

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, MAY 10, 2021

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m., with Don Threewitt, Principal Planner. Chair Kefalas presided. Commissioner Shaddock-McNally and Commissioner Stephens were present. Also present were Jennifer Cram, Tawn Hillenbrand, Alyssa Martin, Doug May, Community Development; Lesli Ellis, Community Development Director; Stephen Rothwell, Connor Sheldon, Engineering; Jeannine Haag, County Attorney; and Eliza Brock, Deputy Clerk.

Commissioner Kefalas opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA

1. REDMON APPEAL, FILE NO. 21-ZONE2918: This request is an appeal to Section 4.3.10.H.c of the Land Use Code which limits the size of a detached accessory living area to 40% of the square footage of the single-family dwelling, excluding any garage or basement area, whether finished or not, or 800 square feet, whichever is less.

The property is a 39.91-acre parcel located in Fort Collins, CO. The property currently has a 1,078 square foot primary dwelling built in 1918. The applicants are proposing to convert the historic dwelling to an accessory living area and build a new home on the property of 4,051 square feet. The property also contains a shed, chicken coop, and detached garage. The property is currently used for hay farming and livestock in addition to the residence.

As noted above, the square footage of the accessory living area is limited to 40% of the primary residence, or 800 square feet. As proposed, the accessory living area is under the required 40% of the proposed primary residence but exceeds the 800 square foot maximum.

The applicant's project description indicates that the accessory living area will be used for guests or future property caretakers.

The applicant submitted a Public Site Plan application and size appeal. If the size appeal is granted by the Board of County Commissioners, the Public Site Plan can be approved administratively by the

Community Development Director. Per the Engineering Department's comments, the applicant has agreed to vacate the existing access points and create new ones, aligning with existing drives of the neighboring properties. Adequate parking for the accessory living area will be provided within the existing driveway.

The Development Services Team evaluates each request on its own merits but historically has supported accessory living areas up to 1,200 square feet in detached buildings.

REVIEW CRITERIA

- A. Approval of the appeal will not subvert the purpose of the standard or requirement.
- B. Approval of the appeal will not be detrimental to the public health, safety or property values in the neighborhood.
- C. Approval of the appeal is the minimum action necessary.
- D. Approval of the appeal will not result in increased costs to the general public.
- E. Approval of the appeal is consistent with the intent and purpose of the Code.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the Redmon Appeal, File #21-ZONE2918 with the following condition:

1. The Accessory Living Area shall be located as shown on the approved site plan.

The Development Services Team notes that if the proposed appeal is approved, additional conditions will be placed on the Public Site Plan approval including the need for obtaining all applicable permits, new access points, and an expiration of the Public Site Plan approval.

2. PFA STATION NO. 9, L2 AP, MLD & BLA, FILE NO. 21-LAND4111: This combined amended plat and boundary line adjustment is regarding Lot 2 of Poudre Fire Authority Station No. 9 MLD 97-EX1100, as well as the two metes and bounds parcels located directly to the east of Lot 2. The applicant is requesting to reconfigure the boundaries of the three lots to separate the existing structures. None of resultant parcel will be divided by a road.

The lots are currently 1.97 acres, 0.07 acres, and 0.12 acres. The resultant lots will be approximately 1.63 acres, 0.29 acres, and 0.24 acres.

The purpose of the Boundary Line Adjustment is to separate the decommissioned water treatment building and land for potential sale. The applicant stated that this will help with future infrastructure and capital replacement projects.

REVIEW CRITERIA

- 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 and the lot dimension ratio required by subsection 8.14.1.H. If any of the lots are nonconforming with respect to the minimum lot size or the lot dimension ratio, the amended plat must not increase the nonconformity.
- C. The amended plat will not create a nonconforming setback for any existing building.
- D. The resultant lots will meet the requirements of subsection 8.14.1.I. Lots cannot be divided by a municipal or county boundary line, road, alley, or another lot.
- E. Approval of the appeal is consistent with the intent and purpose of the Code. 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.
- F. 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 with this application. The county commissioners shall consider the original reason or circumstance for a condition or note on a plat when approving a change.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of Amended Plat of Lot 2 Poudre Fire Authority Station No. 9 M.L.D. No. 97-EX1100 and Boundary Line Adjustment, File No. 21-LAND4111, subject to the following conditions:

- 1. All conditions of approval shall be met and the final plat recorded by November 10, 2021, or this approval shall be null and void.
- 2. Prior to the recordation of the final plat the applicant shall make the technical corrections required by the Land Surveyor of Larimer County.
- 3. The resultant lot is subject to any and all covenants, deed restrictions, or other conditions that apply to the original lots.

