

PARK COUNTY BOARD OF COMMISSIONERS
AGENDA
Virtual Meeting
TUESDAY, JANUARY 26, 2021
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

APPROVAL OF AGENDA

APPROVAL OF MINUTES

Documents:

[01212021bocc.pdf](#)

APPROVAL OF VOUCHERS

CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:

.I. APPROVE ANNUAL 2021 H.U.T.F. REPORT TO CDOT

Documents:

[HUTF 2020 SignatureSheet \(1\).pdf](#)
[HUTF 2020 AttributeChanges \(1\).pdf](#)

.II. INTRODUCTION AND FIRST READING FOR PROPOSED ORDINANCE NO. 21-01 AN ORDINANCE FIXING FEES FOR SHORT-TERM RENTAL PROPERTY

LICENSES IN PARK COUNTY

Documents:

[Ord No.21-01 Short Term Rental Fees Introduced 1-26-21 EBN003.pdf](#)

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
JANUARY 21, 2021**

The meeting was called to order by Commissioner Elsner. The reciting of the Pledge of Allegiance was led by Amy Mitchell. All members were present with County Attorney Erin Smith attending via Zoom.

AGENDA:

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

MINUTES:

Action: Douglas moved to approve the minutes for January 14, 2021 as presented. Mitchell seconded, carried 3-0.

VOUCHERS:

Action: Douglas moved to approve the vouchers in the total amount of \$226,751.00 as presented. Mitchell seconded, carried 3-0.

CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:

APPOINTMENT OF CHAIRPERSON FOR THE BOARD OF COUNTY COMMISSIONERS

Presenter: Commissioner Elsner.

Action: Douglas moved to appoint Commissioner Elsner as Chairperson. Mitchell seconded, carried 3-0.

APPROVE AND ADOPT 2021 BOARD OF COUNTY COMMISSIONERS MEETING SCHEDULE

Presenter: Commissioner Elsner.

For the record:

Commissioner Mitchell.

Commissioner Douglas.

Action: Douglas moved to approve Meeting Schedule as presented. Mitchell seconded, carried 3-0.

RESOLUTION 2021 01

Action: Douglas moved to recess as Board of County Commissioners and convene as Park County Liquor Board. Mitchell seconded, carried 3-0.

**TRANSFER OF OWNERSHIP FOR MT R&D ENTERPRISES, INC, DBA
BAILEY JLH'S DELWOOD SQUARE LIQUORS, INC, 60 BULLDOGGER
ROAD, BAILEY, CO 80421**

Presenter: Debra Green, Clerk and Recorder.

For the record:

Roman Brittenham, Applicant.

Commissioner Elsner.

Commissioner Douglas.

Commissioner Mitchell.

Public Comment:

None.

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

Action: Douglas moved to approve Transfer of Ownership as presented. Mitchell seconded, carried 3-0.

Action: Douglas moved to adjourn as Park County Liquor Board and reconvene as Board of County Commissioners. Mitchell seconded, carried 3-0.

PUBLIC HEARINGS:

**PLAT AMENDMENT CASE #20AMN-07. PROPERTY IS THE MAJORITY OF
THE GARO TOWNSITE AND GARO STATE ADDITION LOTS 1, 2, 11, 12, 22,
23 AND 33, T11 R76 S09. THE APPLICANT IS REQUESTING TO COMBINE
THE LOTS INTO 3 PARCELS OF 17.54, 17.67 AND 26.38 ACRES**

Applicant: Jeff Paffrath.

Presenter: John Deagan, County Planner.

For the record:

Commissioner Douglas.

Commissioner Mitchell.

Commissioner Elsner.

Erin Smith, County Attorney.

Public Comment:

None.

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

Action: Douglas moved to approve Plat Amendment Case #20AMN-07 as presented and direct the County Attorney to draft a resolution for the Consent Agenda. Mitchell seconded, carried 3-0.

REZONING CASE #20ZON-05. PROPERTY IS PART OF THE SE ¼ S20 AND THE SW ¼ S21, T9, R78, ADDRESSED AS 6793 COUNTY ROAD 14, FAIRPLAY, CO. THE APPLICANT IS REQUESTING TO REZONE THE LOT FROM MINING TO RESIDENTIAL

Applicant: Mickey Florio.

Presenter: John Deagan, County Planner.

For the record:

Commissioner Mitchell.

Commissioner Elsner.

Commissioner Douglas.

Erin Smith, County Attorney.

Mickey Florio, Applicant.

Public Comment:

None.

