

**RESOLUTION No. 2006-087**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO TO APPROVE THE  
SPECIAL USE PERMIT FOR DALLAS CREEK WATER, INC. TO REPLACE/INSTALL  
PUMP STATION, NEW PUMPS AND PIPELINE**

**WHEREAS**, Dallas Water Creek Company, Inc., (“Applicant”) has filed its application for a Special Use Permit to replace/install upgraded pumps, 400 linear feet of pipeline and remove an existing pump station and replace it with a new building (“Application”); and

**WHEREAS**, on November 27, 2006 the Board reviewed the Application, supporting materials, Staff Report and heard statements from James A. Willey, representing the Applicant; and

**WHEREAS**, based upon the Application, supporting materials, Staff Report and statements, the Board has determined that the Application meets the conditions and criteria set forth in Section 5.3 of the Ouray County Land Use Code (“LUC”) for a Special Use Permit and otherwise complies with the applicable provisions of the LUC;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF OURAY COUNTY, COLORADO, AS FOLLOWS:**

1. The Application for a Special Use Permit is approved for installation of upgraded pumps for Pump Stations Number One and Number Two; installation of approximately 400 linear feet of new pipeline and removal of the existing Pump Station Number One and replacement with a new building. Such approval is subject to the following requirements and conditions:
  - a. Applicant shall use earth-tone colors (“mocha tan” or a similar color) for the exterior construction of the replacement Pump Station Number One.
  - b. Landscape screening (willows or other similar landscaping) shall be installed around the replacement building for Pump Station Number One.
  - c. Prior to Applicant commencing construction under the Special Use Permit, Applicant shall supply the Log Hill Fire Department with a construction plan and schedule, to include provisions for interim fire protection and water service and Applicant shall obtain the written approval of the Fire Department to such plan, with a copy of such approval being supplied to the Ouray county Land Use Administrator. During construction, Applicant shall supply the Fire Department with periodic updates of construction progress.
  - d. Prior to the Applicant commencing construction under the Special Use Permit, a landscape plan shall be prepared and approved by the Ouray County Weed Coordinator, to include revegetation of all

disturbed areas with vegetation that is similar to existing and adjacent vegetation. Additionally, Applicant shall supply a bond or other assurance in the amount of \$2000.00 to ensure the successful revegetation and landscape screening. Such bond shall remain in place for a minimum of three-years from the date of approval of the Special Use Permit, or until November 27, 2009. The bond or other assurance may be released upon the written certification from the Ouray County Weed Coordinator that the revegetation and landscape screening has been successfully completed. In the event that the revegetation and/or landscape screening is unsuccessful, Ouray County may utilize the bond or other assurance to complete such landscaping or revegetation.

APPROVED AND ADOPTED THIS 4th DAY OF DECEMBER, 2006, RATIFYING ACTION TAKEN ON NOVEMBER 27, 2006.

BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO

Attest:

\_\_\_\_\_  
Heidi M. Albritton, Chair

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Don Batchelder, Vice Chair

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Michelle Nauer, Clerk and Recorder  
By: Linda Munson-Haley, Deputy Clerk of the Board

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Kristi R. Westfall, Member