



MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, SEPTEMBER 26, 2022

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m., with Don Threewitt, Planning Manager. Chair Stephens presided. Commissioner Shadduck-McNally and Commissioner Kefalas were present. Also present were Leslie Ellis, Community Development Director; Connor Sheldon and Pam Stringer, Engineering; Lea Schneider and Noel Udell, Environmental Health; Alyssa Martin and Samantha Mott, Planning; Frank Haug, County Attorney's Office; and Elizabeth Kimball, Deputy Clerk.

Chair Stephens opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA:

1. PUBLIC EXCLUSION HEARING FOR THE CHARLES HEIGHTS PUBLIC IMPROVEMENT DISTRICT NO 32: On or about August 3, 2022, the Engineering Department received a petition of exclusion from the legal owner of a property located in the Ferguson Subdivision. This property is located to the west of the Charles Heights Public Improvement District (PID) No. 32. The owner is requesting that they be excluded from the PID boundaries since they do not have direct access, nor do they benefit from the roads being maintained under this PID.

As prescribed in the improvement district statutes, a legal notice was advertised in the Fort Collins Coloradoan on September 9th, 2022. A letter was mailed to all Charles Heights PID property owners on August 31, 2022, with a copy of the notice and an explanation of the problem the exclusion will correct. The current Charles Heights Road Board worked with these property owners to identify that they do not benefit from the PID and support this exclusion. All communication thus far has been in favor of the exclusion. Charles Heights PID No. 32 was created in the 2006, for maintenance of the subdivision roads in the district.

Staff recommends that the Board of County Commissioners vote in favor of removing the parcel of land from the Charles Heights PID No. 32 and sign the resolution approving the exclusion petition.

2. TRINDLE FARMS MINOR LAND DIVISION REPLAT AND APPEAL, FILE NO. 22-LAND4237 This is a request to divide one parcel into two lots in the RR-2 Rural Residential zoning district. This request includes an appeal to allow a Minor Land Division on a previously approved Minor Land Division Lot.

The subject property is a 156-acre parcel zoned RR-2 – Rural Residential. It is Lot 2 of the Trindle Farms MLD, 14-S3256. It is located at the northwest intersection of S. County Road 11 and E. County Road 16. The property contains existing oil & gas facilities and a few small sheds.

This is a Minor Land Division (MLD) request to divide the 156-acre parcel into two lots. One 150.6-acre lot will contain the existing oil and gas facilities and agricultural use, and one 5.5-acre lot is for future City of Loveland public purposes. This request includes an Appeal to allow a Minor Land Division on a previously approved MLD lot.

The City of Loveland plans to purchase the newly created 5.5-acre lot for future development of Loveland electrical utility or public safety purposes. The remaining 150.6-acres will have a restriction that it can only be further developed through an approved County development, and it shall not be further divided into 35-acre parcels.

MINOR LAND DIVISION REVIEW CRITERIA:

The Minor Land Division process can be used to divide off an existing legal use from the remaining vacant property with the condition that the development of the vacant property must be approved through the appropriate land division process and for the division of land for public utilities, open space, schools, or other public uses. To approve a Minor Land Division, the Board of County Commissioners must consider the review criteria below and find that each criterion has been met or determined to be inapplicable. These criteria are noted below and underlined, with staff's assessment immediately following of the criteria.

6.5.1.D. In Reviewing a proposed plat modification, the County Commissioners shall consider the general approval criteria in Article 6.3.8 Review Criteria (which this project meets, or the criterion is determined to be inapplicable), and the following:

- a. The property is not part of an approved or recorded subdivision plat.
- b. The property is not part of an Exemption or Minor Residential Development approved under the previous subdivision resolution or a Minor Land Division.
- c. The newly created parcels will meet the minimum lot size required by the applicable zoning district.
- d. The newly created parcels will meet minimum access standards required by the County Engineer or the Colorado Department of Transportation as applicable.
- e. Approval of the Minor Land Division will not result in impacts greater than those of existing uses. However, impacts from increased traffic to a public use may be offset by the public derived from such use.

