

**PARK COUNTY BOARD OF COMMISSIONERS**

**AGENDA**

**TUESDAY, JANUARY 4, 2022**

**11:00 AM CALL TO ORDER**

**Video**

To join the meeting, click on the link below or copy and paste into your preferred web browser: <https://zoom.us/j/632627219?pwd=Q2gvUVEwd0JuQ0R3TE9qWE9LTk9kQT09>

**Audio**

Upon joining the meeting, you will have the option to use either your computer mic and speakers for audio interaction, or participate by phone. If you are not using your computer speakers and mic to interact in the meeting, you may use the dial- option below:

**Dial by your location**

**(669) 900-6833 US (Western US)**

**(929) 205-6099 US (Eastern US)**

**Meeting ID: 632 627 219**

**Password: 04408**

**\*For the purpose of an accurate public record, you will need to identify yourself when you enter the meeting and when prompted\***

11:00 AM CALL TO ORDER

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

CONSENT ITEMS:

.I. APPROVAL OF MINUTES

Documents:

[12212021BOCC.pdf](#)

[12282021BOCC.pdf](#)

.II. APPROVAL OF VOUCHERS

CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:

.I. APPROVAL OF RESOLUTION REGARDING DEPOSIT OF FUNDS BY COUNTY TREASURER FOR 2022

Documents:

[Depository Resolution 01.04.2022.pdf](#)

.II. APPROVAL OF RESOLUTION ESTABLISHING DESIGNATED PUBLIC PLACES FOR POSTING MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW

Documents:

[Posting Places 01.04.2022.pdf](#)

.III. APPROVE AND ADOPT 2022 BOARD OF COUNTY COMMISSIONERS MEETING SCHEDULE

.IV. A RESOLUTION APPROVING THE REZONING FROM CONSERVATION/RECREATION TO AGRICULTURAL OF THE SE ¼ SE ¼ SECTION 25, TOWNSHIP 10 SOUTH RANGE 75 WEST OF THE 6TH PRINCIPAL MERIDIAN

**APPLICANT:** Chadwick Williams

Documents:

[21ZON-05 BOCC Resolution.pdf](#)

.V. APPROVE/DENY LAND AND WATER TRUST FUND (LWTF) PROJECTS- POSTPONED UNTIL 1/18/2022

1. ABEL RANCH

2. ROCKY MOUNTAIN LAND LIBRARY

PUBLIC HEARING(S)

PUBLIC COMMENTS

EXECUTIVE SESSION IN REGARD TO LEGAL & PERSONNEL MATTERS (CLOSED SESSION)

ADJOURN

ADMINISTRATIVE SESSION

TIMES ARE APPROXIMATE. ITEMS MAY BE HEARD EARLIER OR LATER THAN SHOWN ABOVE.

NOTE: Items May Be Added To These Agendas Up To 48 Hours Before The Scheduled Time. Items May Be Deleted Or Cancelled At Any Time. Please Check Website "[Parkco.Us](#)" for most Updated Agendas. If You Need Further Information, Please Contact The BOCC (Board of County Commissioners) Office At: 719-836-4201.

**BOCC MEETING  
DECEMBER 21, 2021**

The meeting was called to order by Chairperson Elsner. The reciting of the Pledge of Allegiance was led by Sheriff McGraw. All members were present and County Attorney Erin Smith.

**AGENDA:**

**Action:** Mitchell moved to approve the agenda as presented. Douglas seconded, carried 3-0.

**CONSENT ITEMS:**

**MINUTES:**

**Action:** Mitchell moved to approve the December 7, 2021 minutes as presented. Douglas seconded, carried 3-0.

**VOUCHERS:**

**Action:** Mitchell moved to approve the December 14, 2021 vouchers in the total amount of \$220,840 and the December 21, 2021 vouchers in the total amount of \$359,015. Douglas seconded, carried 3-0.

**CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:**

**APPROVE/DENY RESOLUTIONS APPROVING THE 2022 FINAL BUDGET**

**RESOLUTION OF COUNTY MILL LEVY**

**Presenter:** Cindy Gharst, Assistant County Manager

**For the Record:**

Commissioner Elsner

**Action:** Douglas moved to approve the Resolution of County Mill Levy as presented. Mitchell seconded, carried 3-0.

**RESOLUTION 2021 – 39**

**RESOLUTION OF APPROPRIATIONS**

**Presenter:** Cindy Gharst, Assistant County Manager

**Action:** Mitchell moved to approve the Resolution of Appropriations as presented. Douglas seconded, carried 3-0.

**RESOLUTION 2021 – 40**

**BUDGET RESOLUTION**

**Presenter:** Cindy Gharst, Assistant County Manager

**Action:** Douglas moved to approve the Budget Resolution as presented. Mitchell seconded, carried 3-0.

**RESOLUTION 2021 – 41**

**RESOLUTION LEVYING GENERAL PROPERTY TAXES**

**Presenter:** Cindy Gharst, Assistant County Manager

**For the Record:**

Commissioner Elsner  
Commissioner Douglas

**Action:** Douglas moved to approve the Resolution Levying General Property Taxes as presented. Mitchell seconded, carried 3-0.