3. CRYSTAL LAKES 2ND, LOT 57 & LOT 58 LOT CONSOLIDATION, FILE NO. 21-LAND4110: The applicants seek to combine two lots within the Crystal Lakes Subdivision to create one 6.48-acre lot. The applicants are proposing to combine Lot 57 & Lot 58 to create a single new lot. The only improvements on the lots are a vault and outhouse and small shed on Lot 57. Lot 58 is currently vacant but has a driveway accessed from Beartrap Rd and Ute Ct and a leveled parking area. The applicants' goal to combine the lots is to reduce their HOA fees as well as to prevent further development on one of the lots.

REVIEW CRITERIA

The Larimer County Land Use Code (Section 5.7.3) allows for the approval of a lot consolidation if the following review criteria are met:

- A. No additional lots will be created by the lot consolidation.
- B. The resultant lots will meet the required minimum lot size of the applicable zoning district and the lot dimension ratio required by subsection 8.14.1.H. If any of the lots are nonconforming with respect to the minimum lot size or the lot dimension ratio, the amended plat must not increase the nonconformity.
- C. The lot consolidation will not create a nonconforming setback for any existing building.
- D. The resultant lots will meet the requirements of subsection 8.14.1.I. Lots cannot be divided by a municipal or county boundary line, road, alley, or another lot.
- E. The lot consolidation will not adversely affect access, drainage or utility easements or rights-of-way serving the property or other properties in the area.
- F. 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 with this application. The county commissioners shall consider the original reason or circumstance for a condition or note on a plat when approving a change.

The Larimer County Land Use Code (Section 5.9.3) allows for the approval of a Right-of-Way or Easement Vacation 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.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends Approval of the Lot Consolidation, subject to the following condition:

1. All conditions of approval shall be met, and the final resolution of the County Commissioners recorded by November 10, 2021, or this approval shall be null and void.
2. The resultant lot is subject to any and all covenants, deed restrictions or other conditions that apply to the original lots in the subdivision.
3. The reconfiguration of the lot lines shall be finalized at such time when the Findings and Resolution of the County Commissioners is recorded.
4. Prior to recordation of the Findings and Resolution, provide Ownership and Encumbrances for both parcels. If the Ownership and Encumbrances include any lienholders, a Consent of Lienholder form will be required to be signed by each lienholder.

4. **FENDICK APPEAL, FILE NO.21-GNRL0508:** This is a request to appeal to Section 4.3.2.I of the Land Use Code to allow two storage buildings on a lot prior to the construction of a single-family dwelling.

The subject property is located West of Stove Prairie Rd., south of Paradise Park Road and is a 40-acre parcel. The current owner bought the property which contained two storage buildings but no dwelling.

The Land Use Code (Section 4.3.2.I) allows the construction of a single storage building or detached garage prior to the construction of a single-family dwelling. The Land Use Code also specifies that there is no size limit for the one storage building or garage for lots over five acres in size. Once a single-family dwelling is built on the property there is no limit to the number of detached storage buildings and garages as long as the total square footage of all detached storage buildings and garages does not exceed 10% of the lot's net area. This property is 40-acres. If a single-family dwelling were built on the property the owner could have 10% of the lot covered with detached storage buildings and garages, approximately four acres or 174,240 square feet.

The current owner bought the property with the existing buildings already on the property, placed there by the previous owner. There is not a single-family dwelling currently on the property, therefore only one storage building is allowed at this time. Each of the existing storage buildings is approximately 9.8 feet x 12.2 feet with a storage loft and they each include a covered porch/deck which puts each one just over 120 square feet. Based on the size they would each require a building permit. The sheds are located just a couple of feet from each other. If they were combined into one building or if there was a single-family dwelling on the property, the applicant would not need to do the appeal. The applicant has indicated at some point in the future they want to build a home, but not at this time. The applicant has indicated previously that he cannot attach the structures due to the site constraints such as topography.

REVIEW CRITERIA

- A. Approval of the appeal will not subvert the purpose of the standard or requirement.

- B. Approval of the appeal will not be detrimental to the public health, safety, or property values in the neighborhood.
- C. Approval of the appeal is the minimum action necessary.
- D. Approval of the appeal will not result in increased costs to the general public.
- E. The approval of the appeal is consistent with the intent and purpose of the Code.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends the Board of County Commissioners approve the Fendick Appeal, File# 21-GNRL0508, subject to the following conditions:

1. The applicant will need to obtain building permits for the two buildings within 90 days from the date that the Findings and Resolution is recorded for this appeal.
2. The two buildings can only be used for storage and cannot be used as habitable space unless and until approval is obtained through the required planning and/or permitting process; this includes obtaining the Health Department approval.

