

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, NOVEMBER 13, 2023

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m. with Rebecca Everette, Community Development Director. Chair Shadduck-McNally presided. Commissioner Kefalas and Commissioner Stephens were present. Also present were Justin Currie, Planning; Connor Sheldon and Steven Rothwell, Engineering; Jenny Axmacher, Planning Manager; Lea Schneider Health Department; Frank Haug, Assistant County Attorney; and Tessa Beaty, Deputy Clerk.

PUBLIC HEARING CONSENT ITEMS:

1. GILMORE ACRES LOT 9 SUBDIVISION, FILE NO. 23-LAND4331:

PROJECT DESCRIPTION/BACKGROUND: The applicant, Terry Rue, representing the property owners, submitted an application for a preliminary plat to resolve legal lot issues associated with the subject parcels. The Larimer County Land Use code defines a legal lot as: *A lot, parcel or trace of land created by a legal conveyance of said lot, parcel or tract prior to May 5, 1972; a lot, parcel or tract shown on a subdivision plat which was approved and recorded prior to May 5, 1972, according to the subdivision regulations in effect at the time of approval; a lot, parcel or tract created by approval of the County Commissioners in conformance with the subdivision regulations in effect at the time of approval; or any parcel of 35 acres or more, which, when created, did not cause a parcel of less than 35 acres to remain.*

Gilmore Acres subdivision was platted in 1969 and recorded in 1970, with the lots being 5 acres each. The original parcel 9804105009 (2512 W County Rd. 60E) was assigned to lot 9, where utilities were installed and a mobile home was placed on the property. A deed was recorded in 1973 using the legal description of "West ½ of lot 9 Gilmore Acres Subdivision and assigned parcel number 9804105020 (2530 W County Rd. 60E)." In 1974, a deed was recorded using the legal description of "East ½ of lot 9 Gilmore Acres" and maintained the original parcel number, 9804105009. The original mobile home on the original lot 9 burned down, and at least one mobile home was placed on the property after that, but no building permits were recorded. On this lot, a water tap was issued in 1969, and there is presently an Assessor's record of a double-wide mobile home at that location.

Recently, an application to remove and replace a doublewide mobile home on the east ½ of lot 9 was refused because the parcel at the address 2512 W County Rd. 60E was determined to be an "illegal" lot because the lot was created without going through a county land division process. No building permits can be issued on lots determined to be created without going through the appropriate land division process.

The owners are proposing to bring the two existing parcels mentioned above into compliance by going through the appropriate land division process to subdivide the property. By dividing the parcel through the land division process this will create two legal lots and eliminate the nonconforming status of the lots.

This application was sent out to both referral agencies and community members. No comments were received from any community members. Referral agencies that provided comments are listed below.

Comments were received from the following referral agencies:

- Larimer County Health Department
- Larimer County Code Compliance
- Division of Water Resources
- Poudre Fire Authority (PFA)
- Century Link
- Colorado Geological Survey

Comments were not received from the following referral agencies:

- Larimer County Engineering
- Colorado Parks and Wildlife
- Larimer County Parks
- Larimer County Addressing
- Larimer County GIS
- Larimer County Soil Conservation
- Larimer County Weed District
- Northern Colorado Water Association
- Water Supply and Storage Ditch Company
- United States Postal System

A neighborhood meeting was not required for this proposed Subdivision.

DEVELOPMENT SERVICES TEAM RECOMMENDATIONS:

- a) The Development Services Team recommends that the Planning Commission recommend to the Board of County Commissioners approval of the Gilmore Acres Subdivision, File #23-LAND4331, subject to the following conditions:
 1. The final plat shall be consistent with the approved preliminary plat and with the information contained in the Gilmore Acres Subdivision, File #23-LAND4331, 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 Gilmore Acres Subdivision.
 2. The property owners address the concerns/requirements of the Larimer County Engineering Department included in this staff report and mentioned above.

- b) The Development Services Team recommends that the Planning Commission recommend to the Board of County Commissioners approval of the Appeal to Article 2.3.3, Table 2-3 of the Land Use Code (minimum lot size).

2. LITTLE VALLEY SUBDIVISION 2ND FILING LOT 27 RIGHT-OF-WAY VACATION AND AMENDED PLAT WITH EASEMENT VACATION, FILE NO. 22-LAND4232

PROJECT DESCRIPTION/BACKGROUND: The Right-Of-Way Vacation and amended plat regards Lot 27 of the Little Valley Subdivision 2nd Filing, located at 4075 Little Valley Road, Estes Parl. The lot is zoned EV RE – Rural Estate and contains a single-family residence built in 1973.

The owner applied for a variance for a new garage, where it was found the existing residence was built within the right-of-way for Little Valley Road. This application is to vacate only the portion of the right-of-way and utility easement that contains the footprint of the house encroaching and a 5-foot-wide area around the perimeter of the structure. The lot line will be adjusted to reflect this vacation. The right-of-way is 60' wide, with a travel-way of approximately 20 feet. The vacation of 17' will not impact the travel way.

The attached plat is not the final version, and there are some edits that will be made to labels and naming prior to the final recording, per the County Surveyor. The Engineering Department has expressed no concerns about this request and recommends approval.

Once the amended plat is approved, the in-progress variance application may continue.

No neighbor comments were received.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the request to vacate right-of-way within the Little Valley Subdivision as indicated on the Little Valley 2nd Filing Amended Plat, File No. 22-LAND4232,

And

The Development Services Team recommends approval of the Little Valley 2nd Filing Lot 27 Amended Plat, File No. 22-LAND4232, with the following conditions:

1. All conditions of approval shall be met, and the Final Plat recorded within 6 months, or this approval shall be null and void.
2. The lot is subject to all covenants, deed restrictions, or other conditions that apply to the original lots in the Little Valley 2nd Filing.
3. Before recording, the plat shall be updated to reflect all edits requested by the County Surveyor's comments memo.

