LARIMER COUNTY
COMMITTED TO EXCELLENCE

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, NOVEMBER 10, 2025

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m. with Jenny Axmacher, Planning Manager. Chair Stephens presided. Commissioner Shadduck-McNally and Commissioner Kefalas were present. Also present were Lesli Ellis, Community Planning, Infrastructure and Resource Director; Amy White, Code Compliance Supervisor; Jacee McNulty and Ryane Oswandel, Community Development; David Pringle, Engineering; Frank Haug, Assistant County Attorney; and Deirdre O'Neill, Deputy Clerk.

Chair Stephens opened the meeting with the Pledge of Allegiance.

The Board did not wish to remove any items from the Consent Agenda. No members of the public wished to remove any items from the Consent Agenda.

PUBLIC HEARING CONSENT ITEMS:

1. OLSON LOT CONSOLIDATION AND EASEMENT VACATION, FILE NO. 25-LAND4508: This is a request for a Lot Consolidation of lots 14 and 15 of the Pinewood Springs 10th Filing subdivision and a small triangular metes-and-bounds parcel; and vacation of the utility easements along the common lot line between lots 14 and 15.

The subject property consists of lots 14 and 15 of the Pinewood Springs 10th Filing subdivision and a small triangular metes-and-bounds parcel. All parcels are zoned Open (O) and are surrounded by single unit residential uses and/or U.S. Department of Agriculture (USDA) land. The property currently contains one single-unit residence, which straddles the property line between lots 14 and 15. Lot 16 is also owned by the applicant, but will remain a separate individual lot and is not included in this request

Lot 14 is 3.933 acres. Lot 15 is 10.508 acres; and the small triangular metes-and-bounds parcel is 0.126 acres in size. Combined, the proposed consolidated parcel would total 14.567 acres.

The applicant is requesting to consolidate these parcels and vacate the 20-foot-wide utility easement located along the common lot line between lots 14 and 15. The purpose of the lot consolidation and easement vacation is to correct an existing encroachment of the residence over the shared property line and utility easement, and to allow construction of a new garage in the vicinity of the current common lot line and easement.

Additionally, the septic system appears to be located on lot 15 based on permit documentation. Lot consolidation will ensure all septic system components are contained within a single parcel boundary, resolving this configuration issue.

The utility easement subject to this request was established through dedication on the recorded plat for Pinewood Springs 10th Filing, which was approved by the Board of County Commissioners in 1969. The property is currently served by Poudre Valley REA (electricity), Pinewood Springs Water District (water), and Xbar7 Communications (internet). All utility providers have reviewed and approved the request, as documented on the utility check sheet. The utility check sheet is a standard form that the applicant circulates to each utility provider for review and signature to confirm that the proposed request does not conflict with existing utility infrastructure or service.

REVIEW CRITERIA

The Larimer County Land Use Code (Section 6.5.7.D.3) allows for the approval of an amended plat if the following review criteria are met in addition to the General Review Criteria, found in Section 6.3.8.D:

A. No additional lots will be created by the amended plat.
B. The resultant lots will meet the required minimum lot size of the applicable zoning district. If any of the lots are nonconforming with regards to the minimum lot size, the amended plat must not increase the nonconformity.
C. The amended plat will not create a nonconforming setback for any existing building
D. The amended plat will not adversely affect access, drainage or utility easements or rights-of-way serving the property or other properties in the area.
E. Any covenants, deed restrictions or other conditions of approval that apply to the original lots must also apply to the resultant lots and be noted on the final plat, except those changes to a condition or note on a plat that are approved of with this application. The Board of County Commissioners shall consider the original reason or circumstance for a condition or note on a plat when approving a change

EASEMENT VACATION

The Larimer County Land Use Code (Section 6.5.8.D.1) allows for the approval of a plat modification, specific to Easement Vacations, if the following review criteria are met:

A. Approval of the vacation request will not leave any land adjoining the right-of-way without an established public road or private access easement connecting the land with another established public road, or without utility or drainage services
B. The recommendations of referral agencies have been considered.
C. Any right-of-way that is vacated will be divided equally between the lots on each side, unless it can be demonstrated that all of the right-of-way was originally taken from one parcel. In that case, the right-of-way will be returned to that parcel. Property owners on each side of the right-of-way may agree to divide the vacated right-of-way differently but must sign deeds to transfer ownership after the County Commissioners approve the vacation.
D. Right-of-way vacations must also meet requirements of C.R.S. 43-2-303

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the request to vacate a 20-foot wide and 554.83-foot-long utility easement along the common lot line between lots 14 and 15 the Pinewood Springs 10th Filing, File No. 25-LAND4508.