DISCUSSION ITEMS:

5. ANIMAL HOUSE AMENDED SPECIAL REVIEW, FILE NO. 21-ZONE2883: This is a request for an Amended Special Review to expand the existing pet adoption facility with a 4,005 square foot addition that will connect the two existing buildings on the property. Upgrades to existing facilities will also be completed along with landscaping around the building perimeter.

The Animal Friends Alliance, formerly known as the Animal House pet adoption and grooming facility is located at 2200 North Taft Hill Road, Fort Collins, south of US Highway 287. The property is in the LaPorte Planning Area.

The property is currently zoned FA-Farming and will transition to RR2 – Rural Residential on March 31, 2021. The surrounding area is also zoned FA-Farming/RR2-Rural Residential.

The property contains two existing buildings, associated parking, and landscaping for the existing pet adoption and grooming facility. A 4,005 square-foot addition is proposed that will connect the two existing buildings bringing the total square footage to 10,529 square-feet. The addition will serve as a cat adoption and housing facility. Improvements to the existing buildings will also be made and additional landscaping is also proposed. There are no proposed changes to access, parking or pedestrian circulation. The property is currently served by the West Fort Collins Water District and an on-site septic system.

The Animal House Special Review #15-Z1977 was approved by the Board of County Commissioners on December 14, 2015. Condition number eight of the Findings and Resolution noted that there will be no more than 40 animals, as adoption candidates, on site at any time. That limit may be expanded

up to 60 animals including puppies for no more than 36 hours in any 30-day time period. The expanded limit allowed for the intake of fostering transfers and group surgery events. There are currently approximately 30 animals/dogs on site at any given time. With the addition of the cat adoption facility the applicant is requesting that the number of animals allowed on site as adoption candidates be increased to 95 to include 30 dogs and 65 cats.

Per Section 4.3.1.O. a pet animal facility with 2,501 square feet or more is approvable through the Special Review process in the FA-Farming zone district. If the Amended Special Review is approved, the Site Plan Review process will be required prior to issuance of building permits.

REVIEW CRITERIA

- A. Approval of the appeal will not subvert the purpose of the standard or requirement.
- B. Approval of the appeal will not be detrimental to the public health, safety, or property values in the neighborhood.
- C. Approval of the appeal is the minimum action necessary.
- D. Approval of the appeal will not result in increased costs to the general public.
- E. The Approval of the appeal is consistent with the intent and purpose of the Code.

PLANNING COMMISSION AND DEVELOPMENT SERVICES TEAM RECOMMENDATION:

BE IT RESOLVED that the Planning Commission recommend to the Board of County Commissioners approval of the Animal House Amended Special Review, File #21-ZONE2883 subject to the following conditions:

1. This Special Review approval shall automatically expire without a public hearing if the use is not commenced within three years of the date of approval.
2. The property shall be developed consistent with the approved plan and with the information contained in the Animal House Amended Special Review, File #21 ZONE2883 except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Animal House Amended Special Review.
3. Failure to comply with any conditions of the Special Review approval may result in reconsideration of the use and possible revocation of the approval by the Board of Commissioners.
4. This application is approved without the requirement for a Development Agreement.

5. In the event the applicant fails to comply with any conditions of approval or otherwise fails to use the property consistent with the approved Special Review, applicant agrees that in addition to all other remedies available to the county, the county may withhold building permits, issue a written notice to applicant to appear and show cause why the Special Review approval should not be revoked, and/or bring a court action for enforcement of the terms of the Special Review. All remedies are cumulative and the county's election to use one shall not preclude use of another. In the event county must retain legal counsel and/or pursue a court action to enforce the terms of this Special Review approval, applicant agrees to pay all expenses incurred by county including, but not limited to, reasonable attorney's fees.
6. County may conduct periodic inspections to the property and reviews of the status of the Special Review as appropriate to monitor and enforce the terms of the Special Review approval.
7. There will be no more than 95 animals (30 dogs and 65 cats), as adoption candidates, on site at any time. That limit may be expanded to up to 115 animals including puppies and kittens for no more than 36 hours in any 30-day time period. The expanded limit will allow for the intake of fostering transfers and group surgery events.
8. The noise mitigation plan noted in the original approval from 2015 shall continue to be implemented.
9. 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 the Special Review approval.

6. HOURGLASS PLD PRELIMINARY PLAT, #20-LAND4004, AND PD REZONE, FILE NO. 20-ZONE2771: This is a request for a Planned Land Division to divide three parcels into five total lots; a rezoning from FA - Farming to PD – Planned Development; and an Appeal to Section 8.14.1.R of the Land Use Code regarding road connectivity.