4. TRIPLET ACCESSORY LIVING AREA APPEAL, FILE NO. 23-ZONE3417

PROJECT DESCRIPTION/BACKGROUND:

This request is an appeal to Article 3.4.5.A.3.b of the Land Use Code, which limits the size of a detached accessory living area (ALA) to 40% of the square footage of the single-family dwelling or 1,000 square feet, whichever is less.

The property contains an existing principal single-family residence constructed in 1965 and a detached garage/shop. The principal single-family home is 2,300 square feet. The proposed detached accessory living area is 1,197 square feet, which exceeds the size limitation of 40% of the size of the principal dwelling ($2,300 \times 40\% = 920$) and the overall 1,000 square feet limitation. This accessory living area is proposed to be in the second story of the detached garage/shop.

The existing home has driveway access to Imperial Drive. The detached accessory living area is proposed to have driveway access to Gait Circle via the same driveway.

The Board of County Commissioners is only reviewing the size appeal. The Planning Director is concurrently reviewing an Administrative Special Review for the detached accessory living area. One of the conditions of approval of the Administrative Special Review Resolution will be that if the size appeal is not granted by the Board of County Commissioners, the size of the accessory living area shall be limited to 920 feet.

DEVELOPMENT SERVICE TEAM RECOMMENDATION:

The Development Service Team is recommending approval of this request of the Triplett Accessory Living Area Appeal, File #23-ZONE3517.

MOTION:

Commissioner Kefalas moved the Board of County Commissioners to approve the Consent Agenda subject to the conditions outlined in the staff reports.

Motion carried 3-0.

PUBLIC HEARING DISCUSSION ITEMS:

1. KEYSER SHORT-TERM RENTAL ADMINISTRATIVE SPECIAL REVIEW, FILE NO. 22-ZONE3184:

PROJECT DESCRIPTION/BACKGROUND:

The subject property is located at 1509 Country Club Road, Fort Collins, CO 80524. The property currently contains a single-family residence and is zoned UR1-Urban Residential. The applicant requests Administrative Special Review approval for a small Short-Term Rental located in the existing 5-bedroom single-family residence with additional sleeping areas, with a maximum occupancy of ten total guests – two guests per bedroom. No construction or modifications to the home are proposed with this request. The applicant has indicated that their designated property manager will be Krista Manns, located at 812 W. Oak Street, Fort Collins, which is an approximate 10–15-minute drive from the subject property.

This application was submitted prior to June 1, 2023. Therefore, this application was reviewed under the pre-June 1, 2023, STR regulations.

Administrative Special Review for a Short-Term Rental requires both Planning Division and Building Division approval. For this case, Planning Division review and Building Division review were conducted concurrently. In general terms, the Planning review process involves:

1. Pre-application conference and application submittal;
2. Staff and referral agency evaluation and comment review;
3. Community notice and community comment review;
4. The scheduling of a public hearing, if applicable, or an administrative review and decision by the Community Development Director.

County staff mailed a courtesy community notification about the proposed project to properties within 500-feet of the subject property and all properties within the Country Club Estates 1st Filing. Staff mailed 57 notices. Staff received community comments from seven community members noting concerns, a comment from one community member in support of the application, and emails from two community members who only had questions. The applicant provided a narrative responding to community member concerns.

Following a review of the application, including reviewing community member and referral agency comments, and because of the broad concerns about the proposal, the Community Development Director determined that this application should be scheduled for a public hearing before the Board of County Commissioners for their decision, per Section 6.3.6.D.3 of the Land Use Code.

Administrative Special Review requires General Review Criteria to be met for approval (Section 6.4.3.D in the Land Use Code), in addition to supplemental review criteria for small STRs (Section 3.3.5.B.2 in the Land Use Code).

Staff finds the application and supporting materials may not have adequately met the following Administrative Special Review General Review Criteria in section 6.4.3.D of the Land Use Code, as described under the Review Criteria section below:

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 Section 6.4.3.D and meets or will meet all Short-Term Rental Use Regulations criteria located in Section 3.3.5.B.2.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team is not making a specific recommendation on the Keyser Short-Term Rental Administrative Special Review, File No. 22-ZONE3184, and has presented all the information on which the Board of County Commissioners may base their deliberation and decision.

STAFF PRESENTATION:

Jenny Axmacher gave a brief overview of the property in question. Ms. Axmacher outlined that there are no other short-term rentals in the area. This application has been deferred by the Community Development Director to the Board of County Commissioners as there were some complexities within this case.

Commissioner Kefalas explained the process by which short-term rentals are approved or denied in Larimer County. Commissioner Kefalas asked about criteria number one and the subjectivity of that number. Ms. Axmacher explained that, in her opinion, this criterion is focused on utilities, adjacent land uses, and other similar uses. Ms. Everette explained that this also deals with neighborhood compatibility.

Commissioner Kefalas asked about the fourteen conditions of approval that were recommended with the quiet hours condition. Ms. Axmacher explained that the noise ordinance would need to be followed and outlined in the manual given to guests.

Commissioner Shadduck-McNally asked about parking at the short-term rental. Mr. Sheldon explained that no on-street parking is allowed, but there are two additional parking spots in the garage on the lot. No on-street parking is listed as a condition of approval.