APPEAL REVIEW CRITERIA (ARTICLE 6.7.2.B):

- 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:

A. The Development Services Team recommends approval of the Trindle Farms Minor Land Division Replat, File #22-LAND4237, subject to the following conditions and authorization for the Chairman to sign the plat when the conditions are met, and the plat is presented for signature:

1. All conditions of approval shall be met, and the final plat recorded by January 26, 2023, 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 Celine M. LeBeau, Land Surveyor of the Larimer County Engineering Department, in her letter dated August 18, 2022.
3. Lot 1 shall only be developed for a public purpose such as a Loveland electrical utility or public safety purposes. Lot 2 is subject to a restriction to limit further development of the 150.6-acre lot which shall only be through an approved county development and the lot shall not be further divided into 35-acre parcels.
4. The property will be subject to all restrictions, covenants, and conditions as set forth in the plat of record for the Trindle Farms Minor Land Division, 14-S3256.
5. Prior to recordation of the final plat, the following note must be added to the Plat: The new lots created by this action are subject to the same restrictions, covenants, and regulations as set forth in the plat of record of the Trindle Farms Minor Land Division, 14-S3256.
6. 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 Minor Land Division approval.
7. Prior to recordation of the final plat, the applicant will provide an updated Ownership and Encumbrance to the County for review.

8. Prior to recordation of the Final Plat, the applicant will provide a signed Annexation Agreement to the County.

9. Prior to recordation of the final plat, the applicant will provide documentation as to who the authorized signer is for the T Farms, LLC.

10. The appropriate oil and gas regulations will apply at the time that the lots are further developed.

3. AMENDED PLAT OF LOT 2 AND RESIDUAL LOT A OF OCON ESTATES CONSERVATION DEVELOPMENT, FILE NO. 22-LAND4249: This is a request of the Amended Plat of Lot 2 and Residual Lot A in the OCON Estates Conservation Development to reconfigure existing lot lines.

The applicant requests an amended plat to reconfigure existing lot lines between Lot 2 and Residual Lot A of the OCON Estates Conservation Development to amend a common lot line. The purpose of this is to include a stand of mature trees and landscaping, currently on Residual Lot A, onto Lot 2 for maintenance purposes.

Lot 2 currently measures 2-acres and contains a single-family residence. Residual Lot A measures 31.97-acrs and contains a single-family residence and outbuildings within a building envelope. Lot 2 contains landscaping including mature trees that line the driveway, circle the house, and continue north of the house onto Residual Lot A. Residual Lot A formerly contained a large hay shed just to the north of Lot 2, but this structure has since been removed. The applicant is proposed to amend the lot line between Lot 2 and Residual Lot A so that this landscaping is entirely contained on Lot 2.

The final plat for the OCON Estates Conservation Development was recorded in 2019, which created three residential lots and one residual lot containing a building envelope. In 2020, Lots 1 and 3 were combined through the Lot Consolidation process to create Lot 1A.

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 and the lot dimension ratio required by Article 5.2. Lot and Block Standards. 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 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 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 the Amended Plat of Lot 2 and Residual Lot A of the OCON Estates Conservation Development, File No. 22-LAND4249, subject to the following conditions:

1. All conditions of approval shall be met, and the final plat recorded by March 26, 2023, or this approval shall be null and void.
2. The property will be subject to all restrictions, covenants, and conditions as set forth in the plat of record for the OCON Estates Conservation Development.
3. Prior to the recordation of the final plat, the applicant shall include the file number 22-LAND4249.
4. Any future uses on Lot 2 and Residual Lot A shall obtain approval through the applicable review procedure as established in the Larimer County Land Use Code prior to commencement of the use.
5. 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.

Commissioner Shadduck-McNally asked clarifying questions regarding the addition to the shed that was built without a permit previously.

Doug May, Planning Department, addressed the Board and explained that the new addition did not have any affect on the previously built structure.

M O T I O N

Commissioner Kefalas moved that the Board of County Commissioners approve the three items on the September 26, 2022, Consent Agenda; subject to the conditions in the staff reports and further authorize the Chair to sign the findings and resolutions.

Motion carried 3-0.

PUBLIC HEARING DISCUSSION ITEM:

1. **COURTNEY/VANBUSKIRK SHORT-TERM RENTAL, FILE NO 22-ZONE3242:**
Alyssa Martin, Planning Department, addressed the Board with details from the staff report regarding the request. This is a request for an Administrative Review to convert an existing single-family residence into a short-term rental.

The subject property is located at 60 Sylvia Court, Loveland, CO. The property currently contains an existing single-family residence and is zoned O-Open. The applicant requests Administrative Special Review approval for a small Short-term Rental (STR) located in the existing 2- bedroom single-family residence with an additional sleeping area for a maximum occupancy of six (6) total guests- two (2) guests per bedroom. No construction or modifications to the home are proposed with this request.