And

The Development Services Team recommends approval of the Olson Lot Consolidation, File No. 25LAND4508, subject to the following conditions:

1. The property will be subject to all restrictions, covenants, and conditions set forth in the plat of record for the Pinewood Springs 10th Filing.
2. Any future uses on this lot shall obtain approval through the applicable review procedure as established in the Larimer County Land Use Code prior to commencement of the use.
3. The Findings and Resolution shall be a servitude running with the property. Those owners of the property or any portion of the property who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of this amended plat approval.

MOTION

Commissioner Shadduck- McNally moved that the Board of County Commissioners approve the item on the Consent Agenda subject to conditions in the Staff Report and further move to authorize the Chair to sign the Findings and Resolution.

Motion carried 3-0.

PUBLIC HEARING DISCUSSION ITEMS

1. **2025 RUBBISH ORDINANCE AMENDMENT, FILE NO 25-CODE0289**: Amy White, Code Compliance Supervisor, presented the recommended additions and removal of certain language within the ordinance to the Board of County Commissioners. The ordinance outlines how Larimer County compels the removal of rubbish, including trash, junk, debris, and garbage, from lots and tracts of land within unincorporated Larimer County.

It specifies procedures for notifying and working with property owners in order to remove rubbish from their property and for obtaining an administrative entry and seizure warrant allowing Larimer County to clean up a property when rubbish has not been removed within a specified time period.

Ms. White stated that the Larimer County Board of Commissioners had previously adopted local ordinances concerning the removal of rubbish from lots and tracts of land within Larimer County. Ms. White went through several sections of the ordinance with the Board, such as Definitions, Violations, Costs and Administrative Entry and Seizure Warrants. There are several additions to the Costs of Removal section highlighted:

All reasonable costs associated with the removal of rubbish, and impoundment if ordered by the court, shall be paid by the property owner.

A bill of costs shall be mailed to the property owner and payment in full shall be due within thirty (30) days of the date of the bill.

Ms. White mentioned that in the event that the bill remains unpaid as of the deadline outlined in section 7(E)(b), the cost may be assessed as a lien against the property until paid. This lien shall have priority over all other liens except general taxes. The Board of County Commissioners, at their sole discretion, may waive such fees.

Ms. White stated that this ordinance supersedes and replaces all prior Larimer County ordinances concerning rubbish accumulation and removal.

Ms. White announced that the final revision will be brought before the Board on Monday, December 8, 2025, for final approval.

The Board thanked Ms. White for her hard work and diligence in bringing forth the ordinance with updated language, additions and deletions.

2. PARK HOSPITAL DISTRICT PETITION FOR SERVICE PLAN MODIFICATIONS: Lesli Ellis, Community Planning, Infrastructure and Resource Director presented this item to the Board of County Commissioners for the Board to consider and decide on a modification for the Park Hospital Service District Plan. The Park Hospital District serves the Estes Valley region and operates Estes Park Health, including its hospital and outpatient facilities. When existing special districts seek to amend their service plans in a material way they must petition the Board of County Commissioners for approval of the amendment.

Ms. Ellis stated that the Board has a limited scope and that the Board will not be focused on the merits of the amendment, but just on very specific criteria within the amendment. The Board's review of the Park Hospital District's petition is narrow and only focused on confirming that the district satisfied procedural requirements in submitting its petition and that the petition contains the required information. Also, the proper notice of the Board of County Commissioners hearing was published and lastly that the district has the requisite licensure with Colorado Public Health and Environment (CDPHE).

Ms. Ellis provided some background information stating that on May 15, 2025, at a public hearing, the Park Hospital District Board approved a new service plan to integrate operations with UCHealth following the Colorado Attorney General's approval on September 22, 2025. The parties are targeting a December 1, 2025, closing pending County approval. Under the new plan, the Park Hospital District will shift from directly providing healthcare to supporting those services through UCHealth to ensure long-term, high-quality care for residents and visitors.