APPLICANT PRESENTATION:

Matthew Keyser addressed the Board. Mr. Keyser explained the history of his ownership of the property and how he has had experience renting the property in a long-term rental situation. The long-term renters did not take care of the property. Mr. Keyser has had positive situations with the short-term rentals that have stayed on the property. Mr. Keyser explained that the renters are vetted and held to high standards. Mr. Keyser explained the parking at the residence, the restriction to access the pond, and that no parties would be allowed.

COMMISSIONER QUESTIONS:

Commissioner Stephens asked about the timeline of being a short-term rental without being licensed. Mr. Keyser explained that he had only been doing a 30-day or more rental since applying for this application. Ms. Everette explained that the short-term rental regulations have been in place since 2017. Mr. Keyser explained that he had received a notice from the county that prompted this process.

Commissioner Kefalas asked about the timeframe of living at the home. Mr. Keyser explained that the property is where he lives permanently, but he rented it out during the periods when he was on extended work trips.

Commissioner Kefalas asked about the rooms being occupied during the stay. Mr. Keyser explained that it would be rented when he was not at the property.

Commissioner Shadduck-McNally asked about the ability of neighbors to follow up and file complaints. Mr. Keyser explained that the neighbors have his phone number, and there have been no complaints with him or the sheriff's office.

Commissioner Shadduck-McNally asked about lake enforcement. Mr. Keyser explained that security asks for proof of membership, and if people are unable to provide identity, the police will be called.

Commissioner Shadduck-McNally asked Mr. Keyser about his view of long-term rentals. Mr. Keyser explained that he had a negative personal experience but did not have any negative opinions of long-term rentals.

Commissioner Shadduck-McNally asked about Ms. Everette and explained that the short-term rental regulations have been in place since 2019, but this was a property that was sent a cease-and-desist letter.

Amy White, Code compliance, explained that there were several letters that had been sent to Mr. Keyser before he started working with the county to come into compliance.

Commissioner Kefalas asked about the timeline of these cease-and-desist letters. Ms. White explained that three letters were sent in October 2019, December 2020, and December 2021, and a final cease and desist letter was sent after finding out that renting was still going on.

Commissioner Kefalas asked about the timeline of the application. Ms. Axmacher explained that the application has been open since January 2022.

Commissioner Shadduck-McNally asked about why this process has taken so long. Ms. Axmacher explained that there were gaps in the information provided by the applicant.

Ms. Everette gave a history of the application process and how the applicant drives the application forward.

Commissioner Shadduck-McNally asked about whether the applicant was renting out his property during the time in which the application was in progress. Ms. White explained that it was her understanding that the applicant was still operating as a short-term rental during that time.

Commissioner Shadduck-McNally asked the applicant about the timeline. Mr. Keyser explained that he believed he applied in 2019/2020 and how he has tried to stay in compliance.

Commissioner Shadduck-McNally asked the applicant whether he knew he couldn't rent for shorter than 30-day rentals.

Commissioner Kefalas asked the applicant about renting for 30 days or longer. Mr. Keyser explained that there were no renters during 2020 due to COVID.

Ms. Axmacher explained that the applicant did meet with the planning commission before submitting his application.

PUBLIC COMMENT:

Dayna Pride, a resident of Fort Collins, addressed the Board. Mr. Pride explained that he has had several issues with the renting of this property and expressed a belief that this short-term rental would not fit with the neighborhood environment.

Commissioner Shadduck-McNally closed public comment.

REBUTTAL:

Mr. Keyser explained that he didn't want to return to long-term renting but might have to. Mr. Keyser explained that he would do his best to ensure this would be a good experience for everyone.

Commissioner Kefalas asked about noise, the idea of a sound sensor, and whether the applicant would be able to install it. Mr. Keyser explained that he would be interested in putting one in.

Commissioner Kefalas asked about trespassing. Mr. Keyser explained that there is a gap between his yard and his neighbors, but he would be happy to put up a fence to ensure security.

Commissioner Shadduck-McNally asked about the hedge. Mr. Keyser explained the logistics of the lawn and fencing.

DELIBERATION

Commissioner Stephens asked the staff about the timeline of the cease-and-desist letters and how the planning department follows up with the renters.

Ms. White explained the timeline of the process and how the applicant worked with the planning department during the period of the cease-and-desist letters.

Commissioner Stephens asked about the timeline of notices going out to neighbors about the hearing. Ms. Axmacher explained that neighbors were given official notice of the hearing.

Mr. Haug explained that the timing of the application process might not be pertinent to the discussion about approving the short-term rental. Mr. Haug explained the importance of criteria one and two in the hearing process.

Commissioner Kefalas was in support of this application as he felt that criteria one and two had been successfully met, with impacts being mitigated. Commissioner Kefalas discussed neighborhood compatibility and how the applicant had addressed many issues that were brought up. Commissioner Kefalas asked for a condition of approval to be added that would require the use of a sound monitor. Commissioner Kefalas asked about the property manager and who would take care of the property when the applicant was gone. Ms. Axmacher confirmed that the applicant had a property manager. Commissioner Kefalas also suggested a barrier be constructed between neighbors to decrease the likelihood of trespassing.

Commissioner Stephens was not in support of the application due to the application not adequately mitigating issues brought up by neighbors. Additionally, Commissioner Stephens expressed concern about the possibility of the applicant operating illegally and how that didn't show a pattern of responsibility. Commissioner Stephens was concerned about neighborhood compatibility.

Commissioner Shadduck-McNally echoed Commissioner Stephens's concerns and did not support the application for a short-term rental in this case.