PLANNING COMMISSION AND DEVELOPMENT SERVICES TEAM
RECOMMENDATION:

BE IT RESOLVED that the Planning Commission recommends to the Board of County Commissioners approval of the Hourglass Planned Land Division, File #20-LAND4004, and the requested appeal to Section 8.14.1.R of the Land Use Code regarding connectivity, subject to the following conditions:

1. The Final Plat shall be consistent with the approved preliminary plan and with the information contained in the Hourglass Planned Development, File #20-ZONE2771, and Planned Land Division, File #20-LAND4004 except as modified by the conditions of approval or agreement of the county and applicant. The applicant shall

be subject to all other verbal or written representations and commitments of record for the Hourglass Planned Development/Planned Land Division.

2. The following fees shall be collected at building permit issuance for new single-family dwellings: Thompson R2-J school fee, Larimer County fees for county and Regional Transportation Capital Expansion, Larimer County Regional Park Fees (in lieu of dedication) and drainage fees. The fee amount that is current at the time of building permit application shall apply.
3. Fire hydrants shall be installed according to Loveland Fire Rescue Authority recommendations and requirements. If this requirement cannot be met, homes must be equipped with an approved residential automatic sprinkler system.
4. A 40-foot drainage easement is required to be dedicated along the west end of Hourglass Lots 4 and 5.
5. All habitable structures will require an engineered foundation system. Such engineered foundation system designs shall be based upon a site-specific soils investigation. The lowest habitable floor level (basement) shall not be less than three feet from the seasonal high-water table. Mechanical methods proposed to reduce the ground water level, unless it is a response after construction, must be proposed on a development wide basis.
6. Passive radon mitigation measures shall be included in construction of residential structures on these lots. The results of a radon detection test conducted in new dwellings once the structure is enclosed but prior to issuance of a certificate of occupancy shall be submitted to the Building Department. As an alternative, a builder may present a prepaid receipt from a radon tester which specifies that a test will be done within 30 days. A permanent certificate of occupancy can be issued when the prepaid receipt is submitted.

And BE IT RESOLVED that the Planning Commission recommends to the Board of County Commissioners approval of the rezoning from FA - Farming to PD - Planned Development, File #20-ZONE2771, subject to the following condition:

1. The rezoning shall be effective upon the recordation of the final plat of Hourglass Planned Land Division.
2. The permitted uses, lot building and structure requirements, setbacks and structure height limitations for Hourglass Planned Development shall be as noted in PD Zone District Standards provided in the staff report.

MOTION

Commissioner Stephens moved that the Board of County Commissioners move discussion items numbers 5 and 6 to the consent agenda.

Motion carried 3-0

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the items on the Consent Agenda subject to the conditions in the staff report and further move to authorize the Chair to sign the findings and resolutions.

Motion carried 3-0

With there being no further business, the Board adjourned at 3:10 p.m.

TUESDAY, MAY 11, 2021

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with Linda Hoffmann, County Manager. Commissioner Kefalas presided. Commissioner Shadduck-McNally and Commissioner Stephens were present. Also present were: Brenda Gimeson, Commissioners' Office, and Eliza Brock, Deputy Clerk.

Commissioner Kefalas opened the meeting with the Pledge of Allegiance.

1. PUBLIC COMMENT: Ed Behan, with Larimer Alliance for Health, Safety, and the Environment, addressed the Board with a request to consider air-quality monitoring as it relates to oil and gas regulations.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF MAY 3, 2021:

M O T I O N

Commissioner Stephens moved that the Board of County Commissioners approve the minutes for the week of May 3, 2021.

Motion carried 3-0

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF MAY 17, 2021: Ms. Gimeson reviewed the upcoming schedule with the Board.

4. CONSENT AGENDA:

AGREEMENTS:

1. SECOND AMENDMENT TO AGREEMENT FOR EMPLOYMENT AND TRAINING SERVICES

2. COMMUNITY SERVICES BLOCK GRANT (CSBG): THE FAMILY CENTER (LA FAMILIA) CONTRACT

3. LARIMER COUNTY HUMAN SERVICES AND LIVE THE VICTORY, INC. DBA THE MATTHEWS HOUSE CONTRACT
4. NRCS APPLICATION FOR FEDERAL ASSISTANCE – EMERGENCY WATERSHED PROTECTION PROGRAM
5. TRAIL EASEMENT EXCHANGE AGREEMENT
6. AMENDMENT TO INTERGOVERNMENTAL AGREEMENT FOR STATE HIGHWAY 1 / DOUGLAS ROAD SIGNAL PROJECT
7. INTERGOVERNMENTAL AGREEMENT FOR THE ASSESSMENT, COLLECTION, AND REMITTANCE OF EMERGENCY SERVICES IMPACT FEES / WINDSOR-SEVERANCE FIRE PROTECTION DISTRICT
8. INTERGOVERNMENTAL AGREEMENT FOR FUNDING OF MOBILITY MANAGEMENT ACTIVITIES IN LARIMER COUNTY OUTSIDE OF NORTH FRONT RANGE METROPOLITAN PLANNING ORGANIZATION BOUNDARY

