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Debra A Green  
Park County Clerk

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

**Resolution No. 2016-56**

**A RESOLUTION REVOKING THE WILL-O-WISP METROPOLITAN  
DISTRICT 1041 PERMIT ISSUED AS PARK COUNTY RESOLUTION NO. 62,  
SERIES OF 2008.**

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 (the "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 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; and

WHEREAS, the Board adopted Resolution No. 2016-22 suspending the 1041 Permit and scheduling a public hearing on the issue of whether the 1041 Permit should be revoked; and

WHEREAS, the Board conducted three public hearings on the issue of whether the 1041 Permit should be revoked at which the District and other interested parties were given an opportunity to present testimony and other evidence regarding the possible revocation of the 1041 Permit; and

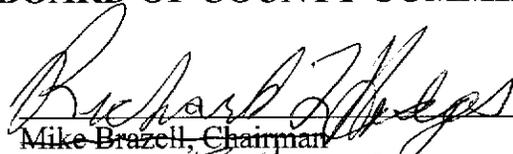
WHEREAS, the Board has considered all of the testimony, evidence and other submissions on this issue and has concluded that the material changes in the Project warrant revocation of the 1041 Permit.

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

In accordance with Section 2-302(2) of the 1041 Regulations the 1041 Permit, as described above, is hereby revoked, effective the date of adoption of this Resolution.

Moved, seconded, and approved this 9 day of ~~November~~, 2016

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**

  
Mike Brazell, Chairman  
RICHARD F. HODGES  
ACTING CHAIRMAN

ATTEST:

  
Park County Clerk & Recorder

