

Resolution No. 2025-12-02

**RESOLUTION
OF THE BOARD OF DIRECTORS OF
PAINT BRUSH HILLS METROPOLITAN DISTRICT
WATER TIER RATE / FEE INCREASES**

WHEREAS, the Board of Directors (the "**Board**") of Paint Brush Hills Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado (the "**District**") has determined that it is in the best interest of the District and the residents and property owners of the District to adopt fee increases to certain District fees in order to offset the costs of service by the District and provide for an equitable apportionment of costs to specific properties responsible for such costs; and

WHEREAS, pursuant to § 32-1-1001(l)(m), C.R.S., the Board is authorized to adopt, amend, and enforce bylaws and rules and regulations not in conflict with the constitution and laws of the State of Colorado for carrying on the business and affairs of the Board and the District; and

WHEREAS, pursuant to § 32-1-1001(n), C.R.S., the Board is authorized to have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted to the District by Article I, Title 32, C.R.S.; and

WHEREAS, pursuant to § 32-1-1001(g) (1), C.R.S., the District is authorized to fix and impose fees, rates, tolls, charges and penalties for services or facilities provided by the District; and

WHEREAS the District previously adopted a fee schedule on June 27, 2019 ("Fee Schedule") and the increases to the certain District fees, identified below, shall be construed as superseding and amending the Fee Schedule, but only to the extent specifically identified in this Resolution; and

WHEREAS the District provided at least thirty (30) days' notice of this proposed fee increase to the citizens of the district through posting the proposed increases on the website of the district in accordance with § 32-1-1001(2)(a), C.R.S., on November 10, 2025; and

WHEREAS, the Board of the District has determined that it is in the best interest of the district and the residents and property owners of the district to adopt the fee increases in order to provide for the preservation of the health, safety, and welfare of residents, property owners, and the public.

NOW, THEREFORE, be it resolved by the Board of Directors of Paint Brush Hills Metropolitan District as follows:

1. Adoption of Fee Increases. The following fee increases are hereby adopted pursuant to § 32-1-1001(1)0 and § 32-t-1001(2)(a), C.R.S.:

a. **Service Fees and Charges.** The Board has determined, and does hereby determine, that it is in the best interests of the District and its respective residents, users and property owners to impose, and does hereby impose the Fees and Charges set forth in the Schedule of Fees and Charges to fund the Costs. The Fees and Charges are hereby established and imposed in an amount as set forth by the District from time to time pursuant to an annual "Fee Schedule" and shall constitute the rate in effect until such schedule is amended or repealed. The initial Fee Schedule is set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. **Amendment.** The district expressly reserves the right to amend, revise, redact, and/or repeal this Resolution, in whole or in part, from time to time in order to further the purpose of carrying on the business, objects, and affairs of the district. The foregoing shall specifically include, but not be limited to, the right to adopt new or to amend current fees, rates, tolls, charges and penalties for services or facilities provided by the district as may be necessary, in the Board's discretion.

3. **Effective Date.** The provisions of this Resolution shall take effect as of the date of January 1, 2026.

4. **Severability.** If any term or provision of this Resolution or if any rule or regulation is found to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable term or provision shall not affect the validity of the remainder of the Resolution or the fee increases, as a whole, but shall be severed, leaving the remaining terms or provisions in full force and effect. In addition, in lieu of such void or unenforceable provision, there shall automatically be added a provision similar in terms to such illegal, invalid or unenforceable provision so that the resulting reformed provision is legal, valid and enforceable.

{Signature page follows}

RESOLVED AND ADOPTED this 11th day of December, 2025.

**PAINT BRUSH HILLS METROPOLITAN
DISTRICT**, a quasi-municipal corporation, and
political subdivision of the State of Colorado



Officer of the District

ATTEST:



Attest

APPROVED AS TO FORM:

LYONS GADDIS, PC
Attorneys at Law



General Counsel to the District

Exhibit A
Adopted and Approved
December 11, 2025 to become effective January 01, 2026

WATER & SEWER TAP FEE

This fee is a one-time contribution per lot required of new Customers (or existing Customers having change of use) to be used for capital investment in regional facilities and District operations. This fee shall be due at the time of application for service. The Water & Sewer Tap Fee is subject to change at the discretion of the Board. The SFE determination and tap fee for water is based on the size of the water tap as set forth below. All residential Sewer Tap fees are considered One (1) Single Family Equivalent (SFE). Commercial Tap fees for Wastewater is set by WHMD. Sewer Tap fee will be 36% of Woodmen Hills in district Tap fee paid directly to WHMD. Current for 2025 that fee for one (1) SFE is \$11,087.50 with 36% totaling 3,991.50.

