

RESOLUTION NO. 2016- 22

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY, COLORADO APPROVING THE MAY 17, 2016
AMENDED AND RESTATED SERVICE PLAN FOR THE
EASTERN RIO BLANCO METROPOLITAN RECREATION AND PARK DISTRICT**

WHEREAS, pursuant to Part 2 of the Colorado Special District Act ("*Act*"), Article 1 of Title 32, Colorado Revised Statutes ("*C.R.S.*"), on May 27, 2016 the Eastern Rio Blanco Metropolitan Recreation and Park District ("*District*") Board of Directors ("*Board*") submitted to the Rio Blanco County Board of County Commissioners ("*BOCC*") an Amended and Restated Service Plan intended to replace and supersede the Service Plan approved by the BOCC at the time the District was organized; and,

WHEREAS, the Amended and Restated Service Plan, approved by the District Board on May 17, 2016 ("*Service Plan*"), is attached hereto as Exhibit 1; and,

WHEREAS, pursuant to C.R.S. § 32-1-204, the BOCC has jurisdiction to consider the Service Plan and to conduct a public hearing thereon; and,

WHEREAS, in accordance with the provisions of the Act, the BOCC held a public hearing on August 8, 2016 regarding the Service Plan; and,

WHEREAS, notice of the date, time, location, and purpose of the public hearing was duly published in a newspaper of general circulation as required by the Act, and written notice thereof was mailed to the District and to the governing body of each existing municipality and special district that levied an *ad valorem* tax within the next preceding tax year and which have boundaries within a radius of three miles of the District; and,

WHEREAS, written notice containing the information required by C.R.S. § 32-1-204(1.5) was duly mailed by the District to the property owners within the District as listed on the records of the Rio Blanco County Assessor on the date the list was requested by the District; and,

WHEREAS, the August 8, 2016 public hearing was open to the public, a record of the proceedings was made, and all interested parties, as defined in C.R.S. § 32-1-204, were given an opportunity to be heard; and,

WHEREAS, the BOCC has fully considered the testimony and other evidence presented to it in this matter.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO FINDS AS FOLLOWS:

- 1) All of the jurisdictional and other requirements of Sections 32-1-202 and -204 C.R.S., have been fulfilled, including, without limitation, those relating to filing of the Amended and Restated Service Plan, and publication and mailing of the written notices of the August 8, 2016 public hearing.
- 2) Based upon the information set forth in the Amended and Restated Service Plan and the testimony and other evidence presented at the public hearing, the BOCC finds that the Amended and Restated Service Plan is in substantial compliance with, and contains the information required pursuant to, C.R.S. § 30-1-202(2)(a) – (i);
- 3) Approval of the Amended and Restated Service Plan is in the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Rio Blanco County, Colorado and the community served by the District.

NOW, THEREFORE, BE IT RESOLVED:

The Board of County Commissioners of Rio Blanco County, Colorado hereby approves the May 17, 2016 Amended and Restated Service Plan attached hereto as Exhibit 1, for the Eastern Rio Blanco Metropolitan Recreation and Park District as submitted, without conditions.

DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 3 FOR AND 0 AGAINST, THIS 8th DAY OF August, 2016.

**BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY, COLORADO**

ATTEST:


Boots M. Campbell, Clerk to the Board


Shawn J. Bolton, Chairman


Jon D. Hill, Commissioner


Jeffrey D. Eskelson, Commissioner