



HOT SULPHUR SPRINGS PARSHALL FIRE PROTECTION DISTRICT

The Hot Sulphur Springs Parshall Fire Protection District (the “**Fire District**”) would like to update the community on a pending legal matter before the Grand County Board of County Commissioners (the “**BoCC**”), which was brought by the Climax Molybdenum Company (“**Climax**”).

Although we are not permitted to discuss all aspects of this ongoing matter, we are now in a position to provide an update on public information. Please be aware that open records are mentioned below *in italics and underline*. We have provided complete copies of these documents on the Fire District’s web site at: www.hotsulphurfire.com, to keep you as informed as possible.

As you may know, the Henderson Mill, owned by Climax, was included into the Fire District as part of an inclusion election in August 2015. An Order of Inclusion was entered by the District Court for Grand County in September 2015 and recorded against all affected properties, including the Henderson Mill. Climax, along with all other owners of included properties, paid property taxes to the Fire District for several years without incident.

In May 2019, Climax wrote a Letter to the Chairman of the Fire District’s Board of Directors (the “**Board**”), asking for exclusion of the Henderson Mill from the Fire District. In July 2019, Climax filed a Petition for Exclusion under the Special District Act.

The Board conducted a formal Hearing on the Petition for Exclusion on November 1, 2019 pursuant to the Special District Act. On December 11, 2019, the Board entered an Order Denying Exclusion. The Board’s determinations are contained within its Findings of Fact and Conclusions (for those interested in a summary of the Board’s decisions, the Conclusions section begins on page 14).

Current Dispute

In January 2020, Climax appealed the Order Denying Exclusion to the BoCC. The Board does not know when the BoCC will consider Climax’s appeal, nor when the BoCC will make its decision. Following the BoCC’s decision, either party may appeal the BoCC’s decision to the District Court for Grand County. Thus, it is possible that this matter may be in dispute for some time.

The Board, the Fire Chief and the Fire District’s personnel generally cannot comment on an ongoing dispute, but the Fire District can provide the community with access to public records (such as the materials listed above). The Fire District will strive to keep you posted as things develop, knowing that there may not be information to report for months at a time. When new public records become available, the Fire District will strive to update the community on our website.