

**PARK COUNTY BOARD OF COMMISSIONERS  
AGENDA  
TUESDAY, JUNE 21, 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:

[06072022BOCC.pdf](#)

**.II. APPROVAL OF VOUCHERS**

**.III. APPROVAL OF AWARD(S)**

1. CONSTRUCTION SERVICES FOR OLD COUNTY COURTHOUSE EXTERIOR REHABILITATION
2. ARCHITECTURAL SERVICES FOR OLD COUNTY COURTHOUSE EXTERIOR REHABILITATION

CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:

- .I. APPROVE/DENY AMBULANCE LICENSE(S) FOR PLATTE CANYON FIRE PROTECTION DISTRICT
- .II. APPROVE/DENY AMBULANCE LICENSE(S) FOR SOUTH PARK AMBULANCE DISTRICT
- .III. APPROVE/DENY AMBULANCE LICENSE(S) FOR UTE PASS REGIONAL HEALTH SERVICE DISTRICT

PUBLIC HEARING(S)

- .I. CONSIDERATION OF A REQUEST FOR A STATUTORY EXEMPTION FROM SUBDIVISION REGULATIONS FOR A 0.129-ACRE PARCEL, CURRENTLY PART OF LOT 1154, WESTERN UNION RANCH FILING 9, ADDRESSED AS 377 WINDMILL DRIVE, HARTSEL.

**Applicant:** Park County Planning Department on behalf of Ken and Patricia Bellinger

Documents:

[Bellinger Exemption Memo.pdf](#)  
[Exemption from Subdivision Regulations Plat.pdf](#)

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](http://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  
JUNE 7, 2022**

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

**AGENDA:**

**Action:** Douglas moved to approve the agenda as written. Elsner seconded, carried 2-0.

**CONSENT ITEMS:**

**MINUTES:**

**Action:** Douglas moved to approve the May 24, 2022 minutes as presented. Elsner seconded, carried 2-0.

**VOUCHERS:**

**Action:** Douglas moved to approve the May 31, 2022 vouchers in the total amount of \$162,802.00 and the June 7, 2022 vouchers in the total amount of \$212,575.00. Elsner seconded, carried 2-0.

**APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT FOR PROVISION OF INTER-COUNTY COMMUTER BUS TRANSIT SERVICES FOR THE PARK COUNTY COMMUTER ROUTE**

**Presenter:** Commissioner Elsner

**For the record:**

Commissioner Douglas

**Action:** Douglas moved to approve the Intergovernmental Agreement. Elsner seconded, carried 3-0.

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

**PUBLIC HEARING**

None

**PUBLIC COMMENTS:**

None

**Action:** Douglas moved to close Public Comments. Elsner seconded, carried 2-0.

**EXECUTIVE SESSION:**

None

**Action:** Douglas moved to adjourn the meeting. Elsner seconded, carried 2-0.

# Memo

To: Board of County Commissioners

From: John Deagan, AICP JCD

CC: None

Date: June 15<sup>th</sup>, 2022

Re: Bellinger Request for Exemption from Subdivision Regulations

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Ken and Patricia Bellinger own lot 1154 in Western Union Ranch (a.k.a. Ranch of the Rockies) Filing 9 Unit 2. In 2006, the previous owner granted the Ranch of the Rockies Association an easement allowing use of a small portion of the lot for a cluster mailbox unit.

The easement requires the Association to maintain \$300,000 of liability insurance, which the Bellingers say is inadequate. Also, the legal description for the easement area is inadequate and an exhibit depicting the area was not recorded and has been lost.

The Bellingers wish to divide off the portion of the lot containing the cluster mailbox unit and grant it to the Ranch Association. Colorado statute (C.R.S. § 30-28-101 (10) (d)) allows for this to occur by means of a Board of County Commissioners resolution. An exemption plat has been prepared and is included for review. This request is not intended to circumvent the County's subdivision regulations and is not contrary to the 2016 Strategic Master Plan.

