

LARIMER COUNTY | ROAD AND BRIDGE

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November 30, 2020

Mr. Kelly McQueeney
Altitude Community Law
555 Zang Street, Suite 100
Lakewood, Colorado 80228-1011

RE: River Glen Subdivision – Maintenance of Subdivision Roads

Mr. McQueeney,

We are in receipt of your letter dated November 2, 2020 concerning maintenance of the roads within the River Glen Subdivision. In that letter you raised several issues associated with the maintenance and use of the roads within the River Glen Subdivision. I will attempt to address the issues you raised.

With respect to the 1979 resolution that accepted the roads for maintenance and added them to the County's Secondary Road System; the County agreed to maintain the roads to a standard that they existed at the time of acceptance not to maintain them in the condition they existed at the time of acceptance. There is a distinct difference in the terms "standard" and "condition". The County did not agree to maintain the roads in the condition in which they existed at the time of acceptance.

It has long been the policy of Larimer County to define maintenance in all county subdivisions, not just River Glen Subdivision, as "Surface Maintenance Only" meaning we will fix minor potholes, perform crack sealing on an as needed basis and perform chip seals on a periodic basis. However when a subdivision's roads deteriorate to a condition that they can no longer be maintained with routine surface treatments (i.e crack seal, chip seal), it is the responsibility of the adjacent property owners to restore the roadway to a condition that it can once again be maintained with routine surface treatments.

You make reference to Park Meadows Subdivision and specifically Wilfred Road and indicate that this road was recently resurfaced and re-stripped and claim that the county is not meeting its obligation to treat River Glen Subdivision "in a manner consistent with the maintenance of other roads of a similar class" as stated in the resolution. Park Meadows did receive a chip seal in 2016 in accordance with our commitment to perform surface maintenance. These roads were in much better condition than the roads in River Glen and a chip seal application was an acceptable maintenance technique at the time.

There seems to be a belief that the roads in River Glen Subdivision have deteriorated to their current condition due to a lack of maintenance by Larimer County. The roads in River Glen are in poor condition because they have simply out lived their intended life. Asphalt roads are designed to have a useful life of approximately 20 years, assuming that routine maintenance is performed over this 20 year life. The roads in River Glen were originally constructed in 1976 and are now 44 years old, over twice the





intended design life. The primary reason the roads have lasted as long as they have is that Larimer County has performed routine surface maintenance over the past 40+ years. You state that Larimer County “has not performed chip sealing, resurfacing or other maintenance of the River Glen Subdivision roads for over twenty years. Our records indicate we chip sealed the roads in 2000 and 2007, crack sealed in 2000, 2005, and 2015 and performed injection patch repairs in 2000, 2001, 2003, 2004, 2005, 2006, 2007, 2009, 2010, and 2014. I do not have access to financial data prior to 1997 but our records indicate that Larimer County has invested \$168,386 dollars in maintenance of the River Glen Subdivision, not including snow removal costs.

Your letter claims that the roads in River Glen Subdivision have been damaged by the County’s contractors driving heavy equipment within the subdivision while performing maintenance on CR 2E and CR 17 in 2019 and 2020 respectively. I have spoken with the Senior Construction Manager in charge of those two projects and have been assured that the contractor did not route any construction traffic or detour any public traffic onto the River Glen Subdivision roads. There was however maintenance performed on Glenview Dr. and River Glen Dr. at the intersection with CR 2E and CR 17. This work was done to improve the condition of subdivision roads at those intersections and was a benefit to the condition of the roads certainly not a detriment.

There is a long history of communication with residents in the River Glen Subdivision concerning maintenance of the subdivision roads. It appears that discussions occurred in 1983, 1984, 1985, 1996, 1997, and more recently in 2016. In each of these discussions Larimer County’s position has been consistent. Larimer County only provides surface maintenance on local subdivision roads and the County has met its obligation with respect to this maintenance.

The roads in the River Glen Subdivision have deteriorated to a condition that routine surface maintenance is no longer a viable maintenance technique. These roads are in need of more robust maintenance including substantial structural patching and placement of a structural asphalt overlay and in the case of Riverview Dr. a complete reconstruction is going to be required. This more robust maintenance is beyond the level of maintenance provided by Larimer County and is the responsibility of the property owners in River Glen Subdivision.

We recognize that the cost associated with road reconstruction and/or structural overlay’s is substantial. Property owners have the option to work with Larimer County to form a Public Improvement District (PID) to help manage the process. Essentially a PID is a process where the residents within a subdivision vote, through a formal election, to create a district and tax themselves for the purposes of collecting funds for street maintenance. The monies collected are reserved for that subdivision and cannot be spent outside the district boundaries. Larimer County collects the funds, works with the PID Road Board to develop maintenance plans, and provides engineering and construction support to develop and implement improvements to the roads within the district.

This option has been presented to the River Glen property owners on several occasions recently and in the past including in a 1997 letter from then Director of Public Works, Rex Smith.

The following is a link to the website with information related to Public Improvement districts. <https://www.larimer.org/engineering/improvement-districts>



If you have further questions, please feel free to contact me.

Thank You,

Todd Juergens
Digitally signed by Todd Juergens
Contact Info: Larimer County Road
and Bridge Director
Date: 2020.11.30 16:13:18-07'00'

Todd Juergens
Larimer County Road and Bridge Director

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River Glen Subdivision File