MOTION

Commissioner Stephens moved the Board of County Commissioners to deny the Keyser Short-Term Rental Administrative Special Review, File No. 22-ZONE3184.

The motion carried 2-1, with Commissioner Kefalas dissenting.

2. WESTON SHORT-TERM RENTAL, FILE NO. 23-ZONE3512:

PROJECT DESCRIPTION/BACKGROUND:

The subject property is located at 121 Oak Ct. 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 located in the existing 2-bedroom single-family residence with one designated additional sleeping area for a maximum occupancy of six total guests.

The property manager will be the applicant, Liam Weston, who resides at 81 Bee Be Drive, Red Feather Lakes, which is approximately nine miles away from the proposed short-term rental location.

Administrative Special Review for a short-term rental requires both Planning Division and Building Division approval. For this case, the Planning Division review and Building Division review were conducted concurrently. In general terms, the Planning review process involves:

1. Pre-application conference and application submittal;
2. Staff and referral agency evaluation and comment review;
3. Community notice and community comment review;
4. The scheduling of a public hearing, if applicable, or an administrative review and decision by the Community Development Director.

County staff mailed a courtesy community notification about the proposed project to properties within 500 feet of the subject property. Staff mailed 66 notices on June 12, 2023. Staff received community comments from four community members noting their concerns.

Administrative Special Review requires General Review Criteria to be met for approval (Section 6.4.3.D in the Land Use Code), in addition to supplemental review criteria for small short-term rentals (Section 3.3.5.B.2. in the Land Use Code).

As a note, this application was submitted prior to the short-term rental regulation update that went into effect July 1st, 2023, so those new standards do not apply to this submittal.

Staff finds the application and supporting materials have adequately met the Administrative Special Review General Review criteria in Section 6.4.3.D of the Land Use Code.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team is not making a specific recommendation on the Weston Short-Term Rental, File #23-ZONE3512, and has presented all the information on which the Board of County Commissions may base their deliberation and decision.

STAFF PRESENTATION:

Justin Currie addressed the Board. Mr. Currie gave a brief history of the property and the process of the application in question.

Commissioner Shadduck-McNally asked about the proximity of other short-term rentals in the area. Mr. Currie explained that there were no other short-term rentals in the proposed location.

APPLICANT PRESENTATION:

Karmen Weston addressed the Board. Ms. Weston gave a brief history of herself and her family. Ms. Weston and Mr. Weston have been a part of land stewardship projects in Larimer County. Ms. Weston explained the primary reasons they want to list the property for less than 30 days. Mr. Weston explained that the property is ideal for short-term rentals as there are no washers or dryers.

Mr. Weston explained that they have run many successful rentals within the county for many years. Mr. Weston highlighted that there is no Homeowners Association, only a road maintenance coalition. Mr. Weston continued to explain the logistics of the subdivision and how difficult it is to regulate short-term rentals as there are ones that operate without a license. Mr. Weston explained that he has never operated a short-term rental in the area, so any comments against the short-term rentals were not about their property.

Commissioner Kefalas asked about the code compliance issues. Mr. Weston explained that when they bought the property, it was listed as a two-bedroom, though it was not properly coded. Mr. Weston gave details of the process of trying to correct that issue.

Commissioner Kefalas asked about wildfire egress and ingress in terms of evacuation. Mr. Weston showed several maps of the area and explained how emergency access had been developed.

Commissioner Kefalas asked about wildfire inspection. Mr. Weston explained that they had passed the inspection but planned to improve the property.

Commissioner Shadduck-McNally asked about the discrepancy between the addresses listed and how close the applicant was to the property. Mr. Weston explained that where they live differs from where they get mail.

Commissioner Shadduck-McNally asked about the intent of the applicants to rent. Ms. Weston explained that renting to students and others associated with the University of Denver's Mountain campus would be ideal.

Commissioner Shadduck-McNally asked how to prevent people from going to the mountain campus. Mr. Weston explained that they would put up no trespassing signs.

Commissioner Shadduck-McNally asked about the other illegal short-term rentals in the area. Mr. Weston gave a history of the short-term rentals in the area and how many are not still running. Mr. Weston explained that many of the negative comments from neighbors were likely about other short-term rentals and not their specific property.

Commissioner Shadduck-McNally asked about the relationship between the neighbors and the applicant. Mr. Weston explained that many of the neighbors were concerned about fire mitigation. Mr. Weston explained the conversations with the neighbors he had had.

PUBLIC COMMENT:

No one addressed the Board.

Commissioner Shadduck-McNally closed public comment.

Commissioner Kefalas asked the applicant about how neighbors would contact the applicant. Mr. Weston explained that he intended to add a small sign with contact information at the property entrance. Ms. Weston further highlighted the century link Wi-Fi and the landline that would help in cases where cell service might not be available.

Commissioner Stephens asked about road maintenance. Mr. Weston explained that there is a road maintenance coalition that each person pays for it. Commissioner Stephens asked about a speed limit. Mr. Weston explained that there might not be a posted speed limit, but most people don't speed. Additionally, Mr. Weston believed a short-term rental would be less than a family residence.

Commissioner Shadduck-McNally asked about smoking. Mr. Weston explained that no smoking is allowed.

Commissioner Shadduck-McNally asked about sending out contact information to neighbors. Mr. Weston expressed a willingness to do so.

Commissioner Shadduck-McNally asked about the spacing of the property. Mr. Weston gave details of the loft on the property and how the extra sleeping area would be made.

DELIBERATION:

Commissioner Stephens expressed support for the Weston short-term rental. Commissioner Stephens said it was a belief that the criteria had been adequately mitigated. She continued to explain that the applicants had done their due diligence by working with the neighbors and anticipating concerns.