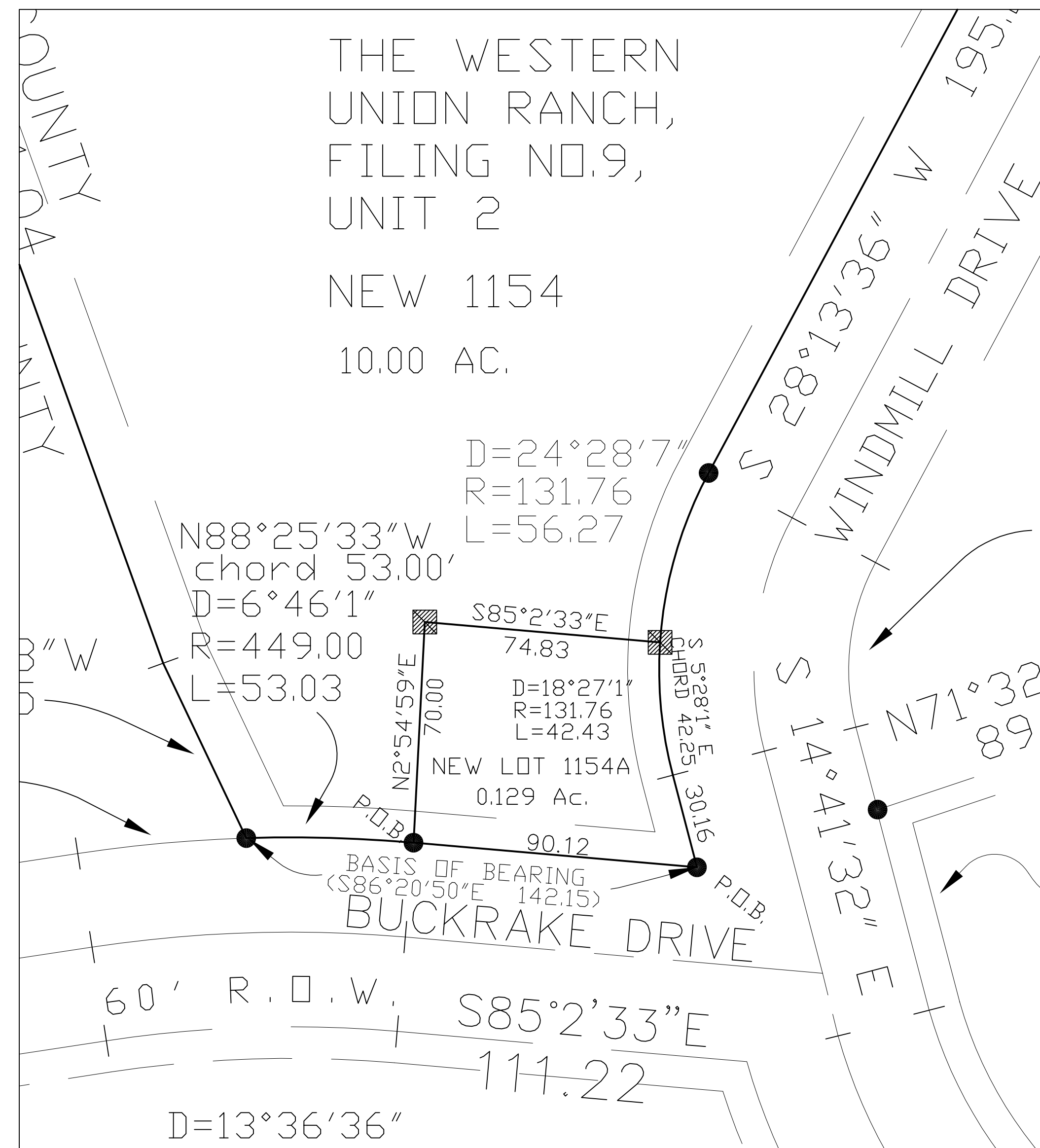
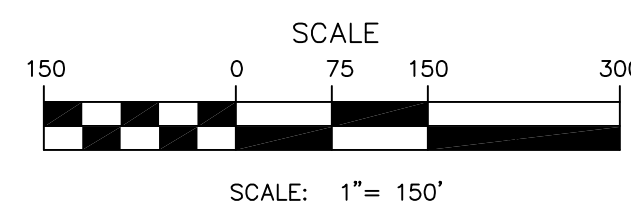
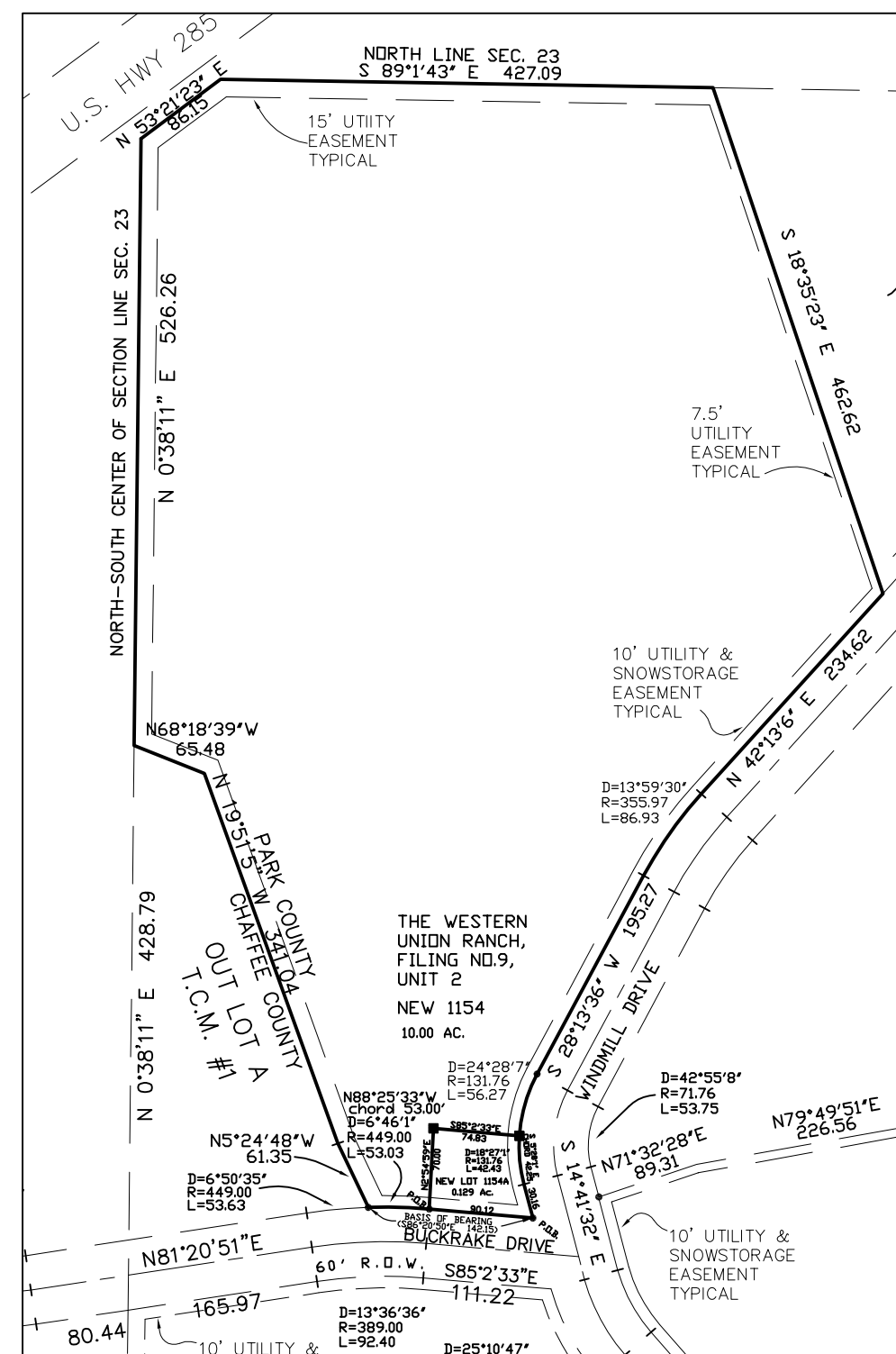
The Planning Department recommendation is to grant the request and direct staff to prepare a resolution approving the exemption from subdivision regulations with no conditions.