**RESOLUTION 2021 – 42**

**APPROVE/DENY UTE PASS REGIONAL HEALTH SERVICES DISTRICT  
AMBULANCE LICENSES**

**Presenter:** Cindy Gharst, Assistant County Manager

**Action:** Mitchell moved to approve Ute Pass Regional Health Services District Ambulance Licenses. Douglas seconded, carried 3-0.

**APPROVE/DENY A RESOLUTION REGARDING A FINANCING AGREEMENT  
FOR THE PURPOSE OF ACQUIRING AN EMERGENCY COMMUNICATION  
SYSTEM**

**Presenter:** Cindy Gharst, Assistant County Manager

**For the Record:**

Commissioner Elsner

**Action:** Mitchell moved to approve the Resolution Regarding a Financing Agreement for the Purpose of Acquiring an Emergency Communication System as presented. Douglas seconded, carried 3-0.

**RESOLUTION 2021 – 43**

**PUBLIC HEARING(S):**

**MINOR SUBDIVISION #21SUB-01. PROPERTY IS 18.52 ACRES LOCATED  
IN THE SW ¼ SECTION 28 TOWNSHIP 12 RANGE 71, ADDRESSED S 39251**

**HWY 24, LAKE GEORGE, CO. THE APPLICANT IS REQUESTING TO DIVIDE IT INTO ONE 16.89 ACRE LOT AND ONE 1.63 ACRE LOT.**

**Applicant:** Tami Donaldson.

**Presenter:** John Deagan, Planning Department

**For the Record:**

Commissioner Elsner  
Commissioner Douglas  
Commissioner Mitchell

**Public comment:**

None

**Action:** Douglas moved to close Public Comments. Mitchell seconded, carried 3-0.

**For the Record:**

Commissioner Elsner  
Commissioner Douglas  
Commissioner Mitchell  
County Attorney Erin Smith  
John Deagan

**Action:** Douglas moved to direct staff to prepare a resolution with conditions. Mitchell seconded, carried 3-0.

**PUBLIC COMMENTS:**

None.

**Action:** Douglas moved to close Public Comments. Mitchell seconded, carried 3-0.

**EXECUTIVE SESSION:**

None.

**Action:** Douglas moved to adjourn the meeting. Mitchell seconded, carried 3-0.

**BOCC MEETING  
DECEMBER 28, 2021**

The meeting was called to order by Chairperson Elsner. The reciting of the Pledge of Allegiance was led by Commissioner Douglas. All members were present and County Attorney Erin Smith.

**AGENDA:**

**Action:** Mitchell moved to approve the agenda with changes. Douglas seconded, carried 3-0.

**CONSENT ITEMS:**

**MINUTES:**

**Action:** None

**VOUCHERS:**

**Action:** Douglas moved to approve the December 28, 2021 vouchers in the total amount of \$139,185. Mitchell seconded, carried 3-0.

**CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:**

**APPROVE/DENY 2022 VALE (VICTIMS ADVOCACY THROUGH LAW ENFORCEMENT) GRANT AGREEMENT**

**Presenter:** Commissioner Elsner

**For the Record:**

Cindy Gharst  
Commissioner Mitchell

**Action:** Douglas moved to approve the 2022 VALE Grant Agreement. Mitchell seconded, carried 3-0.

**APPROVE/DENY AXON MASTER SERVICES AND PURCHASING AGREEMENT**

**Presenter:** Commissioner Elsner

**For the Record**

County Attorney Erin Smith  
Commissioner Douglas  
Commissioner Mitchell

**Action:** Mitchell moved to approve the Axon Master Services and Purchasing Agreement. Douglas seconded, carried 3-0.

**APPROVE/DENY A RESOLUTION APPROVING THE APPLICATION FOR A MINOR SUBDIVISION FOR AN 18.52 ACRE LOT LOCATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 12, RANGE 71 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN**

**Applicant:** Tami Donaldson.

**Presenter:** Commissioner Elsner

**For the Record**

Commissioner Douglas

Commissioner Mitchell

**Action:** Mitchell moved to approve the resolution approving the application for a minor subdivision for an 18.52 acre lot located in part of the southwest quarter of section 28, township 12, range 71 west of the 6<sup>th</sup> principal meridian. Douglas seconded, carried 3-0.