APPOINTMENTS

1. RECOMMENDED MID-TERM APPOINTMENT TO THE RED FEATHER LAKES PLANNING ADVISORY COMMITTEE- Jim Newcomb

DEEDS

1. RESOLUTION FOR CONVEYANCE BY BOARD OF COUNTY COMMISSIONERS OF LARIMER COUNTY, COLORADO

LIQUOR LICENSES: ZGolf Food & Beverage Services DBA Wedgewood Weddings & Banquet Center- Laporte

MISCELLANEOUS:

1. MEMORANDUM REQUESTING TO ‘SELL’ CHILD CARE ASSISTANCE PROGRAM ALLOCATION FUNDS
2. REQUEST FOR APPROVAL TO ENTER UPON LANDS
3. LOVELAND FIRE RESCUE AUTHORITY UPDATED IMPACT FEE SCHEDULE ON COUNTY BUILDING PERMITS

POLICIES

1. ADMINISTRATIVE POLICY AND PROCEDURE 190.6B

RESOLUTIONS:

- 1. RESOLUTION ACCEPTING GRANT AWARDS**
- 2. RESOLUTION ORDERING A PUBLIC HEARING TO CONSIDER PETITIONS FOR HARVEST**
- 3. RESOLUTION ORDERING A PUBLIC HEARING TO CONSIDER PETITIONS FOR EAGLE**
- 4. RESOLUTION ORDERING A PUBLIC HEARING TO CONSIDER PETITIONS FOR AUBURN**

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the Consent Agenda for May 11, 2021.

Motion carried 3-0

- 5. COMMISSIONERS GUESTS:** Kaycee Headrick, CEO Boys & Girls Clubs of Larimer County, and Leslie Mera-Sanchez, Youth of the Year.

Ms. Headrick introduced Leslie Mera-Sanchez of the Harmony Village Club as their pick for Youth of the Year.

Ms. Mera-Sanchez expressed the difficulties that she has overcome during the last year with remote learning, depression, anxiety, and stress. The Boys & Girls Club helped her become the person she is today and helped her be courageous and show her resilience wherever she goes.

The Board expressed their support for the youth of the community and commended Ms. Mera-Sanchez for her leadership in the community. They also thanked the Boys & Girls Clubs of Larimer County for the work they have done in the community for childcare during the pandemic.

- 6. PROCLAMATION DECLARING MAY 2021 FOSTER CARE APPRECIATION MONTH IN LARIMER COUNTY:** Angela Mead and Julie Rudley, Larimer County Human Services.

Ms. Mead addressed the Board presenting the proclamation for National Foster Care Appreciation Month. In Larimer County, there are currently 89 children in foster care with many more in kinship care. They will be hosting a shopping day at Realities for Children where foster families can shop for school supplies and toys for their foster children. Ms. Mead introduced Sean Neil-Barron. Sean Neil-Barron and Charles (no last name provided) are foster parents in the community who will be receiving the shining star award that is awarded in the month of May to parents who provide exemplary care.

Mr. Neil-Barron addressed the Board stating he is currently providing foster care for a 12-year-old boy with developmental and intellectual delays and complex trauma. He has fostered three children

ranging in ages from seven through thirteen. He explained the challenges of being a foster parent. He encouraged the Board to continue their good work in supporting families before children are placed in foster care including visiting with children who are part of the foster care system.

Traditionally, the Board of County Commissioners recognizes the month of May as Foster Care Appreciation Month in Larimer County. Commissioner Stephens read the proclamation.

MOTION

Commissioner Stephens moved that the Board of County Commissioners proclaim May 2021, as Foster Care Appreciation Month in Larimer County.

The Board expressed their appreciation to Mr. Neil-Barron and the human services staff for their hard work in supporting the foster children in our county.

Motion carried 3-0

The Board took a brief recess.

The Board reconvened at 9:55.

7. CIVILIAN FRONT DESK SPECIALIST IN SHERIFF'S OFFICE: Bob Coleman, Larimer County Sheriff Captain, John Manago, Larimer County Sheriff Undersheriff.

Mr. Coleman explained the need to convert a 20-hour-a-week temp employee to 1 full-time equivalent employee (FTE).