Commissioner Kefalas expressed support for the Weston short-term rental. Commissioner Kefalas was grateful that the applicants have been trying to make this short-term rental as positive as possible.

Commissioner Shadduck-McNally expressed support for the Weston short-term rental. Commissioner Shadduck-McNally asked to add a condition of approval to send out contact information to the neighbors.

MOTION

Commissioner Kefalas moved the Board of County Commissions to approve the Weston Short-Term Rental, File No. 23-ZONE3512, subject to the conditions in the staff report and with the additional condition of approval of sending out contact information to the neighbors.

Motion carried 3-0.

With there being no further business, the Board adjourned at 5:10 p.m.

LAND USE HEARING

The Board of County Commissioners met at 6:30 p.m. with Rebecca Everette, Community Development Director. Chair Shadduck-McNally presided. Commissioner Kefalas and Commissioner Stephens were present. Also present were Ashton Brodahl, Health and Environment; Samantha Lasher, Planning; David Pringle, Engineering; Mark Christenson, Planning; Jenny Axmacher, Planning Manager; Lea Schneider, Health Department; Frank Haug, Assistant County Attorney; and Tessa Beaty, Deputy Clerk.

PUBLIC HEARING DISCUSSION ITEMS:

1. WRIGHT SHORT-TERM RENTAL ADMINISTRATIVE SPECIAL REVIEW, FILE NO. 23-ZONE3462:

PROJECT DESCRIPTION/BACKGROUND

The subject property is located at 311 Hemlock Drive, Lyons, 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 located in the current 2-bedroom single-family residence with one additional sleeping area for a maximum occupancy of six total guests – two guests per bedroom/sleeping area. No construction or modifications to the home are proposed with this request. The applicant has listed Eric Jacobsen as the Property Manager for the proposed short-term rental. Eric Jacobsen's address is 3485 17th Street in Boulder, CO, which is a 48-minute drive from the proposed subject property, thus meeting the required 1-hour response time.

Administrative Special Review for a short-term rental 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 500 feet around the subject property, with 144 neighbors being notified. Staff received emails from six neighbors voicing concern regarding the application and two neighbors in support of the application. The

concerns ranged from noise, rule enforcement, resource conservation, and general opposition to allowing short-term rentals in the community. Due to the nature of the neighbors' concerns, 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.

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 (Article 3.3.5.B.2 in the Land Use Code).

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 the 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.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services team is not making a specific recommendation on the Wright Short-Term Rental, File #23-ZONE3462, and has presented all the information on which the Board of County Commissioners may base their deliberation.

STAFF PRESENTATION:

Mark Christensen addressed the Board and briefly explained the subject property.

Commissioner Shadduck-McNally clarified the number of short-term rentals in Big Horn Meadows.

Commissioner Kefalas asked about the locations of the two short-term rentals not shown on the map.

APPLICANT PRESENTATION:

Eric Wright and Corbin Larson addressed the Board. Mr. Wright gave a background of the property and the applicant's family. Mr. Wright highlighted the short-term rental committee formed in the Big Elk Meadows subdivision and his participation in the committee. Mr. Wright explained his understanding of criteria one and criteria two and how he plans to abide by these criteria and mitigate neighbors' concerns.

Commissioner Stephens asked about the conversations with the neighbors who expressed concern. Mr. Wright explained the conversations and his opinion of their positiveness.

Commissioner Shadduck-McNally stressed the importance of safety in these areas and asked the applicant about the density of short-term rentals in the area. Commissioner Shadduck-McNally asked

about the number of cars allowed on the property. Mr. Pringle explained that the minimum parking required is two spots but no maximum.

Commissioner Shadduck-McNally asked the applicant about driving safety in the snow and the communication around safety concerns. Mr. Wright explained the importance of early and frequent communication for safety issues. Mr. Wright explained his plan for expanding his guidebook for extra scenarios.

Commissioner Shadduck-McNally asked about wildlife and the safety concerns surrounding that. Mr. Wright explained how he would stress the importance of trash management.

Commissioner Shadduck-McNally asked about fire mitigation. Mr. Wright explained the process of managing fire mitigation on their property and within the neighborhood.

Commissioner Shadduck-McNally expressed concern for the water situation and asked about the applicant's plan for water conservation. Mr. Wright explained the number of short-term rentals in the area. Mr. Wright further explained the way water is being conserved within the property.

Commissioner Shadduck-McNally asked for an update on the fire mitigation. Mr. Wright explained that each concern brought forward by the fire mitigation has been mitigated.

Commissioner Kefalas asked about the concerns the Larimer County Health Department brought forward. Mr. Wright explained how the concerns were brought forward later in the application process, but Mr. Wright explained his willingness to comply.

PUBLIC COMMENT:

Tori Devor, Big Elk Meadows, addressed the Board. Ms. Devor expressed concern about short-term rentals in Big Elk Meadows. Ms. Devor explained that strangers in the neighborhood threaten them and the neighbors. Ms. Devor expressed concern about snow management and the density of short-term rentals. Ms. Devor also expressed concern about the short-term rental committee and the number of owners of short-term rentals on that committee.

David Alvarado, Big Elk Meadows, addressed the Board. Mr. Alvarado expressed support for the application for a short-term rental. Mr. Alvarado explained that he believed Mr. Wright had been very open and forward with the neighbors in this situation.

Corry Jacobson, Big Elk Meadows, addressed the Board. Mr. Jacobson expressed support for Mr. Wright's application.

Commissioner Shadduck-McNally closed public comment.