Administrative Special Review for an STR requires both Planning Division and Building Division approval. For this case, Planning Division review was conducted prior to Building Division review. In general terms, the Planning review process involves:

1. Staff and referral agency evaluation.
2. Community notice and comment review.
3. Review and recommendation by the Estes Valley Planning Advisory Committee, if applicable.
4. The scheduling of a public hearing, if applicable, or an administrative review and decision by the Community Development Director.

A courtesy neighbor notification about the proposed project was mailed to properties within the Newell Lake View subdivision. 74 neighbors were notified including the Newell-Warnock Water Association. Staff received twelve (12) emails from neighbors voicing concerns regarding the application. The concerns ranged from water usage, traffic and road maintenance, fire hazards, possibility of noise, and the potential for wildlife issues. The applicant provided a narrative responding to neighbor concerns. Due to the number of neighbor concerns received, the Community Development Director determined that the application be scheduled at a public hearing before the Board of County Commissioners per Section 6.3.6.D.3 of the Land Use Code. The proposal is scheduled for the September 26, 2022, Board of County Commissioners land use hearing.

Administrative Special Review requires General Review Criteria to be met for approval (Article 6.4.3.D in the Land Use Code), in addition to supplemental review criteria for small STRs.

Staff finds the application and supporting materials may not have adequately met the following Administrative Special Review General Review criteria in Article 6.4.3.D of the Land Use Code:

Criteria 1: The proposed use has minimal impacts on existing and future development of the area

Criteria 2: Any impacts associated with the environment, wildlife, access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, odor, and other adverse impacts have been adequately addressed and/or mitigated.

Staff finds the application meets all other criteria in Article 6.4.3.D and all Short-term Rental Use Regulations criteria located in Article 3.3.5.B. The following section addresses staff findings and the review criteria, including neighbor concerns and the applicant's response.

REVIEW CRITERIA:

In reviewing a proposed administrative special review application, the Board of County Commissioners shall consider the general approval criteria in §6.3.8.D: General Review Criteria, and also whether:

1. The proposed use has minimal impacts on existing and future development of the area.
2. Any impacts associated with the environment, wildlife, access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, odor, and other adverse impacts have been adequately addressed and/or mitigated.
3. The recommendations of referral agencies have been considered and adequately Addressed.
4. Within a growth management area district, the proposed use is consistent with the applicable supplementary regulations to the GMA district, or if none, with the Comprehensive Plan; and not applicable.
5. The applicant has demonstrated that this project can meet applicable additional criteria listed in Article 3.0, Use Regulations.

The STR meets the following supplemental regulations, as noted below.

Article 3.3.5.B Supplemental Regulations for Short-term Rentals:

- A. Only 1 (one) short-term rental shall be allowed on a property.
- B. The short-term rental shall only be conducted in a legally constructed dwelling and shall require a change of occupancy permit prior to commencement of the short-term rental use.
- C. The short-term rental shall have a property manager consisting of the owner or a responsible party representing the owner to manage the use at any time it is occupied. The property manager must be located within one (1) hour or less travel distance from the short-term rental, and their contact information shall be posted outside at the front door and in the operations manual located in the short-term rental. Changes to the contact information form for the property manager shall be provided to the Larimer County Community Development Department within five (5) business days of the change in contact information.

D. The short-term rental owner or property manager shall at the time of application provide documentation that the short-term rental location has been registered with the local fire department or if none with the local sheriff/police.

E. The location of the property boundaries for the short-term rental shall be easily identifiable and posted to prevent trespass.

F. The short-term rental shall not be located within an established floodplain, and if located within a floodplain shall require compliance with the applicable requirements of Section 4.2.2. Floodplain overlay zones.

G. The short-term rental shall include maps installed onto or adjacent to the doorway of each habitable room, illustrating how to exit the building. The map should include the address, GPS coordinates and the phone number of the short-term rental.

H. The short-term rental shall be equipped with an operations manual/users guide that is in a visible location (such as a kitchen counter or entry table).

I. The short-term rental shall have a plan for garbage storage and removal. The plan shall clearly illustrate the location of garbage storage areas, the method and frequency of regular garbage pickup/disposal. There is no outdoor storage area.

J. Accessory Living Areas, Extended Family Dwellings, and Farmstead Accessory Dwellings shall not be utilized as a short-term rental.

