

RESOLUTION 2020-12-3

RESOLUTION OF THE BOARD OF DIRECTORS OF COLUMBINE LAKE WATER DISTRICT REGARDING TEMPORARY WAIVER OF SERVICE CHARGES FOR STRUCTURES DESTROYED BY EAST TROUBLESOME CREEK FIRE

WHEREAS, Columbine Lake Water District (the “District”) is a special district and political subdivision of the State of Colorado; and

WHEREAS, § 32-1-1001(1)(j)&(k), C.R.S., authorizes the District to impose fees, rates, tolls, penalties or charges for services provided by the District; and

WHEREAS, the District imposes annual service charges on properties within the District for the costs to administer, operate, maintain, repair, replace and upgrade the District facilities and the costs to manage the District; and

WHEREAS, the East Troublesome Creek Fire (the “Fire”) in Grand County that began on October 14, 2020 caused widespread injury and severe damage to the District, its residents and its customers, including destruction of homes and businesses; and

WHEREAS, on October 17, 2020, the Federal Emergency Management Agency declared the East Troublesome Fire to be a disaster (FM-5378-CO); and

WHEREAS, the Board of County Commissioners of Grand County adopted Resolution 2020-10-22 on October 20, 2020, declaring a local disaster emergency in Grand County, Colorado, for the 2020 East Troublesome Creek Fire; and

WHEREAS, the Board adopted Resolution 2020-11-1 declaring a local disaster emergency within the District for the Fire; and

WHEREAS, the Board wishes to allow customers whose buildings were destroyed by the Fire to apply for a temporary suspension of annual service charges in accordance with the terms and conditions set forth herein; and

WHEREAS, the Board finds that this Resolution is in the best interest of the District and its residents and property owners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF COLUMBINE LAKE WATER DISTRICT AS FOLLOWS:

1. The owner of any real property within the District may apply for a suspension of annual service charges for 2021 for structures served by the District that were destroyed by the Fire. The request shall be made in writing and mailed or emailed to the District Manager at the following addresses: Katie Nicholls, PO Box 555, Grand Lake, Colorado 80447 or katie@threelakesws.com, and shall be received no later than January 31, 2021. Documentation must be provided that the home or other building served by the District on the property is uninhabitable as a result of damage from the

Fire and that the property owner does not intend to take delivery of water from the tap on the property.

2. Upon determination by the District that a home or other building on the property was rendered uninhabitable by the Fire, the Board will temporarily suspend annual water service charges for that building for all of calendar year 2021. Service charges will be restarted before the expiration of 2021 if a) the building is determined by the District, in its reasonable discretion, to be habitable, or b) the property owner resumes using water from the tap for the property, in which case services charges will be prorated to the date that the building became habitable or water usage begins. The property owner shall notify the District promptly if a new certificate of occupancy is issued for any building on the property or the property owner intends to use water from the tap.
3. Following the temporary suspension of service charges, annual service charges shall be charged for 2022 based on the rates and Rules in effect at that time.

Whereupon, a motion was made and seconded, and, upon a majority vote, this Resolution was approved by the Board.

ADOPTED AND APPROVED this 14th day of December, 2020.

COLUMBINE LAKE WATER DISTRICT


By: James Kroepfl, President
Board of Directors

ATTEST:



By: Charlene Penson, Director
Board of Directors