REBUTTAL:

Mr. Wright expressed his want to be a good community member and neighbor. Mr. Wright highlighted that he was unaware of the applications for the other short-term rentals in the area. Mr. Wright explained the specifics of his communications with the potential renters. Mr. Wright continued to

peak about the additional revenue that goes back to the community generated by the short-term rental.

Commissioner Kefalas asked staff about the health department memorandum and whether further action would be needed. Mr. Christensen explained that the Big Oak Meadows water department had received no comment. Mr. Christensen explained that the rest of the comments were specific “best practices” for running the short-term rental. Commissioner Kefalas explained the importance of including those best practices in the manual for the residence. Commissioner Kefalas further asked about the hot tub chemicals and their proper storage. Ms. Schneider highlighted the process of the health department making those recommendations and how the planning department checks to ensure those comments have been addressed before issuing the permit.

Commissioner Kefalas asked whether anything in the health department notes should be listed as a condition of approval. Mr. Christensen confirmed that they could be listed as a condition of approval.

Commissioner Shadduck-McNally asked about what the owner’s manual said about wildlife rules. Mr. Christensen confirmed that the standard procedures were listed currently.

Commissioner Shadduck-McNally asked about the wildlife rules of Big Oak Meadows. Mr. Wright explained that Big Elk Meadows likely had rules about wildlife, but he could not remember off-hand. Mr. Wright also confirmed that the issues brought forward by the health department were addressed in the new version of the owner's manual.

DELIBERATION:

Commissioner Stephens explained that she was inclined not to support this application because of the burden that this would place on other neighbors. Commissioner Stephens explained that though they have done an excellent job in mitigating these issues, they ultimately did not meet criteria one.

Commissioner Kefalas expressed his inclination to support the application. Commissioner Kefalas explained that the applicant has worked hard to mitigate the issues brought up by neighbors.

Commissioner Shadduck-McNally expressed concern about the number of rentals in the area. Commissioner Shadduck-McNally explained that for these reasons, she would not support the short-term rental application.

MOTION

Commissioner Stephens moved the Board of County Commissioners to deny the Wright Short-Term Rental, File #23-ZONE3462.

The motion carried 2-1, with Commissioner Kefalas dissenting.

2. FRANKLIN SHORT-TERM RENTAL ADMINISTRATIVE SPECIAL REVIEW, FILE NO. 21-ZONE3162:

PROJECT DESCRIPTION/BACKGROUND:

The subject property is located at 1436 Narcissus Drive, Estes Park, CO 80517. The property currently contains an existing single-family residence and is zoned EV-E – Estes Valley Estate. The property was subject to the Estes Valley short-term rental waitlist and was removed from the waitlist in 2021. The applicant requests Administrative Special Review approval for a small short-term rental located in the existing single-family residence for a three-bedroom with a maximum occupancy of six total guests, two guests per bedroom. No major construction or modifications to the home are proposed with this request. The applicant has indicated that their designated property manager will be Tobi Manspeaker, with Estes Park Condos, located at 1400 David Drive in Estes Park, which is an approximately 15-minute drive from the subject property.

This application was submitted prior to June 1, 2023. Therefore, this application is being reviewed under the pre-June 1, 2023, short-term rental regulations.

Administrative Special Review for a short-term rental requires both Planning Division and Building Division approval. For this case, the Building Division review was conducted first, followed by the Planning Division review. Final Building Division approval cannot be issued until Planning approval is received. In general terms, the Planning review process involves:

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

A courtesy neighbor notification of the proposed project was mailed to one hundred twenty-two properties within a minimum of 500 feet of the subject property and those within the High Drive Heights Subdivision. To date, comments have been received from seven community members, noting concerns. The applicant provided a narrative responding to community member concerns.

The subject property is located within the Estes Valley Plan Area and was presented to the Estes Valley Planning Advisory Committee at its regular meeting on August 17, 2023. The Committee voted (5-0) for the Community Development Director to administratively approve the application.

Following a review of the application, including reviewing community member and referral agency comments, and because of the broad concerns about the proposal, the Community Development Director determined that this application should be scheduled for a public hearing before the Board of County Commissioners for their decision, per Section 6.3.6.D.3 of the Land Use Code.

Administrative Special Review requires General Review Criteria to be met for approval (Section 6.4.3.D in the Land Use Code), in addition to supplemental review criteria for small short-term rentals (Section 3.3.5.B.2 in the Land Use Code).

Staff finds the application and supporting materials may not have adequately met the following Administrative Special Review General Review criteria in section 6.4.3.D of the Land Use Code, as described under the Review Criteria section below:

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 Section 6.4.3.D and meets or will meet all short-term rental use regulations criteria located in Section 3.3.5.B.2.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team is not making a specific recommendation on the Franklin Short-Term Rental Administrative Special Review, File No. 21-ZONE3162, and has presented all the information on which the Board of County Commissioners may base their deliberation and decision.

STAFF PRESENTATION:

Samantha Lasher addressed the Board. Ms. Lasher gave a brief overview of the application.

APPLICANT PRESENTATION:

Trudy Franklin addressed the Board. Ms. Franklin explained the history of the property and the situation that caused the trust to investigate a short-term rental. Ms. Franklin explained her history of renting the property. Ms. Franklin explained her history to the property manager. Ms. Franklin explained her intent to help mitigate issues as they occur. Ms. Franklin demonstrated her willingness to comply with fire mitigation.

Commissioner Kefalas asked the applicant about the possibility of renting to the family. Ms. Franklin explained the situation to the renter and how they tried to maximize the best options.