K. Solid fuel (such as wood or coal) fire pits shall not be allowed in identified wildfire hazard areas.

L. Cooking areas within the short-term rental shall be equipped with a stove top fire stop.

M. Unless already equipped with an approved automatic fire sprinkler system, approved fire extinguishers shall be installed in a readily accessible and visible locations for immediate use in the following locations within the STR:

1. In each room with a cooking appliance, fireplace, heating appliance or water heater.
2. Inside and adjacent to the door leading to a deck, porch, or patio with such appliances.
3. At least one on each story.

DEVELOPMENT SERVICES RECOMMENDATION:

The Development Services Team is not making a specific recommendation on the Courtney-VanBuskirk Short-Term Rental, File #22-ZONE3242, and has presented all the information by which the Board of County Commissioners may base their deliberation and decision.

The applicants, Carol Courtney and Kyle VanBuskirk, addressed the Board with a ten-minute PowerPoint presentation with details regarding their request.

Chair Stephens opened the hearing to Public Comment and the following individual addressed with Board against the request: Bruce Rheubottom, Eric Richards, John Hughes, Judy Stencel, Jim Gale, Karen Huntsberger, Alice Easter, Lisa DeForge, George Shell, Michael Magruder, Christine Huntsberger, and Doug Strauss. The following individuals addressed the Board in favor of the applicant: Christina McIntosh, Karen Boone, James Holloway, Diana Clements, and Brad Clements.

Chair Stephens closed public comment.

Ms. Courtney and Mr. Vanbushkirk addressed the Board with a rebuttal and comments to the public speakers.

The Board asked questions to staff regarding water and other Short-Term Rentals around the neighborhood that may be illegal and deliberated amongst themselves.

Commissioner Kefalas suggested two additional stipulations: There will only be Short-Term Rental tenants for 100 days a year and a max of four guests, instead of six.

M O T I O N

Commissioner Kefalas moved that the Board of County Commissioners approve the Courtney/Vanbuskirk Short-Term Rental, File NO 22-ZONE3242, subject to the additional twelve conditions of approval and the additional two conditions of approval; 100 nights per year and four guests verses six.

Motion carried 2-1

Commissioner Shadduck-McNally descending.

With there being no further business, the Board adjourned at 4:45 p.m.

TUESDAY, SEPTEMBER 27, 2022

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with Lorenda Volker, County Manager. Chair Stephens presided. Commissioner Kefalas and Commissioner Shadduck-McNally were present. Also present were: Sara Martin, Commissioners' Office; and Elizabeth Kimball, Deputy Clerk.

Chair Stephens opened the meeting with the Pledge of Allegiance.

1. **PUBLIC COMMENT:** Phoebe McWilliams addressed the Board regarding her concerns with election integrity.

Chair Stephens closed public comment.

2. **APPROVAL OF THE MINUTES FOR THE WEEK OF SEPTEMBER 19, 2022:**

M O T I O N

Commissioner Kefalas moved that the Board of County Commissioners approve the minutes for the week of September 19, 2022.

Motion carried 3-0

3. **REVIEW OF THE SCHEDULE FOR THE WEEK OF OCTOBER 18, 2021:** Ms. Martin reviewed the upcoming week's dule with the Board.

4. **CONSENT AGENDA:**

AGREEMENTS:

1. **LARIMER COUNTY BEHAVIORAL HEALTH SERVICES GRANT AGREEMENT 22-TP2-HE (HOMEWARD ALLIANCE)**
2. **LCBHS GRANT AGREEMENT 22-TP6-ASPLC (ALLIANCE FOR SUICIDE PREVENTION OF LARIMER COUNTY)**
3. **LCBHS GRANT AGREEMENT 22-TP6-CSC (CHILD SAFE COLORADO)**
4. **LCBHS GRANT AGREEMENT 22-TP6-LACO (LA COCINA)**
5. **DEVELOPMENT AGREEMENT FOR HOURGLASS PLANNED LAND DIVISION, 20-LAND4004**
6. **AMENDMENT #1 (THE RANCH WASTE REMOVAL SERVICES)**
7. **CLIMATE SMART AND FUTURE READY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) GRANT AWARD**
8. **PROFESSIONAL SERVICES AGREEMENT (P22-24, AFFORDABLE HOUSING TRANSFORMATIVE LAND USE CODE AND DEVELOPMENT REVIEW STRATEGIES)**
9. **DEVELOPENT AGREEMENT FOR PEAKVIEW PLD**

LIQUOR LICENSES:

Columbine Lodge Liquors - Approval & Issuance - Bellvue; Windjammer LLC -Approval & Issuance - Loveland.

