reconnection Fee (charged to reconnect a property whose service was disconnected due to nonpayment of amounts owed)	\$150.00
Residential (single/family): Late payment fee	Any District Fees assessed by

	<p>the District which are not paid in full within thirty (30) days after the scheduled due date may be assessed a late fee of fifteen dollars (\$15.00), per §29-1-1102(3), C.R.S. Pursuant to §29-1-1102(7), C.R.S., interest may also accrue on any outstanding Service Fees, exclusive of assessed late fees, at the rate of eighteen percent (18%) per annum.</p>
<p>Multi-Family: Late payment fee</p>	<p>Any Multi-Family Fees assessed by the District which are not paid in full within thirty (30) days after the scheduled due date may be assessed a late fee of five percent (5%) up to twenty-five percent (25%) per annum, per §29-1-1102(3), C.R.S. Pursuant to §29-1-1102(7), C.R.S., interest may also accrue on any outstanding Service Fees, exclusive of assessed late fees, at the rate of eighteen percent (18%) per annum.</p>
<p>Commercial: Late payment fee</p>	<p>Any Commercial District Fees assessed by the District which are not paid in full within thirty (30) days after the scheduled due date may be assessed a late fee of five percent (5%) up to twenty-five percent (25%) per annum, per §29-1-1102(3), C.R.S. Pursuant to §29-1-1102(7), C.R.S., interest may also accrue on any outstanding Service Fees, exclusive of assessed late fees, at the rate of eighteen percent (18%) per annum.</p>

St. Mary's Glacier Water & Sanitation District C/O Pinnacle Consulting Group, Inc
 550 West Eisenhower Blvd
 Loveland, CO 80537
 (970) 669-3611
 www.stmarysglacier.com

EXHIBIT B
Copy of Resolution regarding the Adoption of
Availability of Service Fees Approved and Adopted on April 18, 2016

RESOLUTION
Adoption of Availability of Service Fees
for St. Mary's Glacier Water and Sanitation District

WHEREAS, St. Mary's Glacier Water and Sanitation District ("District") is a quasi-municipal corporation and political subdivision of the State of Colorado operating pursuant to its service plan and §§ 32-1-101, *et seq.*, C.R.S. ("Special District Act") for the purpose of providing water and sanitary sewer infrastructure and services to the property within its service area; and

WHEREAS, the District has incurred indebtedness and desires to incur future indebtedness for the purpose of financing the construction, maintenance, and replacement of existing and future capital improvements ("Improvements"); and

WHEREAS, the Board of Directors ("Board") for the District desires to adopt Availability of Service or Facilities Fees ("Fees") pursuant to § 32-1-1006(1)(h), C.R.S for the purpose of repaying the indebtedness related to the Improvements; and

WHEREAS, notice of the Board's determination to consider the adoption of the Fees was posted on a publicly accessible section of the Special District Association's website at least thirty days prior to the meeting at which the Fees were to be considered, pursuant to § 32-1-1001(2)(a)(IV), C.R.S.; and

WHEREAS, notice of the public meeting at which the adoption of the Fees was considered by the Board was mailed by first-class United States mail to each taxpaying elector of the District at his or her last known address, as disclosed by the tax records of Clear Creek County, Colorado; and

NOW, THEREFORE, THE BOARD OF DIRECTORS FOR ST. MARY'S GLACIER WATER AND SANITATION DISTRICT RESOLVES AS FOLLOWS:

1. Assessment of Availability of Service and Facilities Fees. The Board hereby adopts Availability of Service and Facilities Fees. The Fees shall be effective and assessed at such time as the Board determines the Fees should be used for the repayment of District indebtedness. The Board has the ongoing authority to assess, increase, and decrease the Fees based on its current and future outstanding indebtedness.
2. Amount of Fees. The Fees shall be equal to 50% of the fees, rates, tolls, or charges for use of services or facilities of the District, subject to the limit on the maximum aggregate amount of revenue set forth in § 32-1-1006(1)(h)(I)(E), C.R.S.
3. Properties Subject to Fees. The District will assess the Fees in a uniform manner against all properties within the boundaries of the District that meet the statutory criteria for the assessment of the Fees.

APPROVED AND ADOPTED THIS 18TH DAY OF APRIL, 2016.

**ST. MARY'S GLACIER WATER AND
SANITATION DISTRICT**

By: 

President

Attest:

By: 

Secretary/Assistant Secretary

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