# EXEMPTION FROM SUBDIVISION REGULATIONS

## LEGEND

- INDICATES FOUND NO. 5 REBAR AND 1 1/2" ALUM CAP, LS 25955
- INDICATES SET NO. 5 REBAR WITH 1 1/2" ALUM. CAP, LS 11944
- ( ) INDICATES FIELD MEASUREMENTS UNLESS OTHERWISE NOTED.
- ALL TIES ARE PERPENDICULAR TO PROPERTY LINES

## A PART OF LOT 1154, THE WESTERN UNION RANCH, FILING NO. 9, UNIT 2 LOCATED IN SECTION 23, T.13., R.77W., 6th P.M., RECORDED AT RECEPTION # 374302, COUNTY OF PARK, STATE OF COLORADO



### LEGAL DESCRIPTION AND CERTIFICATE OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT KEN BELLINGER AND PATRICIA M. BELLINGER BEING THE OWNER(S) OF THAT PART OF LOT 1154, THE WESTERN UNION RANCH, FILING NO. 9, UNIT 2 LOCATED IN SECTION 23, TOWNSHIP 13 SOUTH, RANGE 77 WEST OF THE 6th P.M. COUNTY OF PARK, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### Property Description New LOT 1154A

A tract of land being located in a part of Lot 1154, The Western Union Ranch, Filing No. 9, Unit 2, Section 23, Township 13 South, Range 77 West of the 6th P.M., County of Park, State of Colorado, being more particularly described as follows:

Beginning at the SE Corner of said Lot 1154, thence N85°02'33"W along the south line of said Lot 1154 and the right of way of Buckrake Drive for a distance of 90.12', thence N02°54'59"E leaving said south line and right of way of Buckrake Drive for a distance of 70.00', thence S85°02'33"E for a distance of 74.83' to a point on the westerly Right of Way of Windmill Drive, thence southerly along said R.O.W. for the following courses, to the left along the arc of a curve whose delta is 18°27'01" and whose radius is 131.76' for a distance of 42.43' and whose chord bears S05°28'01"E for a distance of 42.25', thence S14°41'32"E for a distance of 30.16' to a point on intersection with the North R.O.W. line of said Buckrake Dr., the point of beginning. Containing 0.129 Acres, more or less.

In Witness Whereof, we do hereunto set our hands and seals this \_\_\_\_ day of \_\_\_\_.

BY KEN BELLINGER \_\_\_\_\_ PATRICIA M. BELLINGER \_\_\_\_\_

(If by corporation, president signs, secretary attests and corporate seal is affixed)

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ ) ss.

Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, by \_\_\_\_\_.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

Notary Public

### RECORDER'S CERTIFICATE

This Plat was filed for record in the office of the County Clerk and Recorder of Park County, at \_\_\_\_\_, on the day of \_\_\_\_\_, A.D. 20\_\_\_\_, and duly filed at Reception No. \_\_\_\_\_.

County Clerk and Recorder

### TITLE COMPANY CERTIFICATE OF OWNERSHIP

TITLE CERTIFICATE:

\_\_\_\_\_ Title Insurance Company hereby certifies that title

to the above described property is vested in the Owner(s).

Date: \_\_\_\_\_

[Signature of Authorized Agent]

### SURVEYOR'S CERTIFICATE

I hereby certify that the survey and the plat of the real property shown and described herein were made by or under my direct responsibility, supervision, and checking, in strict compliance with Colorado statutes, and both survey and plat are true, accurate and complete.

Thomas L. Burnett  
(print as registered)

Colorado License No. 11944

Date: \_\_\_\_\_

### APPROVAL BY PARK COUNTY BOARD OF COUNTY COMMISSIONERS

Approved by the Park County Board of County Commissioners, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:

Chairperson

Clerk and Recorder or Deputy Clerk

### Property Description NEW LOT 1154

A tract of land being a part of Lot 1154, The Western Union Ranch, Filing NO. 9, Unit 2, located in Section 23, Township 13 South, Range 77 West of the 6th P.M., County of Park, State of Colorado, being more particularly described as follows:

Beginning at the SW corner of the New Lot 1154A from whence the SE Corner of said Lot 1154 bears S85°02'33"E a distance of 90.12', thence along the North Right of Way of Buckrake Drive and the line between Park County and Chaffee County line, and to the left along the arc of curve whose delta is 06°46'01" and whose radius is 449.00' for a distance of 53.03' and whose chord bears N88°25'33"W 53.00', thence leaving said Buckrake Drive R.O.W. but continuing along said Park Chaffee county line for the following courses, N25°24'48"W 61.35', N19°51'05"W 341.04', N68°18'39"W 65.48' to a point on the North South center of section line of said 23, thence N00°38'11"E along said center of section line for a distance of 526.26' to a point on the South Easterly Right of Way of U. S. Highway No. 285, thence N53°21'25"E along said R.O.W. for 86.15' to a point on the North line of said Section 23, thence S89°01'43"E along said North Section line for a distance of 427.09' to the common corner between Lots 1154 and 1155, thence S18°35'23"E along the common line between Lots 1154 and 1155 for a distance of 462.62', to the intersection of the common line between Lots 1154 and 1155 and the Northwesterly Right of Way of Windmill Drive, thence southwesterly along said R.O.W. for the following courses, S42°13'06"W 234.62', thence to the left along the arc of a curve whose delta is 13°59'30" and whose radius is 355.97' for a distance of 86.93', thence S28°13'36"W for a distance of 195.27', thence to the left along the arc of a curve whose delta is 24°28'07" and whose radius is 131.76' for a distance of 56.27' to the North East corner of the New Lot 1154A, thence N85°02'33"W along the north line of the New Lot 1154A for a distance of 74.83' to the NW Cor of the New Lot 1154A, thence S02°54'59"E along the west line of the New Lot 1154A for a distance of 70.00' to a point on the North R.O.W. line of Buckrake Drive the point of beginning. Containing 10.00 Acres, more or less.