MISCELLANEOUS:

1. COLORADO COUNTIES, INC. (CCI) LEGISLATIVE COMMITTEE COMMISSIONER DESIGNATION FORM

RESOLUTIONS:

1. RESOLUTION ESTABLISHING COMPENSATION FOR DEPUTY DISTRICT ATTORNEY I

2. RESOLUTIONS ESTABLISHING COMPENSATION FOR DISTRICT ATTORNEY INVESTIGATOR, DEPUTY DISTRICT ATTORNEY III AND CHIEF DEPUTY DISTRICT ATTORNEY

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the Consent Agenda for September 27, 2022.

Motion carried 3-0.

5. COMMISSIONERS GUESTS: David Monroe, Executive Director for the Arc of Larimer County, addressed the Board. Mr. Monroe discussed the Arc Agency and how it was originally designed and founded to protect the right of individuals with intellectual developmental disabilities. The Arc of Larimer County is celebrating 15 years within the county.

Mr. Monroe shared the many ways the Arc Agency is involved throughout the community and how assistance is available for individuals with a wide plethora of needs.

The Board showed appreciation and gratitude for the work the Arc does for the county, and they thanked Mr. Monroe for speaking on the topic.

Chair Stephens noted that the third discussion item from the agenda was going to be moved to the first item of discussion due to time restraints.

6. RESOLUTION EXPRESSING INTENT TO PROVIDE FUNDING TO FINANCE OF THE HEARTSIDE HILL COMMUNITY CENTER: Laura Walker, Human and Economic Health Services Director, addressed the Board. Ms. Walker explained that this resolution is to express the intent to provide funding to finance the construction of the Heartside Hill Community Center. The resolution expresses the intent of the Board of County Commissioners to provide \$2,000,000 of American Rescue Plan Act funds to finance the construction of the community center of the Heartside Hill Community and its associated infrastructure, to be done by CARE Housing once the project has secured full funding and upon the approval of a subsequent future agreement by the Board of County Commissioners.

Steve Kuehneman, Executive Director of CARE Housing Inc, addressed the Board to share details about the Heartside Hill Community Center. CARE Housing will be serving as the lead master developer on the project, managing all the infrastructure and coordinating with the different partners and entities to develop the property. There will be 71 multi-family rental housing units utilizing the low-income housing tax credit program. The tax credit application is still in process and the decision is expected in mid-November. Fort Collins Habitats for Humanity will be building nine single family homes on the site and Large Fort Collins will be building two single family homes. Each unit will serve three individuals with intellectual and developmental disabilities and three individuals without intellectual and developmental disabilities. So, it is a shared living model with six people per unit. A 20,000 square-foot community center is also in the process of being built on site, which will provide early childhood education provided by Teaching Tree for 0–5-year old's as well as space for the Boys and Girls Club of Larimer County to provide that continuum of services. These services will be available to the low-income residence along with the surrounding community.

The Board showed appreciation and excitement for this project to be completed down the line and expressed how this project will help the community.

M O T I O N

Commissioner Kefalas moved that the Board of County Commissioners approve the Resolution Expressing Intent to Provide Funding to Finance the Construction of the Heartside Hill Community Center.

Motion carried 3-0

7. RESOLUTION APPROVING THE ACQUISITION OF HEAVEN'S DOOR RANCH (1,547-ACRES) IN LARIMER COUNTY: Justin Core, Engineering, addressed the Board to explain how this resolution is associated with an Open Lands acquisition and represents the Board's authorization to purchase the Heaven's Door Ranch property on the terms and conditions set forth in the contract to buy and sell real estate, dated August 23, 2022.

Meegan Flenniken, Natural Resources, addressed the Board and explained how this land acquisition project includes Larimer County's fee purchase of the 1,547-acre Heaven's Door Ranch. The ranch possesses significant conservation values including diverse wildlife habitats, iconic scenic vistas, buffers to conserved lands, and future public nature-based recreation opportunities.

The initial review of the project by the Open Lands Advisory Board occurred on August 25, 2022; the Board of County Commissioners' initial review occurred on August 16, 2022. The project received Final Review at the September 22, 2022, meeting of the Open Lands Advisory Board and is recommended to the Board of County Commissioners for final review and approval.