**RESOLUTION 2021 – 44**

**APPROVE/DENY A RESOLUTION APPROVING AN APPLICATION FOR A COMMON PLAT AMENDMENT AND MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT FOR BEAR MOUNTAIN RIDGE LOT 8-A, ADDRESSED AS 46 FIRE HOUSE ROAD, PINE, CO**

**Applicant:** THE Mission Investment Fund of the Evangelical Lutheran Church in America

**Presenter:** Commissioner Elsner

**For the Record**

Commissioner Mitchell

Commissioner Douglas

**Action:** Douglas moved to approve a resolution approving an application for a common plat amendment and major planned unit development amendment for Bear Mountain Ridge lot 8-A, addressed as 46 Fire House Road, Pine, Co. Mitchell seconded, carried 3-0.

**RESOLUTION 2021 – 45**

**PUBLIC HEARING(S):**

**DECEMBER 2021 SUPPLEMENTAL APPROPRIATION**

**Presenter:** Cindy Gharst, Assistant County Manager

**For the Record**

Commissioner Elsner

Commissioner Mitchell

**Action:** Mitchell moved to approve the December 2021 Supplemental Appropriation. Douglas seconded, carried 3-0.

## **RESOLUTION 2021 - 46**

### **ORDINANCE 2021 -04, FINAL READING OF FIRE BAN ORDINANCE**

**Presenter:** Commissioner Elsner

#### **For the Record**

Commissioner Mitchell  
Commissioner Elsner  
Commissioner Douglas

**Action:** Douglas moved to approve the Fire Ban Ordinance. Elsner seconded, carried 2-1 with Mitchell voting no.

**REZONING CASE #21ZON-05. PROPERTY IS 40 ACRES CONSISTING OF THE SE ¼ SE ¼ OF SECTION 25, TOWNSHIP 10, RANGE 75. THE APPLICANT IS REQUESTING TO REZONE THE LAND FROM CONSERVATION/RECREATION TO AGRICULTURAL**

**Applicant:** Chadwick Williams.

**Presenter:** John Deagan, Planning Department

#### **For the Record**

Commissioner Douglas  
Commissioner Mitchell  
Commissioner Elsner

#### **Public Comment:**

None

**Action:** Douglas moved to close Public Comment. Mitchell seconded, carried 3-0.

#### **For the Record**

Commissioner Elsner  
Commissioner Douglas  
Commissioner Mitchell

**Action:** Mitchell moved to request staff to draft a resolution approving the rezoning case #21ZON-05. Douglas seconded, carried 3-0.



**RIGHT OF WAY VACATION CASE #21VAC-03. PROPERTY IS THE SEVENTH STREET RIGHT OF WAY BETWEEN PINE AND SPRUCE STREETS, COMO, CO CONTAINING 0.35 ACRES. THE APPLICANT IS REQUESTING TO VACATE THE RIGHT OF WAY AND COMBINE IT WITH LOTS TO THE NORTH AND SOUTH – POSTPONED TO DATE UNCERTAIN**

**Applicant:** Andrew Zimmerman.

**CONDITIONAL USE PERMIT CASE #21CUP-06. PROPERTY IS LOT 16 DEER CREEK VALLEY RANCHOS UNIT 3, ADDRESSED AT 1659 VIGILANTE AVENUE, BAILEY, CO. APPLICANT IS REQUESTING A CONDITIONAL USE PERMIT FOR A DUPLEX – POSTPONED TO A DATE UNCERTAIN**

**Applicant:** Christopher Travis for Caleb and Andrea Vannice.

Postponed

**RIGHT OF WAY VACATION AND CONSOLIDATION CASE #21VAC-01. PROPERTY IS THE TOWN OF JEFFERSON ON THE NORTHWEST SIDE OF HIGHWAY 285. APPLICANT IS REQUESTING THE VACATION OF UNBUILT AND UNUSED PUBLIC RIGHT OF WAY WITHIN THE TOWN AND CONSOLIDATION OF ALL LOTS AND VACATED RIGHTS OF WAY INTO PARCELS DETERMINED BY CURRENT OWNERSHIP – POSTPONED TO DATE UNCERTAIN**

**Applicant:** Park County Planning and Zoning Department.

Postponed

**PUBLIC COMMENTS:**

Commissioner Douglas  
Commissioner Elsner  
Commissioner Elsner

**Action:** Douglas moved to close Public Comments. Mitchell seconded, carried 3-0.

**EXECUTIVE SESSION:**

None.