### NOTES:

- 1) THE BASIS OF BEARING IS A ASSUMED BEARING OF THE LINE BETWEEN THE SW COR. OF LOT 1154 AND THE SE COR. OF LOT 1154 AS BEING S86°20'50"E, WITH BOTH CORNERS BEING FOUND MONUMENTS AS SHOWN.
- 2) CLIENT DID NOT WANT RIGHT-OF-WAYS AND EASEMENTS RESEARCHED AND SHOWN.
- 3) THE PURPOSE OF THIS SURVEY IS TO SPLIT OFF A SMALL TRACT TO BE USED FOR THE MAIL BOX LOCATION.
- 4) MEASUREMENTS SHOWN IN PARENTHESIS ARE FIELD MEASUREMENTS, UNLESS OTHERWISE NOTED.
- 5) CERTIFICATION NOT VALID WITHOUT ORIGINAL SEAL AND SIGNATURE, THIS SURVEY AND ALL RELATED DOCUMENTS ARE FOR THE SOLE USE OF THE CLIENT AT THE DATE OF CERTIFICATION, AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESSED RESTATEMENT BY THE SURVEYOR NAMING SAID PERSON OR ENTITY.
- 6) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS, OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO
- 7) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- 8) ALL DIMENSIONS ARE IN U.S. SURVEY FEET
- 9) LEGAL DESCRIPTION FROM DEED FOR THIS PROPERTY IS RECORDED AT REC. NO. 760214.

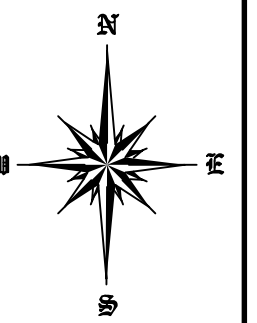
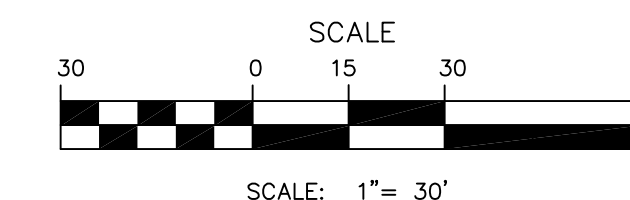
### LIMITATIONS OF ACTIONS AGAINST LAND SURVEYORS

ALL ACTIONS AGAINST ANY LAND SURVEYOR BROUGHT TO RECOVER DAMAGES RESULTING FROM ANY ALLEGED NEGLIGENT OR DEFECTIVE LAND SURVEY SHALL BE BROUGHT WITHIN THREE YEARS AFTER THE PERSON BRINGING THE ACTION EITHER DISCOVERED, OR IN THE EXERCISE OF REASONABLE DILIGENCE AND CONCERN, SHOULD HAVE DISCOVERED THE NEGLIGENCE OR DEFECT WHICH GAVE RISE TO SUCH ACTION, AND NOT THEREAFTER, BUT IN NO CASE SHALL SUCH AN ACTION BE BROUGHT MORE THAN TEN YEARS AFTER THE COMPLETION OF THE SURVEY UPON WHICH SUCH ACTION IS BASED.

### TITLE COMMITMENT NOTES:

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. THE RECORD INFORMATION, WHICH IS REFERENCED HEREON, IS THE RESULT OF RESEARCH PERFORMED BY BURNETT LAND SURVEYING, AND IS NOT NECESSARILY COMPLETE OR CONCLUSIVE.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.



EXEMPTION FROM SUBDIVISION REGULATIONS		
A TRACT OF LAND BEING A PART OF LOT 1154, THE WESTERN UNION RANCH, FILING NO. 9, UNIT 2, SECTION 23, TOWNSHIP 13 SOUTH, RANGE 77 WEST OF THE 6th P.M., PARK COUNTY, COLORADO		
DATE: MAY 11, 2022	ADDRESS:	
SCALE: 1" = 30'	PREPARED FOR:	BELLINGER
DRAWN BY: TLB		
P.O. BOX 1953, 351 HWY 285, STE 104 FAIRPLAY, COLORADO 80440 (719) 836-1425		
JOB NO. 2022-128		