The Ranch encompasses the board scenic valley, hogbacks and forested hillsides that comprise the southern backdrop at the mouth of the Big Thompson Canyon along US Highway 34. Due to the site's location within five miles of the City of Loveland and near other Front Range communities, size and quality conservation values, Heaven's Door Ranch has been a priority for conservation by Larimer County for decades. Located within the Larimer County Open Lands Master Plan Blue Mountain Conservation Area, the Ranch is adjacent to a matrix of existing conserved lands including Sylvan

Dale Ranch conservation easements and Colorado State Land Board. Significant, intact wildlife habitat including foothills grasslands, shrublands and lower montane forest with numerous natural seeps and springs present.

The ranch was listed at the end of August for \$18 million dollars, with approximately \$11.5 million dollars in value assigned to the land and improvements. Ms. Flenniken said that the value is believed to be closer to \$8 million and they were able to ultimately negotiate a price of \$9 million for the acquisition of the land and improvements. Given the existing residential improvements are on separately platted 35-acre parcels, have separate access, are adjacent to other 35-acre residential parcels, and don't benefit the future open space use of the ranch, the county intends to sell the southeasternmost four, 35-acre parcels to recover a portion of the acquisition cost.

The Board had some discussion with staff and deliberated amongst themselves.

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the Resolution Approving the Acquisition of Heaven's Door Ranch in Larimer County.

Motion carried 3-0

The Board took a brief recess.

8. RESOLUTION RECOGNIZING THE IMPORTANCE OF PROTECTING AND SUPPORTING POLLINATORS IN LARIMER COUNTY: Matt Lafferty, Community Development, addressed the Board. Mr. Lafferty explained how the population of pollinators is declining due to habitat loss and other negative environmental impacts. Such declines in the population of pollinators directly impact the natural ecosystem and agricultural food systems, as these systems rely on pollinators for propagation.

Mr. Lafferty proposes that Larimer County Board of Commissioners adopt a resolution recognizing the importance of pollinators and further support efforts by the county and the community to actively engage in education and best management practices aimed at protecting pollinators.

The Board had a brief discussion with staff.

Commissioner Kefalas read the resolution.

M O T I O N

Commissioner Kefalas moved that the Board of County Commissioners approve the Resolution Recognizing the Importance of Protecting and Supporting Pollinators in Larimer County.

Motion carried 3-0

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

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

11. LEGAL MATTERS: EXECUTIVE SESSION

Executive Session pursuant to C.R.S. 24-6-402(4)(a) and (e)(l) – purchase acquisition, lease, transfer, or sale of any real or personal property. Topic: Discussion with staff on negotiation and strategy regarding the potential purchase or lease of property for daycare facility.

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners enter Executive Session pursuant to C.R.S. 24-6-402(4)(a) and (e)(l) – purchase acquisition, lease, transfer, or sale of any real or personal property. Topic: Discussion with staff on negotiation and strategy regarding the potential purchase or lease of property for daycare facility.

Motion carried 3-0

No decision was made.

With there being no further business, the Board adjourned at 11:55 a.m.

THURSDAY, SEPTEMBER 29, 2022

ABATEMENT HEARING

The Board of County Commissioners met at 1:30 p.m. with Jason Witty, Senior Appraiser. Chair Stephens presided and Commissioner Kefalas was present. Also present was Elizabeth Kimball, Deputy Clerk.

1. PETITION FOR ABATEMENT OF COMMERCIAL PROPERTY JMJC FIVE LLC DBA CUBESMART SELF STORAGE (PARCEL# 87044-16-001 / R1629532): Mr. Witty addressed the Board and presented a packet of information detailing the method in which the Assessor's Office arrived at their current indicated value of \$2,200,000. The subject property located at parcel #87044-16-001 is at 1202 Waterlgen Dr. in Fort Collins.

The applicant, JMJC Five LLC Dba Cubesmart Self Storage Stevens and Associates were not present for deliberation.

Some discussion ensued between the Board and staff about the market and street rate values for storage units in surrounding areas.

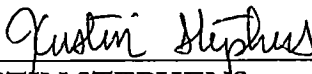
M O T I O N

Commissioner Kefalas moved that the Board of County Commissioners uphold the Assessor's indicated value for the subject property parcel #87044-16-001 as outlined above.

Motion carried 2-0.

With there being no further business, the Board adjourned at 1:53 p.m.

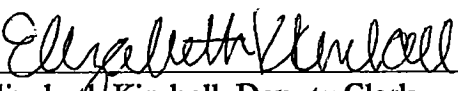




KRISTIN STEPHENS
BOARD OF COUNTY COMMISSIONERS

ANGELA MYERS
CLERK AND RECORDER

ATTEST:



Elizabeth Kimball, Deputy Clerk