Ms. Ellis mentioned that in 2023, the Park Hospital District presented Ballot Issue 8A to the district's eligible electors during the regular election held on May 2, 2023. The approved measure allows Park Hospital District (Estes Park Health) to enter into long-term agreements with nonprofit healthcare providers to operate, maintain, or lease its hospital and related facilities, without creating or raising any taxes. It also authorizes the Park Hospital District to commit future revenues as part of those agreements.

Ms. Ellis stated that the procedural steps were followed in accordance with state statute and County code. On October 3, 2025, the Park Hospital District filed the service plan with the Larimer County Clerk & Recorder. This occurred on October 8, 2025, proposing the November 10, 2025, hearing date. On October 15, 2025, the review team found the application provided the required information to be reviewed. The review team asked the applicant to provide supplemental information to clarify the status of the license. The applicant provided the information on October 20, 2025. The notice of publication was published in the Estes Park Trail Gazette on October 17. 2025.

The review team finds that the petition satisfies the statutory review criteria related to process and the license and recommends that the Board approve the petition for material service plan modifications.

The Board thanked Ms. Ellis and invited the applicant to speak to the Board.

David Snow, attorney with Hall, Render, Killian Heath & Lyman P.C, represented the Park Hospital District. Mr. Snow stated that The District's Board of Directors has approved a new service plan, subject to County Commissioner approval, to facilitate the transfer and integration of its healthcare operations with University of Colorado Health (UCHealth). The integration was approved by the Colorado Attorney General on September 22, 2025. Based on that approval, the parties are hoping to move forward with a closing date of December 1, 2025. One of the requirements for implementing the integration is that the district modifies its service plan to reflect the new structure by which the district will continue its purpose of serving the healthcare needs of its residents and visitors. The district will shift from directly providing healthcare services to indirectly providing them through the integration with UCHealth, as is expressly permitted by the Colorado statutes establishing the authority of health service districts.

The District Board believes that implementing the principal terms and conditions of the definitive agreements to establish this integration with UCHealth, will have significant benefits for the Estes Valley community, patients, and district employees. It will provide the best structure for establishing a long-term financially sustainable path for health care services in the Estes Valley, thereby best ensuring access to outstanding health care services for the District's community and visitors for many years to come.

Dr. Cory Workman, Chairman of the Board for the Park Hospital District, said that a small independent hospital cannot continue to provide high quality areas of care but can do that with this opportunity to be a part of UCHealth and is respectfully asking the Board for approval.

The Board mentioned that they have received several comments with concerns about transparency and accountability to the taxpayers of the Park Hospital District and can members of the public be part of the hospital board.

Mr. Snow stated that the current park hospital board is not going to change but has the right to nominate two individuals from the five current district members and three community members will be appointed by UCHealth to serve on the Board.

The Chair opened the hearing for public comment.

The following members of the public approached the Board: Estes Park Mayor Hall, William Brown, Dr. Jennifer McLellan, and via Zoom Dr. Mark Adams. The overall comments are in support of the Park Hospital District Petition for Service Plan Modifications. The merger with UCHealth is the best possible outcome for Estes Valley in order to ensure the community of generally older individuals continued health care services. The partnership will expand the opportunities for staff, patients, and the Estes Park community. Dr. Adams and several emails did have concerns about how the public will be assured that their taxpayer mill levy money is being spent. The public information and disclosure reporting by the new hospital needs to be addressed.

The Board thanked everyone for attending and participating in this process. The Board stated they are in support of this petition for modification and that the Board's purview is fairly narrow and that the criteria have been met.

MOTION

Commissioner Kefalas moved that the Board of County Commissioners approve the Park Hospital District Petition for Service Plan Modifications.

Motion carried 3-0.

With there being no further business, the meeting was adjourned at 4:20 pm.

TUESDAY, NOVEMBER 11, 2025

ADMINISTRATIVE MATTERS

Due to the Veteran's Day Holiday, no Administrative Matters Hearing was held

Kristin Stephens

KRISTIN STEPHENS, CHAIR
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK & RECORDER

ATTEST:

Deirdre O'Neill, Deputy Clerk

LARIMER COUNTY CLERK
SEAL
COLORADO