

TOWN OF TIMNATH
RESOLUTION NO. 18, SERIES 2008

**A RESOLUTION OF THE TOWN
COUNCIL OF THE TOWN OF TIMNATH
ESTABLISHING A TELEPHONE
EXCHANGE ACCESS FACILITY CHARGE
AND A WIRELESS COMMUNICATIONS
ACCESS CHARGE FOR THE LARIMER
EMERGENCY TELEPHONE AUTHORITY
EFFECTIVE JANUARY 1, 2009.**

WHEREAS, the Larimer Emergency Telephone Authority (LETA) was created pursuant to § 29-11-101, *et seq.*, C.R.S., by an Intergovernmental Agreement Concerning the Implementation of an "E911" Emergency Telephone Service, dated November 14, 1990, between certain governmental entities located in Larimer County, Colorado; and

WHEREAS, pursuant to the aforesaid statutory authority and Town of Timnath Ordinance Nos. 1-1990 and 1-1998 properly adopted by the Board of Trustees on November 7, 1990, and June 2, 1998, respectively, the Board of Trustees is authorized to raise, lower, or reestablish a telephone exchange access facility charge and a wireless communications access charge to be assessed telephone (wireline and wireless) service users in the Town of Timnath; and

WHEREAS, the Board of Trustees deems that reestablishing the telephone exchange access facility charge at the rate of forty-five cents (\$.45) per month and the wireless communications access charge at the rate of forty-five cents (\$.45) per month is necessary and appropriate to adequately fund emergency telephone services in the Town of Timnath;


NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF TIMNATH, COLORADO, as follows:

Section 1. Commencing on January 1, 2009, the telephone exchange access facility charge and the wireless communications access charge shall each be reestablished at forty-five cents (\$.45) per month per exchange access facility or per wireless communications access.

Section 2. Telephone service suppliers providing telephone service in the Town of Timnath are authorized to collect the telephone exchange access facility charge in accordance with § 29-11-101, *et seq.*, C.R.S.

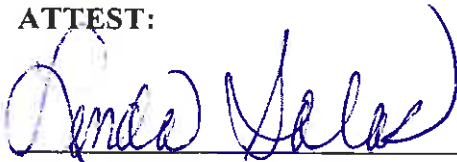
Section 3. Wireless telephone service suppliers providing wireless telephone service in the Town of Timnath are authorized to collect the wireless communications access charge in accordance with § 29-11-100.5, *et seq.*, C.R.S.

ADOPTED this 27th day of August, 2008.



Donna Benson, Mayor

ATTEST:



Linda Salas, Town Clerk

Frey McCargar & Plock LLC
ATTORNEYS AT LAW

John P. Frey
Ian D. McCargar
John E. Plock

August 1, 2008

Ms. Linda Griess
Acting Town Clerk
Town of Timnath
P. O. Box 37
Timnath, CO 80547

*Linda Salas
Next Agenda
Item*



Dear Ms. Griess:

Re: Larimer Emergency Telephone Authority (LETA)

Enclosed is a copy of a Resolution of Larimer Emergency Telephone Authority concerning action taken by the LETA Board on July 31, 2008, approving a telephone exchange access facility charge and a wireless communications access charge effective January 1, 2009, each reestablished at the rate of \$.45 per month.

We have taken the liberty of preparing the enclosed proposed Resolution for adoption by the Town's Board of Trustees. Please review the Resolution and if you find it acceptable please place it before the Board of Trustees for adoption and provide us with a copy of the adopted resolution no later than September 1, 2008.

Should you have any questions concerning the enclosed Resolutions or any other matters involving the Larimer Emergency Telephone Authority, you should feel free to contact our office or one of the Town's representatives on the LETA Board, Lowell Richardson or John Baudek.

Very truly yours,

FREY McCARGAR & PLOCK, LLC


John P. Frey
Attorney for Larimer Emergency Telephone Authority

sf

enclosure

pc: Ms. Kimberly Culp, LETA Executive Director

RESOLUTION OF LARIMER EMERGENCY TELEPHONE AUTHORITY

BEING A RESOLUTION RECOMMENDING THE ESTABLISHMENT OF A TELEPHONE EXCHANGE ACCESS FACILITY CHARGE AND A WIRELESS COMMUNICATIONS ACCESS CHARGE FOR THE LARIMER EMERGENCY TELEPHONE AUTHORITY EFFECTIVE JANUARY 1, 2009.

WHEREAS, the Larimer Emergency Telephone Authority (LETA) was created pursuant to Section 29-11-101, *et seq.*, C.R.S., by an Intergovernmental Agreement Concerning the Implementation of an E-911 Emergency Telephone Service dated November 14, 1990, between certain governmental entities located in Larimer County, Colorado; and

WHEREAS, pursuant to the aforesaid statutory authority, Larimer County, Colorado, and the incorporated municipalities which are signatories to the aforesaid Intergovernmental Agreement are empowered to annually establish a telephone access facility charge and a wireless communications access charge for the Larimer Emergency Telephone Authority; and

WHEREAS, by the terms of this Resolution, the Board of Directors of Larimer Emergency Telephone Authority desires to recommend to the County of Larimer and the participating municipalities that the telephone exchange access facility charge and the wireless communications access charge remain unchanged for the calendar year 2009;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF LARIMER EMERGENCY TELEPHONE AUTHORITY AS FOLLOWS:

1. That it is recommended that effective January 1, 2009, the County of Larimer and the participating municipalities reestablish the telephone exchange access facility charge and the wireless communications access charge at forty-five cents (\$.45) per month per exchange access facility or per wireless communications access.
2. That copies of this Resolution be transmitted to the County of Larimer and the participating municipalities with the request that the charges set forth herein be promptly adopted.
3. That upon the establishment or reestablishment of charges by the County of Larimer and the participating municipalities, the Larimer Emergency Telephone Authority shall forthwith notify all telephone service suppliers affected thereby of the establishment or reestablishment of these charges effective January 1, 2009.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 31st day of July, 2008.

LARIMER EMERGENCY TELEPHONE AUTHORITY


Merlin Green, Chair, Board of Directors

ATTEST:


Mary Moore, Secretary