Tap Size	SFE	Water and Sewer Tap Fee*
½"	1	\$28,240.07
1"	2	\$56,480.13
1 ½"	4	\$112,960.26
2"	8	\$225,920.52
2 ½"	12	\$338,880.78
3"	16	\$451,841.04

*As of January 1, 2018. The Water and Sewer Tap Fee shall automatically increase on January 1 of each succeeding year by 5%.

SYSTEM DEVELOPMENT FEE

This fee is a one-time contribution per lot required of new water and sewer connections (or existing water and sewer connections having change of use) to be used for capital investment in facilities that become necessary to serve the lot upon which this fee is assessed. This fee shall be due at the time of application for service. The System Development Fee is subject to change at the discretion of the Board. The SFE determination and System Development Fee for both the water and sewer service are based on the size of the water tap as set forth below.

Tap Size	SFE	System Development Fee*
½"	1	\$2,363.93
1"	2	\$4,727.86
1 ½"	4	\$9,455.71
2"	8	\$18,911.42
2 ½"	12	\$28,367.14
3"	16	\$37,822.85

*As of January 1, 2018. The Water and Sewer Tap Fee shall automatically increase on January 1 of each succeeding year by 5%.

WATER METER SETTING FEE

This fee is intended to cover the cost of the District's inspection of the physical tap, the Customer's Service Line, entering the tap location on the District's as-built drawing set, time and materials associated with the tapping, a builder's use of water and other ancillary services needed in connection with the provision of a new tap by the District.

The actual cost of a water meter is included in the water meter setting fees. If repeat inspection services are required due to unacceptable installation or improper scheduling, then the District will charge additional re-inspection fees as stated herein per occurrence.

Water Line/Meter Size	Fee	Notes
3/4"	\$600.00	(includes labor, materials, and builder water use during the course of construction)

All other sizes billed on a time and materials basis at a cost of \$125 per hour for labor and materials billed at cost.

Monthly Water and Wastewater Base Charges

All Monthly Water and Wastewater Charges are determined by the SFE of the Tap Size with the 3/4" Tap Size as the base determinant of one (1) SFE. The SFE Multipliers by Tap Size listed below

Base Fees

Tap	SFE	Water Base	Wastewater
3/4"	1	\$35.00	\$6.00
1"	2	\$70.00	\$12.00
1 1/2"	4	\$140.00	\$24.00
2"	8	\$280.00	\$48.00
2 1/2"	12	\$420.00	\$72.00
3"	16	\$560.00	\$96.00

WATER USAGE TIERS:

Water Usage Tiers amounts are set by the Board of Directors based on the 3/4" Water Tap Size. The water usage amounts for Water Tap Size greater than 3/4" are determined by applying the SFE Multiplier to each Water Usage Tier.

Tap Size	1/2"		1"		1 1/2"		2"		2 1/2"		3"	
Water Usage Tier	Tier Usage (gals) From	Total Usage (gals) To	Tier Usage (gals) From	Total Usage (gals) To	Tier Usage (gals) From	Total Usage (gals) To	Tier Usage (gals) From	Total Usage (gals) To	Tier Usage (gals) From	Total Usage (gals) To	Tier Usage (gals) From	Total Usage (gals) To
1	0	5,000	0	10,000	0	20,000	0	40,000	0	80,000	0	160,000
2	5,001	10,000	10,001	20,000	20,001	40,000	40,001	80,000	80,001	160,000	160,001	320,000
3	10,001	15,000	20,001	30,000	40,001	60,000	80,001	120,000	160,001	240,000	320,001	480,000
4	15,001	20,000	30,001	40,000	60,001	80,000	120,001	160,000	240,001	320,000	480,001	640,000
5	20,001	30,000	40,001	60,000	80,001	120,000	160,001	240,000	320,001	480,000	640,001	960,000
6	30,001	35,000	60,001	70,000	120,001	140,000	240,001	280,000	480,001	560,000	960,001	1,120,000
7	35,001		70,001		140,001		280,001		560,001		1,120,001	

RESIDENTIAL	
Tier	Cost per Gallon
1	0.0069
2	0.0082
3	0.0116
4	0.0139
5	0.0174
6	0.0348
7	0.0463

COMMERCIAL	
Tier	Cost per Gallon
1	0.0089
2	0.0102
3	0.0136
4	0.0159
5	0.0194
6	0.0368
7	0.0483

IRRIGATION	
Tier	Cost per Gallon
1	0.0151

REINSPECTION FEE OR RETURN VISIT FEE \$150.00/hr.

METER MAINTENANCE/REPAIR SERVICE FEE

If maintenance is caused by homeowner (Cost of meter + 15% 1 hour minimum) \$125.00/hr.

