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STATE OF COLORADO)) ss. **COUNTY OF ELBERT**)

At a regular meeting of the Board of County Commissioners of Elbert County, State of Colorado, held at the Elbert County Administration Building in Kiowa, Colorado 80117 on Wednesday, the 18th day of December, 2019, there were present:

Chris Richardson

County Commissioner, Chairman

Rick Pettitt Grant Thayer County Commissioner County Commissioner

Deputy Clerk to the Board

Amanda Moore

When the following proceedings, among others, were had and done, to wit:

RESOLUTION 19-68 AMENDMENT TO DEVELOPMENT IMPACT FEE RESOLUTION AND CHANGE OF NAME OF "IMPACT ASSISTANCE FUND" TO "GROWTH AND DEVELOPMENT FUND"

WHEREAS, pursuant to the authority granted in Section 29-20-01, et seq., C.R.S. and as a condition of issuance of a development permit, the County of Elbert may impose an impact fee or similar development charge to fund expenditures by the County on capital facilities needed to serve new development; and

WHEREAS, on or about January 7, 2004, the County of Elbert authorized and adopted Resolution 04-01, titled "Development Impact Fee Resolution" (hereinafter "Resolution 04-01"), which imposed certain impact fees to fund expenditures by the County on capital facilities need to serve new development; and

WHEREAS, on or about March 12, 2008, the County of Elbert authorized and adopted Resolution 08-17, titled "Amendment to Development Impact Fee Resolution 04-01" (hereinafter "Resolution 08-17"), which provides clarification and updates to Resolution 04-01, and

WHEREAS, on or about March 12, 2008, the County of Elbert authorized and adopted Resolution 08-18, titled "Amendment to Transportation Impact Fees Schedule Imposed Pursuant to Plan based Road Impact Fee System" (hereinafter "Resolution 08-18"), which provides for the collection of a Transportation Impact Fee, and

WHEREAS, on or about December 19, 2018, the County of Elbert authorized and adopted a "Soil Conservation Impact Fee" during a regular Board of County Commissioners meeting, as part of an annual fee update; and

WHEREAS, the County is in need of another clarification update, and

WHEREAS, the County wishes to change the name of the "Impact Assistance Fund" to the "Growth and Development Fund" and include other growth and development fees, assessments, and charges to the "Growth and Development Fund"

NOW, THEREFORE BE IT RESOLVED, the Board of County Commissioners, County of Elbert, State of Colorado,

- I. Changes the name of the "Impact Assistance Fund" to the "Growth and Development Fund": which includes tracking and reporting the following categories of revenue, transfers, and expenditures:
 - Development Impact Fees as defined in Resolution 04-01 and Resolution 08-17.
 - b. Transportation Impact Fees as defined in Resolution 08-18
 - c. Cash In Lieu of Open Space as defined in Resolution 19- TBD
 - d. Other Growth and Development Fees as defined in Resolution 19-TBD
- II. At least annually, interest income generated from impact fees collected will be distributed to the appropriate Impact Fee based upon a percentage basis.
- III. A "Soil and Water Conservation Impact Fee", adopted by the Board of County Commissioners on December 19, 2018 as a "Soil Conservation Impact Fee" will be tracked and reported separately from other Impact Fees. This fee will be utilized for capital projects submitted to the County by Conservation Districts or other organizations and approved during the annual budget process.
- IV. The account balance in the "Weed Impact Fee" and the "Forestry Revegetation Impact Fee" and the "Mining Impact Fee", will be transferred into the "Soil and Water Conservation Impact Fee" and the "Weed Impact Fee", the "Forestry Revegetation Impact Fee", and the "Mining Impact Fee" accounts will be closed.
- V. The account balance in the "Parks and Recreation Open Space Impact Fee" not being specifically called out in Resolution 04-01 or Resolution 08-17 or any other known resolution, will be transferred into the "Recreation Impact Fee" and the "Parks and Recreation Open Space Impact Fee" account will be closed.
- VI. The account balance in the "Sheriff's SV Optional Impact Fee" not being specifically called out in Resolution 04-01 or Resolution 08-17 or any other known resolution, will be transferred into the "Sheriff Impact Fee" and the "Sheriff's SV Optional Impact Fee" account will be closed.

- VII. The balance in the "Spring Valley Capital Improvement Optional Impact Fee" not being specifically called out in Resolution 04-01 or Resolution 08-17 or any other known resolution, will be transferred into the "Public Facilities Impact Fee" and the "Spring Valley Capital Improvement Optional Impact Fee" account will be closed.
- VIII. The Impact Fees known and collected previously as TAZ1, TAZ2, TAZ3, and TAZ Commercial in Resolution 08-18 will be combined into a single TAZ Impact Fee account and may be spent on priority transportation projects that affect the County.
- IX. It is the express intent of the Board of County Commissioner's that all provisions of Resolution 04-01, Resolution 08-17, and Resolution 08-18 shall remain in full force and effect, except as particularly modified or amended by the provisions of this Resolution.

APPROVED AND ADOPTED this 18th day of December, 2019.

Upon a Motion duly made and seconded, the foregoing resolution was adopted by the following vote:

CHRIS RICHARDSON, COMMISSIONER

GRANT THAYER, COMMISSIONER

RICK PETTITT, COMMISSIONER

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ATTEST: DALLAS SCHROEDER COUNTY CLERK