

**PARK COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS**

**Resolution No. 2016-22**

**A RESOLUTION SUSPENDING THE WILL-O-WISP METROPOLITAN DISTRICT 1041 PERMIT ISSUED AS PARK COUNTY RESOLUTION NO. 62, SERIES OF 2008, AND SCHEDULING A PUBLIC HEARING ON THE ISSUE OF WHETHER SUCH PERMIT SHOULD BE REVOKED.**

WHEREAS, the Board of County Commissioners of Park County, Colorado (THE "Board"), pursuant to C.R.S. § 24-65.1-101 *et seq.*, has designated municipal and industrial water projects, site selection and construction of major new domestic water and sewage treatment systems and major extensions of existing domestic water and sewage treatment systems as matters of state interest; and

WHEREAS, by the adoption of Resolution No. 97-104, the Board has adopted regulations for the administration of these designated matters of state interest known as Special Development Permit Regulations (the "1041 Regulations"); and

WHEREAS, ON May 23, 2006 the Will-O-Wisp Metropolitan District applied for a Special Development Permit for the Will-O-Wisp municipal water and wastewater project (the "Project"); and

WHEREAS, after several public hearings in 2007 and 2008 the Board adopted Resolution No. 62, Series of 2008, granting a Special Development Permit for the Project the "1041 Permit"); and

WHEREAS, the development that the Project was intended to serve has never occurred and the subdivision to be developed has been terminated and vacated by operation of Resolution No. 2012-37; and

WHEREAS, the Section 2-302 of the 1041 Regulations states, in pertinent part, that: "If the Board determines at any time there are any material changes in the construction or operation of the project from that described in the application, the permit shall immediately be suspended and a hearing shall be held to determine whether new conditions will be required or if the permit should be revoked;" and

WHEREAS, the Board has determined that the termination of the Tanglewood Reserve Subdivision, together with the failure of the District to comply with several of the requirements of the 1041 Permit constitute material changes in the construction or operation of the Project;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PARK, COLORADO, THAT:**

**Section 1.** In accordance with Section 2-302(2) of the 1041 Regulations the 1041 Permit, as described above, is hereby suspended.

**Section 2.** A public hearing shall be held on 21 July, 2016, in the Board of County Commissioners Chambers, at which the District and any interested persons may present testimony or other evidence as to why the 1041 Permit should or should not be revoked. Notice of such hearing shall be mailed to the District, and published in a newspaper of general circulation in the manner provided by Section 2-204 of the 1041 Regulations.

Moved, seconded, and approved this 16<sup>th</sup> day of June, 2016

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**



Mike Brazell, Chairman

ATTEST:



Park County Clerk & Recorder