In the past two years, before the COVID-19 outbreak, the Larimer County Sheriff's Office was able to process applications for Concealed Handgun Permits (CHP) on a consistent schedule while maintaining and meeting Colorado state statute, which mandates that anyone who submits a CHP application, passes the background check, and pays the required fee should receive their permit within 90 days of initial application. However, due to the COVID-19 outbreak, complying with health department restrictions and mandatory shutdowns for the past 12 months or so has created a substantial backlog in processing applications.

To provide background, Mr. Coleman stated that in 2019 they processed 119 permits, in 2020 they processed 256, to date in 2021 they have had 377 applications submitted.

In addition, based on the current social and political climate, the Sheriff's Office has experienced an unprecedented increase in CHP applications. The average 90-day wait, in the most conservative estimate, has doubled and in some cases surpassed that. The sheriff's office has attempted to initiate several short-term strategies to address this issue. One strategy was to hire a civilian 20-hour temporary employee dedicated to processing CHP applications only. The office continues to receive approximately 100-150 additional requests for new applications weekly.

There was a discussion with the Board on if they foresee the applications continuing to be in high-demand or if that is just believed to be due to the current political climate. The new FTE will be

moved to the Loveland campus, and can potentially go back-and-forth between the two campuses if the applications start decreasing.

There was a discussion with the Board on the training requirements of this proposed position and implications for not meeting the 90-day requirements of the statute. There is training that the individual must complete following the statutes in processing the applications and background checks. The sheriff's office must send folks to other counties, but those counties are also behind. The state is recognizing that delays are happening across the state.

Lastly, the Board discussed with Mr. Coleman the requirements of receiving a concealed carry permit. Mr. Coleman explained applicants must pass a background check, pay a fee, and provide an application. If an individual has a criminal history that the sheriff believes to be a predisposition to be a threat to themselves or others, then they can deny the permit. This new FTE would not be responsible for communicating the denial of a permit, as that would be the duty of a sheriff.

MOTION

Commissioner Shadduck-McNally moved to approve the addition of one civilian front desk FTE in the Larimer County Sheriff's Office.

Motion carried 3-0

8. BEHAVIORAL HEALTH SERVICES PROPOSED FUNDING PRIORITIES AND TARGETED PROJECTS FOR THE 2021 IMPACT FUND GRANT PROGRAM: Laurie Stolen, Behavioral Health Services Director.

Ms. Stolen addressed the Board stating that Behavioral Health Services (BHS) is requesting Board of County Commissioner approval of the proposed Funding Priorities and Targeted Projects for the 2021 Impact Fund Grant Program.

In 2020 the Behavioral Health Policy Council, Technical Advisory Committee, and Consumer Advisory Committee developed and approved the funding process. By identifying priorities and projects, BHS hopes to drive 2021 grant work towards the areas identified as most important and/or impactful by the experts on the BHS advisory committees to improve the behavioral health landscape in Larimer County.

Targeted grant recommendation projects include behavioral health care coordination across services, moderately/intensive care coordination for those with complex needs, behavioral health workforce development, and retention, enhancing first responder and behavioral health crisis-to-care collaboration efforts, prevention education and early intervention for vulnerable youth, and increasing access to behavioral healthcare in non-traditional settings.

They hope to have approval from Board today, to move forward with their new system in June, and accept applications through the month of July. They will review applications in August and then provide grant award recommendations to the Board in September.

There was a discussion with the Board on addressing if awards are given to organizations for more than a year at a time. Multi-year funding is challenging, and they cannot guarantee dollars beyond one year. They are working with the county attorney on ways they can provide multi-year funding.

The Board thanked the behavioral health department for their hard work in identifying the needs of the community and forming the transformational advocacy group.

MOTION

Commissioner Stephens moved that the Board of County Commissioners approve the recommendation put forward by the Behavioral Health Policy Council for Funding Priorities and Targeted Projects for the 2021 Impact Fund Grant Program.

Motion carried 3-0

8. FUNDING REQUEST FOR 1.0 FTE TREATMENT SERVICES TEAM LEAD FOR THE AIIM PROGRAM: Emily Humphrey, Director of Criminal Justice Services, Mike Ruttenberg, Director of Clinical Services.

Ms. Humphrey addressed the Board to request a 1.0 FTE for their Alternatives to Incarceration for Individuals with Mental Health (AIIM) Program in their Loveland facility.

In 2019 the AIIM Program expanded its service locations to the newly completed Loveland Court House building, bringing needed services for citizens in southern Larimer County. They started the Loveland program using existing resources and moving services for five existing clients who resided in Loveland. In 2020 they were approved for an additional AIIM case management position to dedicate to the Loveland office, which was paid for with the existing budget. This new case management position served two functions for the clients in Loveland: court compliance and basic needs wrap-around services.