In the event of a customer-disputed water meter read where the customer requests a water meter re-read and the re-read confirms the disputed water meter reading \$50.00

STREET LIGHTING FEE: (Not to exceed 15% of amount billed from MVEA) \$3.50

LATE/POSTING SHUT OFF NOTICE FEE: \$15.00

RETURNED/REVERSED CHECK FEE: \$25.00

Includes Automated Clearing House (ACH) & Electronic Funds Transfer (EFT)

WATER TURN ON/TURN OFF \$50.00

For Non-Payment (each on/off)

SERVICE REQUEST FOR WATER OR WASTEWATER (SEWER)

Requested by Resident (Emergency)(1 hour minimum) \$125.00/hr.

(After Hours)(2 hour minimum) \$125.00/hr.

(non-emergency during normal business hours) N/C

MISCELLANEOUS FEES:

OPEN SPACE ACCESS FEE (Only if required to open gate) \$25.00

7 day access, no weekends

FIRE HYDRANT METER

Meter Assembly Rental Deposit \$2,000.00

Daily Rental Fee \$20.00

Water usage fee \$0.0173/gal

Lost meter \$10,000.00

Damaged metered Fee Cost + 15%

MISCELLANEOUS FEES: (cont.)

INCLUSION/EXCLUSION FEE

Plus, all cost of publication of notices and engineering & attorney's fees by District	
Formal Inclusion/Exclusion Hearing Application Fee	\$1,000.00
Initial Deposit (non-refundable)	\$10,000.00
Incremental Refundable deposit (expenses incurred above initial deposit) including but not limited to costs of Publication of Notices, Engineer and Attorney fees.	\$5,000.00

FORECLOSURE FEE:

Actual Cost

Actual cost, plus all cost of engineering and attorney's fees

LIEN FEES

Demand letter Fee	\$60.00
Notice of Intent to Lien	\$120.00
Lien Fee	\$150.00
Release of Lien Fee	\$150.00

PERMIT FEES (Water/Wastewater)

Stub-In Permit	\$100.00
Line Extension Permit	\$250.00
Disconnection or Reconnection Permit (One charge per lot per 30 days)	\$600.00

PLAN REVIEW FEES

Actual Time and expenses incurred by District \$125.00/hr.

AVAILABILITY OF SERVICE FEES

Fee per lot within 100 feet of District Water and/or sewer lines. 50% of Monthly Water and Wastewater Collection Base Fees (Street Lights if applicable)

TESTING FEES

Any property owner or customer requesting a contaminant test shall pay the actual cost of test plus applicable fee of \$150.00 plus cost of requested tests, all of which include applicable pick-up, delivery, administrative fees and costs:

Legal Fees associated with tests Actual Cost

BUILDER'S SITE (TRASH/DUMPSTER)

1 st notification with 72 hours to cleanup	\$250.00
2 nd notification with 72 hours to cleanup	\$500.00
3 rd notification (Per/day till cleaned up)	\$500.00
1 st notification for Dumpster (per/day until empty)	\$250.00

COMMUNITY CONSTRUCTION TRASH PICKUP

If the District determines that the overall construction area is not being policed, the district will clean the entire area and charge each home under construction.

Monthly Labor Per/Hour + \$25.00 / hr. & 25% admin fee \$25.00

INSTALLATION OF ANY NON-METERED DEVICE (per day) \$1,000.00

Installation of any device (i.e., "jumper") to allow for circumvention of the District's monitoring or delivery systems shall constitute unauthorized tampering and use of the District water systems shall be subject to a penalty fee. Such fines shall, until paid, constitute a lien upon the subject property, pursuant to 32-1-1001, C.R.S.

REPAIR OF BROKEN, FROZEN, OR DAMAGED WATER METERS, METER PITS & CURB

STOP BOXES:

Customer is 100% responsible for material & supplies and labor (1 hr. minimum) \$125.00/hr.

A) If a Customer damages, breaks, or fails to protect meter from freezing, the Customer shall pay 100% of the associated costs for the repair and/or replacement of the water meters, meter pits and curb stop boxes, plus any attorneys' fees incurred to collect associated costs.

B) The District will notify the Customer of the broken or damaged water meter; meter pits and curb stop boxes and the costs of repair and/or replacement. A copy of the invoice for the work will be included with the notice. The customer will reimburse the costs to the District within thirty (30) days of receipt of the notice.

C) If reimbursement is not received by the District within thirty (30) days of the notice, the cost will be added as a charge to the Customer's water bill for the next billing cycle.

UNAUTHORIZED TAMPERING/VIOLATION WITH DISTRICT SYSTEMS OR METERS:

Fee per incident + actual cost of damage, expense, loss and or Lawyer fees \$2,000.00

Cross-Connection contamination violation

Failure to test back flow preventor or any other item that would allow cross-contamination \$250.00/device