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Commissioner Holloway moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF JEFFERSON
STATE OF COLORADO

RESOLUTION NO. CC05-005

IN THE MATTER OF: DANCING WILLOWS METROPOLITAN DISTRICT

WHEREAS, pursuant to the provisions of the "Special District Control Act", Part 2 of Article 1 of Title 32, C.R.S. 1973, the Petitioner formally presented a Service Plan for the Dancing Willows Metropolitan District (the "District"); and

WHEREAS, pursuant to the provisions of Section 32-1-204(2), C.R.S., the Jefferson County Planning Commission held a public hearing on the Service Plan on November 10, 2004, at which time the Planning Commission did, by formal resolution, recommend conditional approval of the Service Plan; and

WHEREAS, pursuant to the provisions of Section 32-1-202(1), C.R.S., the Board of County Commissioners of Jefferson County, Colorado, held a public hearing on November 23, 2004, and set a date for a public hearing on the Service Plan for December 14, 2004, which was continued to January 4, 2005, for final approval only; and

WHEREAS, notice of the date, time, location and purpose of the aforesaid hearing was duly published in the High Timber Times, a newspaper of general circulation, on November 18, 2004; notice was provided to the division of local government in the department of local affairs of the name and type of the Special District; notice of the date, time and location of the hearing was provided to the Petitioners and to the governing body of each municipality and of each special district which had levied an ad valorem tax within the next preceding tax year and which had boundaries within a radius of three (3) miles of the Petitioners' District, as required by Section 32-1-204(1), C.R.S.; and notice of the time, date, location and purpose of the hearing was provided to the property owners within the proposed District via letter mailing pursuant to Section 32-1-204(1.5), C.R.S.; and

WHEREAS, this Board did, on December 14, 2004, hold a full, public hearing on this matter, taking evidence establishing the jurisdiction of the Board to hear this matter and further taking evidence regarding the substantive issues set forth in Section 32-1-203, C.R.S.; and

(g) The facility and service standards of the District are compatible with the facility and service standards of Jefferson County and of adjacent municipalities and special districts;

(h) The proposal is in substantial compliance with the County's master plan adopted pursuant to Section 30-28-106 C.R.S.; and

(i) The proposal is in compliance with duly adopted long-range water quantity and quality management plans for the area, if any.

4. That the Board further finds and determines that creation of the District is in the best interests of the area proposed to be served.

5. That the Service Plan of the District to finance and construct public improvements anticipated in the Service Plan be and hereby is approved.

Commissioner Sheehan seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Patricia B. Holloway	Aye
Commissioner Richard M. Sheehan	Aye
Commissioner Michelle Lawrence, Chairman	Aye

The Resolution was adopted by unanimous vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: January 4, 2005

WHEREAS, evidence was presented that the condition recommended by the Planning Commission, namely that the applicant submit a mosquito control report and plan in conformance with Jefferson County Policies and Procedures, has been satisfied and that plan has been incorporated into the Service Plan; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Jefferson County, Colorado:

1. That the Board does hereby determine that all of the jurisdictional and other requirements of Sections 32-1-202 and 32-1-204, C.R.S., have been fulfilled, including those relating to the filing of the Service Plan and the form and timing of the public notice of the hearing and the public hearing held herein; and

2. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case; and

3. That the Board does hereby find and determine that:

(a) The proposed service plan for the Dancing Willows Metropolitan District is in substantial conformance with the statutory requirements listed in Section 32-1-203, C.R.S.,

(b) There is sufficient existing and projected need for organized service in the area as provided in the Service Plan;

(c) The existing service in the area to be served by the proposed District is inadequate for present and projected needs;

(d) The District, as outlined in the Service Plan, is capable of providing economical and sufficient service to the area within its proposed boundaries;

(e) The area included in the District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis;

(f) Adequate service is not, or will not be available to the area through the County, other existing municipal or quasi-municipal corporations, including existing Special Districts, within a reasonable time and on a comparable basis;