Mr. Ruttenberg addressed the Board stating the AIIM program serves a highly complex, high-need, and high-risk population in the criminal justice system. The Loveland AIIM Program has grown from the initial 5 clients to 19 active clients with an active referral list of individuals waiting for services. Assertive Community Treatment (ACT) and Forensic Assertive Community Treatment (FACT) standards provide for a 1:10 case manager to client ratio, and Integrated Dual Disorder Treatment (IDDT) provides for 1:15-20. AIIM is designed for an average of 1:17, with the Loveland case manager being at 1:19. IDDT, ACT, and FACT are evidence-based practices that closely mirror AIIM Program clientele, approaches, and philosophies. We have now reached the point where additional staffing is needed to continue to provide the needed services for AIIM's Loveland population. The team lead will focus on probation and building stronger partners in the Loveland community.

The Board recognized the need to address mental health and keep individuals out of the jail system.

There was a discussion with the board on how COVID-19 has impacted their services. They have been impacted but it is tapering off as they are engaging in face-to-face services.

The Board thanked the criminal justice team for all their hard work and are supportive of approving the position however, the funding is still something that needs to be worked out.

Manager Hoffmann clarified the Board is being asked to create the position and then they will come back with a recommendation of where to get the funding. They want to create the position now so they can get started with recruiting in conjunction with current recruiting.

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the increase in staffing for 1.0 FTE treatment services team lead for the Loveland AIIM Program.

Motion carried 3-0

8. COVID-19 UPDATES AND DECISIONS: Linda Hoffmann, County Manager, introduced Larimer County Health Director, Tom Gonzales, who joined via teleconference.

There was a discussion with the Board on the recent U.S. Food and Drug Administration (FDA) approval of the Pfizer vaccine for children as young as 12. Public health is setting up school-based clinics with Poudre, Thompson, and Estes Park Districts. They are also working with the schools on McKinney-Vento children which is a national-based program that helps assist children experiencing homelessness and limited access to other resources.

Manager Hoffmann commented that she received a request for an interdepartmental agreement between public health and the workforce center to hire three youth that will be spread through Estes Park, Loveland, and Fort Collins to work on vaccine outreach.

9. 2020 TRAFFIC SAFETY REPORT UPDATE: Mark Peterson and Brian Fraaken, Engineering.

Mr. Peterson explained to the Board that they compile the Larimer County crash data for the unincorporated mainline road system and analyze the data each year to produce an annual traffic safety report.

Mr. Brian Frankum gave the Board an overview of the 2020 Traffic Safety Report. In 2020 they saw a significant decline in the property damage only crashes while fatal crashes increased a little. Half of the serious crashes involved roadway departure and DUI crashes were down nearly 30% over 2019. There has been a 42% increase in motorcycle crashes over 2019.

There was a discussion with the Board on safety equipment in relation to crashes. According to the data collected the severity of serious crashes is significantly lower when safety equipment such as seatbelts and helmets were used.

Intersections, where roundabouts have been put in place, crashes are down 32% and serious crashes are down 70%. Roundabouts help keep traffic moving and provide a safer alternative than traffic lights.

There was a discussion with the Board regarding adding more roundabouts in the county. Engineering is looking at the possible addition of a roundabout off Owl Canyon Road around the new landfill and

at the intersection of County Road (CR) 8 and CR 21 coming west out of Berthoud. Cost is competitive with a traffic signal when factors including real estate and adding turn lanes are considered.

This year they are highlighting safety mitigation projects including widening CR 14 from CR 23 to CR 21, and CR 17 (Sheilds) widening from CR 50 (Willox) to U.S. Highway 287 to accommodate bicycle traffic. They are deploying temporary speed feedback signs in various places through the county where speeding issues occur and enhancing bicycle safety signs.

There was a discussion with the Board on causes of distracted crashes and inexperience. These reasons are gathered by officers in the accident reports. With increased visitation on county roads, officers can indicate that inexperience played a factor in the crash.

The Board commented that property damage and fatalities decreasing is good news but motorcycle crashes increasing is concerning and if education can be provided to help these statistics. The motorcycle community is challenging to target. Engineering has put signage up around Horsetooth which is a common motorcycle crash area, and a portion of grant funding will provide friction in the lane that motorcycles typically use in that area. It was suggested to possibly reach out to Front Range Community College who does motorcycle training or motorcycle dealers in the area to provide students and prospective buyers with the crash data and problem areas in the county.