**Action:** Douglas moved to adjourn the meeting. Mitchell seconded, carried 3-0.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF PARK, STATE OF COLORADO  
Resolution No. 2022-\_\_\_\_\_

REGARDING DEPOSIT OF FUNDS BY COUNTY TREASURER

WHEREAS, Section 30-10-708, as amended, and of Article 47 of Title 11, of the Colorado Revised Statutes, provide that the County Treasurer shall deposit all funds and monies of whatever kind that come into the Treasurer's possession by virtue of the office; and

WHEREAS, pursuant to Part 7 of Article 75 of Title 24, C.R.S., Park County may pool certain monies in its treasury with similar monies of other Colorado jurisdictions, according to the conditions and requirements of the statute; and

THEREFORE BE IT RESOLVED that the County Treasurer of Park County be, and hereby is, authorized and approved to deposit all the funds and monies of whatever kind that come into her possession by virtue of the office in Alpine Banks of Colorado, TBK Bank, or in any local government surplus fund trust formed in accordance with the provisions of Part 7 of Article 75 of Title 24, C.R.S.

BE IT FURTHER RESOLVED that the Treasurer shall ensure that no Park County monies are deposited, or continue to be deposited, in any state bank or other institution or investment which: (1) is not in full compliance with applicable provisions of Article 10.5 and 47 of Title 11, C.R.S. as amended, concerning protection of deposits of public monies; (2) is not properly insured pursuant to Section 24-75-603, C.R.S., as applicable; or (3) is not otherwise in full compliance with any other applicable statute or law concerning investments or deposits by counties.

This Resolution repeals and replaces the previous Resolution Regarding Deposit of Funds by County Treasurer.

ADOPTED AT A REGULAR MEETING OF THE PARK COUNTY BOARD  
OF COMMISSIONERS THIS 4th DAY of JANUARY, 2022, FAIRPLAY,  
COLORADO.

THE BOARD OF COUNTY COMMISSIONERS  
OF PARK COUNTY, COLORADO

BY \_\_\_\_\_  
Richard Elsner-BOCC Chairman

Attest: \_\_\_\_\_  
\_\_\_\_\_ Clerk & Recorder

**PARK COUNTY, COLORADO**  
**BOARD OF COUNTY COMMISSIONERS**  
**Resolution No. 2022-\_\_\_\_\_**

**A RESOLUTION ESTABLISHING DESIGNATED PUBLIC PLACES FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW.**

Whereas, Section 24-6-402(2)c of the Colorado Revised Statutes, as amended, requires that the public place or places for posting public notices of the meetings of the local public body shall be designated annually at the local public body's first regular meeting of each calendar year.

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

Section 1. The designated public place for the posting of meeting notices as required by the Colorado Open Meetings Law, C.R.S. 24-6-402(2)(c), shall be the Park County Offices Building, 856 Castello Avenue, Fairplay, CO; the Bailey Building, 59865 HWY 285, Bailey, CO; and the Bailey Library, 350 Bulldogger Road, Bailey, CO. The Administrative Assistant shall be responsible for posting the required notices no later than twenty-four (24) hours prior to the holding of the meeting. All meeting notices shall include specific agenda information, whenever possible.

Moved, seconded, and approved this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**

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Richard Elsner, Chairperson

ATTEST:

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County Clerk

**PARK COUNTY, COLORADO**  
**BOARD OF COUNTY COMMISSIONERS**  
**Resolution No. 2022-\_\_\_\_\_**

**A RESOLUTION APPROVING THE REZONING FROM CONSERVATION/RECREATION  
TO AGRICULTURAL OF THE SE ¼ SE ¼ SECTION 25, TOWNSHIP 10 SOUTH RANGE 75  
WEST OF THE 6<sup>th</sup> PRINCIPAL MERIDIAN.**

WHEREAS, the Applicant, Chadwick Williams, has applied to rezone the property described above from Conservation/Recreation to Agricultural; and

WHEREAS, at a regularly scheduled public meeting of the Park County Board of County Commissioners, preceded by the required public notice, the Board of County Commissioners conducted a public hearing on the application for rezoning at which it reviewed the application and supporting documentation, the recommendations of the Planning Department and the Park County Planning Commission, and considered the testimony of the Applicant; and

WHEREAS, based on the testimony and evidence presented at the public hearing the Board of County Commissioners determines and finds that compliance with the standards for approval of a rezoning set forth in Section 5-203 of the Park County Land Use Regulations has been demonstrated by clear and convincing evidence.

NOW, THEREFORE, BE IT RESOLVED THAT:

The application to rezone the above-described real property from Conservation/Recreation to Agricultural is approved with no conditions.

Moved, seconded, and passed this 4<sup>th</sup> day of January, 2022.

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Richard Elsner, Chairperson

ATTEST:

\_\_\_\_\_  
County Clerk