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

Action: Douglas moved to approve Rezoning Case #20ZON-05 as presented and direct the County Attorney to draft a resolution for the Consent Agenda. Mitchell seconded, carried 3-0.

PUBLIC COMMENTS:

Lynda James.

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.



Park Co Signature Sheet

FIPS Code : 093

327.990 miles of arterial streets

1271.565 miles of local streets

1599.555 total miles of H.U.T. eligible streets

251.860 miles of non H.U.T. eligible streets - Maintained by others

88.750 miles of non H.U.T. eligible streets - Not maintained

This mileage is the certified total as of December 31, 2020

I declare under penalty of perjury in the second degree, and any other applicable state or federal laws, that the statements made on this document are true and complete to the best of my knowledge.

Commissioner Date

Commissioner Date

Commissioner Date

Commissioner Date

Commissioner Date

The Colorado Department of Transportation can contact the following person with questions regarding this report:

Name Phone

Submit this signed copy with your annual mileage change report to the Colorado Department of Transportation.

We are required to inform you that a penalty of perjury statement is required pursuant to section 18-8-503 C.R.S. 2005, concerning the removal of requirements that certain forms be notarized.

Attribute Changes Report for: Park Co

FIPS Code :093 All Segments

| Route | Route Name | Seg ID | Column | Old Value | New Value | UserName | Timestamp |
|-------|-------------------|--------|------------|-----------|-----------|-----------|------------------------|
| 32 | 32 | 100 | LENGTH | 3.35 | 3.140 | GKasperek | 12/16/2020 6:35:31 AM |
| GL1 | MOORE DALE RD | 100 | ADMINCLASS | 2 | 8 | GKasperek | 12/16/2020 10:01:11 AM |
| GL1 | MOORE DALE RD | 300 | ADMINCLASS | 2 | 8 | GKasperek | 12/16/2020 10:01:43 AM |
| GL2 | OLD STAGECOACH RD | 100 | ADMINCLASS | 2 | 8 | GKasperek | 12/16/2020 10:02:15 AM |
| GL2 | GLEN-ISLE | 300 | ADMINCLASS | 2 | 8 | GKasperek | 12/16/2020 10:03:08 AM |
| GL4 | OLD STAGECOACH RD | 100 | ADMINCLASS | 2 | 8 | GKasperek | 12/16/2020 10:03:37 AM |
| GL5 | GL5 | 100 | ADMINCLASS | 2 | 8 | GKasperek | 12/16/2020 10:03:57 AM |
| IM142 | ARROWHEAD DR | 100 | LENGTH | 1.16 | 1.380 | GKasperek | 12/16/2020 6:39:37 AM |
| | | | TOFEATURE | IM145 | IM143 | GKasperek | 12/16/2020 6:39:37 AM |
| | | | SEGMDIR | E | NE | GKasperek | 12/16/2020 6:39:37 AM |

| Route | Route Name | Seg ID | Column | Old Value | New Value | UserName | Timestamp |
|-------|--------------|--------|--------|---------------|------------|-----------|-----------------------|
| IM145 | APACHE TR | 100 | | | | | |
| | LENGTH | | | 0.53 | 0.310 | GKasperek | 12/16/2020 6:40:51 AM |
| | TOFEATURE | | | IM163 | IM142 | GKasperek | 12/16/2020 6:40:51 AM |
| IM152 | ALBINO RD | 100 | | | | | |
| | LENGTH | | | 0.51 | 0.390 | GKasperek | 12/16/2020 6:42:32 AM |
| | FROMFEATURE | | | IM143 | SYSCH | GKasperek | 12/16/2020 6:42:32 AM |
| | SEGMDIR | | | NE | SE | GKasperek | 12/16/2020 7:10:35 AM |
| IM48 | Longbow Dr | 100 | | | | | |
| | ROUTENAME | | | W. Longbow Dr | Longbow Dr | GKasperek | 12/16/2020 7:13:00 AM |
| | SEGMPREFIX | | | | W | GKasperek | 12/16/2020 7:13:00 AM |
| IM48 | Longbow Dr | 200 | | | | | |
| | ROUTENAME | | | Long Bow Dr | Longbow Dr | GKasperek | 12/16/2020 7:12:33 AM |
| | SEGMPREFIX | | | | E | GKasperek | 12/16/2020 7:12:33 AM |
| IM48 | Longbow Dr | 300 | | | | | |
| | ROUTENAME | | | Long Bow Dr | Longbow Dr | GKasperek | 12/16/2020 7:14:03 AM |
| | SEGMPREFIX | | | | E | GKasperek | 12/16/2020 7:14:03 AM |
| IM51 | Arrowhead Dr | 100 | | | | | |
| | TOFEATURE | | | IM143 | IM152 | GKasperek | 12/16/2020 7:42:35 AM |
| | LENGTH | | | 3.05 | 3.350 | GKasperek | 12/16/2020 7:43:15 AM |