There was a discussion with the Board on how the data in the report informs the county on the projects we should tackle and how the public can access the traffic report. Engineering receives input from the bicycle community on areas that are problematic for cyclists. They also look at crashes, traffic volumes, and receive comments from the public on a variety of issues to identify trends occurring year-over-year. On the engineering webpage at www.larimer.org/engineering, there will be a hot topic link that will direct visitors to the full report. They also have links for phone and email on their page that citizens can utilize to raise issues to the department.

The Board commented on the tragic accident on U.S. Highway 287 near the Wyoming border as community members had raised comments to the Board. The county put in left-turn lanes and shoulders in the past and Captain Shellhammer from the Sheriff's Office is looking at changing the snow fencing to better mitigate snow. They are also considering increasing state patrol presence in the area and putting in temporary speed signs that can be adjusted based on weather and snow conditions.

The Board expressed appreciation for the work engineering has done to widen roads and improve safety in the county. There was discussion on crashes involving road work zones and construction workers. The report deals with roadways on Larimer County maintained road systems and not state highways or roads in adjacent municipalities. There were no crashes that involved county road work employees or equipment. There does appear to be one or two related crashes in work zones. Engineering works with the Road and Bridge Department to make sure that proper signage and traffic control are used appropriately in work areas.

Lori Kadrich, Community Planning, and Infrastructure Resources Director addressed the Board. She leads the Engineering Department, and this is the second year she has been part of the safety report. Her team spends an enormous amount of time reviewing the data behind incidents to help drivers safely navigate our road systems. She encourages citizens to stay vigilant to signs posted on the roadways as all signage is driven from a safety standpoint.

10. COVID 19 RECOVERY UPDATE: Shayle Sabo, Covid Pandemic Recovery Manager with the Larimer Recovery Collaborative, and Ricardo Perez, Larimer Recovery Collaborative.

Ms. Sabo stated that the Base Recovery Plan and Implementation documents are posted for folks to view and use a google form to provide feedback at larimerrecovers.org. These plans will be available in a Spanish translation soon. It is critical that they receive community feedback to ensure that they are doing their best work. If citizens are not comfortable using the google form, they can email to Ms. Sabo at sabosn@co.larimer.co.us or call at 970-498-7148.

The team is working with Colorado State University (CSU) on the Civic Capacity Index to assess where they are at with community engagement in civic capacity currently and evaluate where gaps exist. They will reevaluate again in 2023.

Mr. Perez addressed the Board to provide an update on his communications and community engagement work. He is focusing on the Larimer Recovers website to provide resources that are available to the community. There is a document set up to share and collaborate on the resources the community hears about. He will do weekly blog posts every Tuesday. For community engagement, he has partnered with Heart & Soul Paratransit and Patricia Miller at Alianza Norco to nurture relationships in community organizations. He attended a vaccine clinic at the Boys & Girls Club at the beginning of May and is the acting facilitator at the Equity Advisory board meetings.

Ms. Sabo explained that the plan is transitioning from the response and relief phase to the recovery phase. They have the opportunity now to build resilience to see what this will look like ten or twenty years from now. They will use the implementation strategy to look at what they need to do in the next few months. It will be project-based on key indications such as continued collaboration with community partners, improving resilience, looking at equity, and addressing systemic challenges.

Ms. Sabo received the American Rescue Plan Act (ARPA) guidance yesterday and will be reviewing it for their next work session.

The Board thanked Mr. Perez and Ms. Sabo for connecting with community groups and proactively working to fix problems.

11. COUNTY MANAGER UPDATE: Manager Hoffmann updated the Board on this week's coordination meetings and upcoming projects and activities.

Manager Hoffmann explained to the Board that the application for the United States Department of Treasury Coronavirus State and Local Fiscal Recovery Funds has been prepared for her to sign. Half of the fund's allocation should be received this year with the other half next year as quarterly reporting is submitted. The documentation does not speak to a specific dollar amount, although they are expecting over \$69 million. The funds can be used through 2024 and there is specific language in the guidance stating that 'spent' means obligated or allocated.

MOTION

Commissioner Stephens moved that the Board of County Commissioners authorize County Manager, Linda Hoffmann, to accept the terms and sign the application for United States Department of

Treasury Coronavirus State and Local Fiscal Recovery Funds which require no local match funding from Larimer County.

Motion carried 3-0

12. **COMMISSIONER ACTIVITY REPORTS:** The Board detailed their attendance at events during the previous week.

13. **LEGAL MATTERS:** None requested

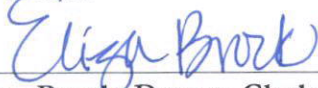
With there being no further business, the Board adjourned at 11:58 a.m.



KRISTIN STEPHENS
BOARD OF COUNTY COMMISSIONERS

ANGELA MYERS
CLERK AND RECORDER

ATTEST:



Eliza Brock, Deputy Clerk