Commissioner Shadduck-McNally asked about fire mitigation on the property. Ms. Franklin explained how the fire department came out and made recommendations. Ms. Franklin expressed a desire to be compliant with the issues.

Commissioner Shadduck-McNally asked about how close the property is to the national park. Ms. Franklin explained how they would try to get the renters' information about the proper park entrance.

Commissioner Shadduck-McNally asked about the relationship with the neighbors. Ms. Franklin explained that the situation with the neighbors had been challenging and frustrating.

PUBLIC COMMENT:

No one addressed the Board.

Commissioner Shadduck-McNally closed public comment.

DELIBERATION:

Commissioner Kefalas asked staff about updated fire life safety inspection. Ms. Lasher explained that the property had passed the life safety inspection.

Commissioner Kefalas was inclined not to support this application due to the number of short-term rentals in the area.

Commissioner Stephens expressed concern for this application and did not support approving the application.

Commissioner Shadduck-McNally echoed the concerns of the other commissioners.

MOTION

Commissioner Kefalas moved that the Board of County Commissioners deny the Franklin Short-Term Rental Administrative Special Review, File No. 21-ZONE3162.

Motion carried 3-0.

3. FRANKLIN SECOND SHORT-TERM RENTAL ADMINISTRATIVE SPECIAL REVIEW, FILE NO 21-ZONE3163:

PROJECT DESCRIPTION/BACKGROUND:

The subject property is located at 732 Windy Rose Drive, Estes Park, CO 80517. The property was formerly addressed as 732 Columbine Drive but was recently readdressed to 732 Windy Rose Drive by the Larimer County Addressing Department. The new address was a result of a large addressing project in the Estes Valley to remove duplicate street names.

The property currently contains an existing single-family residence and is zoned EV-E – Estes Valley Estate. The property was subject to the Estes Valley short-term rental waitlist and was removed from the waitlist in 2021. The applicant requests Administrative Special Review approval for a small short-term rental located in the existing single-family residence for a three-bedroom, maximum occupancy of six total guests, two guests per bedroom. No major construction or modifications to the home are proposed with this request. The applicant has indicated that their designated property manager will be Tobi Manspeaker, with Estes Park Condos, located at 1400 David Drive in Estes Park, which is an approximate 15-minute drive from the subject property.

This application was submitted prior to June 1, 2023. Therefore, this application is being reviewed under the pre-June 1, 2023, short-term rental regulations.

Administrative Special Review for a short-term rental requires both Planning Division and Building Division approval. For this case, A building division review was conducted first, followed by a planning division review. Final Building Division approval cannot be issued until Planning approval is received. In general terms, the Planning review process involves:

1. Pre-application conference and application submittal;

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

A courtesy neighbor notification of the proposed project was mailed to ninety-three properties within a minimum of 500 feet of the subject property and those within the High Drive Heights Subdivision. To date, comments have been received from the six community members in opposition via email. The applicant provided a narrative responding to community member concerns.

The subject property is located within the Estes Valley Plan Area and was presented to the Estes Valley Planning Advisory Committee at its regular meeting on August 17, 2023. The committee voted (3-2) for the Community Development Director to administratively approve the application.

Following a review of the application, including reviewing community member and referral agency comments, and because of the broad concerns about the proposal, the Community Development Director determined that this application should be scheduled for a public hearing before the Board of County Commissioners for their decision, per Section 6.3.6.D.3 of the Land Use Code, based on the unresolved issues described below.

Administrative Special Review requires General Review Criteria to be met for approval (Section 6.4.3.D in the Land Use Code), in addition to supplemental review criteria for small short-term rentals (Section 3.3.5.B.2 in the Land Use Code).

Staff finds the application and supporting materials may not have adequately met the following Administrative Special Review General Review criteria in Section 6.4.3.D of the Land Use Code, as described under the Review Criteria section below:

Criteria 1: The proposed use has minimal impacts on the existing 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 Section 6.4.3.D and meets or will meet all short-term rental use regulations criteria located in Section 3.3.5.B.2.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team is not making a specific recommendation on the Franklin Second Short-Term Rental Administrative Special Review, File No. 21-ZONE3163, and has presented all the information on which the Board of County Commissioners may base their deliberation and decision.

STAFF PRESENTATION:

Ms. Lasher addressed the Board and briefly explained the application and property.

APPLICANT PRESENTATION:

Ms. Franklin addressed the Board. Ms. Franklin explained why they wanted to turn the property into a short-term rental. Ms. Franklin highlighted the tourist destination places, which makes this property a prime short-term rental. Ms. Franklin explained the environment of the neighborhood. Ms. Franklin addressed the fire mitigation done for the property.

Commissioner Kefalas asked about the Estes Valley Planning Committee discussion and how the property might not be a short-term rental immediately. Mr. Franklin explained that that was the other property.

PUBLIC COMMENT:

No one addressed the Board.

Commissioner Shadduck-McNally closed public comment.

DELIBERATION:

Commissioner Kefalas expressed concern about this application and was unwilling to support it.

Commissioner Stephens and Shadduck-McNally echoed Commissioner Kefalas's concerns and expressed an unwillingness to support the application.

MOTION

Commissioner Stephens moved that the Board of County Commissioners deny the Franklin Second Short-Term Rental Administrative Special Review, File No. 21-ZONE3163.

Commissioner Kefalas explained the need to create incentives for long-term renters.

Motion carried (3-0).

With there being no further business, the Board adjourned at 8:35 p.m.

TUESDAY, NOVEMBER 14, 2023

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with County Manager Lorenda Volker. Chair Shadduck-McNally presided. Commissioner Kefalas and Commissioner Stephens were present. Also present were Sarah Martin and Tom Clayton, Commissioners' Office, and Tessa Beaty, Deputy Clerk.

