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June 11, 2019

Morgan County – Board of County Commissioners  
231 Ensign Street  
Fort Morgan, Colorado 80701

**Re: Morgan Strong – Park and Recreation District Service Plan Review**

Dear Commissioners:

At your request, this letter sets forth the role of the County Commissioners in reviewing the proposed service plan submitted by Morgan Strong for a park and recreation district in Morgan County.

In Colorado, anyone may seek to form a special district to provide certain public services, including park and recreation services. To form a special district, a service plan addressing the services the district will provide is required. Among other things, the service plan establishes the authority of the district and explains how it will finance its operations. One step in the process of forming a special district is obtaining approval of the service plan from the Board of County Commissioners. A special district cannot be formed if the County Commissioners do not approve its proposed service plan.

The Commissioners must review the service plan during a properly noticed public hearing at which the Commissioners accept testimony and evidence from the public. With respect to the review of any service plan, the Commissioners have the following authority:

- (a) To approve without condition or modification the service plan submitted;
- (b) To disapprove the service plan submitted; or
- (c) To conditionally approve the service plan subject to the submission of additional information relating to, or the modification of, the proposed service plan or by agreement with the proponents of the proposed service plan.

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The hearing on the service plan for the Morgan County Park and Recreation District is currently scheduled for June 25, 2019. If no decision is reached at the June 25, 2019 meeting, the Commissioners may continue the hearing for up to thirty (30) days unless the organizers of the district agree to a longer period. A decision in writing must be rendered within twenty (20) days after the completion of the hearing or a continued hearing. Disapproval must include specific detailed reasons for the decision. Conditional approval must be accompanied by the changes or modifications to the service plan together with the reasons for such modifications, and proceedings must be continued until such changes are incorporated into the service plan by the district.

To approve the service plan, the Commissioners must find satisfactory evidence of the following:

- (a) There is sufficient existing and projected need for organized service in the area to be serviced by the proposed park and recreation district;
- (b) The existing service in the area to be served is inadequate for present and projected needs;
- (c) The proposed park and recreation district is capable of providing economical and sufficient service to the area within its proposed boundaries; and
- (d) The area to be included has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

The Commissioners may reject the service plan if satisfactory evidence of the following is not provided:

- (a) Adequate service is not, or will not be, available to the area through existing local governments, including existing special districts, within a reasonable time and on a comparable basis;
- (b) The facility and service standards of the district are compatible with the facility and service standards of the County and each municipality which is an interested party;
- (c) The proposal is in substantial compliance with a master plan adopted pursuant to C.R.S. § 30-28-106;
- (d) The proposal complies with any duly adopted county, regional, or state long-range water quality management plan for the area; and
- (e) The district's creation will be in the best interests of the area proposed to be served.

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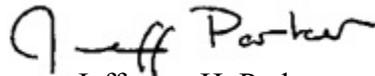
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The Commissioners may not approve the service plan if by June 15, 2019, a petition is received by the County objecting to the service plan and signed by property owners of 50% or more of the total value of property within the proposed district. However, the Commissioners may exclude this or other territory from the district to avoid this limitation. In addition, the Commissioners may consider requests from individual property owners to exclude their property from the district that have been submitted in writing at least 10 days prior to the hearing.

If the service plan is approved by the Commissioners, a petition to organize the district signed by County taxpayers is submitted to the District Court for review. If the District Court determines the petition to be sufficient and other requirements are met, the Court will direct that an election be held on the formation of the district. Finally, if a majority of the votes are in favor of formation, the District Court will declare the special district organized.

Please do not hesitate to contact me to discuss this further.

Very truly yours,

A handwritten signature in black ink that reads "Jeff Parker". The signature is written in a cursive style with a large initial "J".

Jefferson H. Parker

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