| Route | Route Name | Seg ID | Column | Old Value | New Value | UserName | Timestamp |
|-------|-----------------|--------|------------|------------------|-----------------|-----------|-----------------------|
| IM51 | ARROWHEAD DR | 200 | SEGMDIR | N | SW | GKasperek | 12/16/2020 7:44:05 AM |
| IM89 | QUARTERHORSE RD | 100 | ROUTENAME | QUARTER HORSE RD | QUARTERHORSE RD | GKasperek | 12/16/2020 7:45:05 AM |
| | | | SEGMPREFIX | | S | GKasperek | 12/16/2020 7:45:05 AM |
| IM89 | QUARTERHORSE RD | 200 | ROUTENAME | QUARTER HORSE RD | QUARTERHORSE RD | GKasperek | 12/16/2020 7:45:45 AM |
| | | | SEGMPREFIX | | N | GKasperek | 12/16/2020 7:45:45 AM |

ORDINANCE NO. 21-01
AN ORDINANCE FIXING FEES FOR SHORT-TERM RENTAL PROPERTY LICENSES IN PARK COUNTY

WHEREAS, pursuant to Ordinance No. 20-03, the Board of County Commissioners enacted regulations for short-term rental properties (the “Park County Short-Term Rental Ordinance”); and

WHEREAS, the Board of County Commissioners has authority pursuant to C.R.S. Section 30-15-401(1)(s) to enact ordinances to fix license fees for short-term rental properties; and

WHEREAS, the Board of County Commissioners desires to fix license fees for short term-rental properties; and

WHEREAS, a fee charged as part of a regulatory regime must bear a reasonable relationship to the cost to administer such regulations (*Colorado Union of Taxpayers Found. v. City of Aspen*, 418 P.3d 506, 515 (Colo. 2018)); and

WHEREAS, the County has performed an evaluation to determine the reasonable direct and indirect costs of administering the Park County Short-Term Rental Ordinance, including application intake, planning review, building review, environmental health review, complaint intake and investigation, assessor fees, Public Works and Sheriff’s Office participation, dispatch, and legal and has developed the Short-Term Rental Fee Schedule to defray the costs of administering the Park County Short-Term Rental Ordinance; and

WHEREAS, the Board of County Commissioners hereby finds, determines and declares that adoption of this Ordinance is necessary for the preservation and protection of the public health, safety and welfare of the inhabitants and visitors of Park County, Colorado.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PARK COUNTY, COLORADO AS FOLLOWS:

Section 1. Purpose. The purpose of this Ordinance is to establish a fee schedule for the operation of short-term rental properties (“STRs”) in unincorporated Park County to safeguard public health, safety and welfare by regulating and controlling the use, occupancy, and maintenance of short-term rental properties.

Section 2. Authority. This Ordinance is authorized pursuant to Colorado Revised Statutes Section 30-15-401(1)(s).

Section 3. Scope. This Ordinance shall apply to all properties and the owners thereof who are required to have a license pursuant to the Park County Short-Term Rental Ordinance.

Section 4. Fee Schedule.

| | |
|------------------------------|-------|
| New STR License application: | \$605 |
| Annual STR License renewal: | \$215 |

These license application and renewal fees will be analyzed regularly and will be adjusted as needed based on the volume of STR licenses and associated administrative costs.

Section 5. Severability. If a Court of competent jurisdiction shall hold any part of this Ordinance void or unconstitutional, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining provisions of the Ordinance.

Section 6. Effective Date. The publication and notice of this Ordinance will be performed in accordance with C.R.S. 30-15-405 and 30-15-406 and this Ordinance shall become effective in accordance with Colorado law.

CERTIFICATION: The foregoing Ordinance was introduced and read on January 26, 2021, by the Board of County Commissioners of Park County, Colorado and approved for publication.

DATE OF FIRST PUBLICATION: _____, 2021.

The foregoing Ordinance was considered on _____, 2021, and adopted by the Board of County Commissioners of Park County and ordered published by reference to title and changes only in The Flume.

DATE OF SECOND PUBLICATION: _____, 2021.

EFFECTIVE DATE: _____, 2021.

BOARD OF COUNTY COMMISSIONERS

Chairman Richard Elsner