Chair Shadduck-McNally opened the meeting with the Pledge of Allegiance.

1. **PUBLIC COMMENT:** Ed Behan, Fort Collins, addressed the Board. Mr. Behan expressed concern about the continued operation of Prospect Energy and the oil leak that occurred recently. Mr. Behan highlighted concerns about the operation and how responsible it is.

Tim Gosar, a Larimer County Resident, addressed the Board. Mr. Gosar spoke about concerns about Prospect Energy and the oil spill's impact. Mr. Gosar expressed concerns about the impact on wildlife and the community. Mr. Gosar called on the board to issue a cease-and-desist order against Prospect Energy.

Commissioner Shadduck-McNally closed public comment.

Commissioner Stephens agreed that Prospect Energy has had issues and should have more governmental oversight. Commissioner Stephens assured the public that the county is committed to the health and welfare of the community.

Commissioner Kefalas highlighted the county's actions to help isolate the oil spill and work to ensure that the impacts had been minimal. Commissioner Kefalas wanted to ensure that the public knew the situation and what the county was doing to help. Commissioner Kefalas highlighted the technology that the county has acquired to help check these types of sites. Commissioner Kefalas expressed a want to continue the conversation with the county attorney.

Commissioner Shadduck-McNally expressed concern about the continued operations and the health and safety of the community. Commissioner Shadduck-McNally discussed financial securities to ensure something like this doesn't happen again. Commissioner Shadduck-McNally spoke about the upcoming hearing surrounding the incident.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF NOVEMBER 6, 2023:

M O T I O N:

Commissioner Stephens moved that the Board of County Commissioners approve the minutes for the week of November 6, 2023.

Motion carried 3 – 0.

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF NOVEMBER 20, 2023: Ms. Martin reviewed the upcoming schedule with the Board.

4. CONSENT AGENDA:

AGREEMENTS

1. CONSTRUCTION SERVICES AGREEMENT (BID NO. 23-15, RE-SOLICITATION OF FUEL SITE – THE RANCH)

2. ANIMAL CONTROL & SHELTERING SERVICES AGREEMENT NOCO HUMANE – FORMALLY KNOWN AS THE LARIMER COUNTY HUMANE SOCIETY

3. PROFESSIONAL SERVICES AGREEMENT (P23-13, BEHAVIORAL HEALTH FACILITY FOODSERVICE MANAGEMENT)

APPOINTMENTS

- 1. RECOMMENDED APPOINTMENT TO THE WORKFORCE DEVELOPMENT BOARD – GREG GROTE**
- 2. RECOMMENDED REAPPOINTMENT TO THE BONNELL WEST PID – WILLIAM JACQUOT**
- 3. RECOMMENDED APPOINTMENT TO THE COMMUNITY CORRECTIONS ADVISORY BOARD – CHRIS HEFTY**
- 4. RECOMMENDED YOUTH MEMBER APPOINTMENT TO THE ENVIRONMENTAL, SCIENCE, AND ADVISORY BOARD – LARK IREN MURPHY**

DEEDS

- 1. DEED OF DEDICATION (RW-1) OF RIGHT-OF-WAY PURPOSES FROM SEAWORTH AG ENTERPRISES, INC. (OWNER) TO LARIMER COUNTY**
- 2. DEED OF DEDICATION (RW-2) FOR RIGHT-OF-WAY PURPOSES FROM R.E. SEAWORTH & SONS LLP (OWNER) TO LARIMER COUNTY**
- 3. DEED OF DEDICATION (RW-6) FOR RIGHT-OF-WAY PURPOSES FROM TTR HOLDINGS, LLC (OWNER) TO LARIMER COUNTY**
- 4. DEED OF DEDICATION (RW – 6) FOR RIGHT-OF-WAY PURPOSED FROM SEAWORHT FRAMS, INC. (OWNER) TO LARIMER COUNTY**
- 5. DEED OF DEDICATION (RW-8) FOR RIGHT-OF-WAY PURPOSES FROM SEAWORHT FARMS LAND COMPANY, LLC (OWNER) TO LARIMER COUNTY**
- 6. DEED OF DEDICATION (RW-21) FOR RIGHT-OF-WAY PURPOSES FROM TTR HOLDINGS, LLC (OWNER) TO LARIMER COUNTY**
- 7. DEED FO DEDICATION (RW-22) FOR RIGHT-OF-WAY PURPOSES FROM SEAWORTH AG ENTERPRISES, INC. (OWNER) TO LARIMER COUNTY**

LIQUOR LICENSES

- 1. LIQUOR LICENSE RENEWAL – YOUNG’S LIQUOR RENEWAL – FORT COLLINS, COLORADO**

2. FINDINGS AND ORDER – KOA COLORADO BEVERAGE COMPANY, LLC – FORT COLLINS, COLORADO

MISCELLANEOUS

- 1. Q2/Q3 2023 PUBLIC TRUSTEE REPORT**
- 2. WESTERN AUTO SUPPLY STIPULATION AS TO TAX YEAR 2023 VALUE**
- 3. ALEXANDER TRACY L STIPULATION AS TO TAX YEAR 2023 VALUE**
- 4. ESTELLA VM LLC STIPULATION AS TO TAX YEAR 2023 VALUE**
- 5. TERRY RIDGE CORPORATION STIPULATION AS TO TAX YEAR 2023 VALUE**
- 6. TAYLOR THOMAS M/ANN M STIPULATION AS TO TAX YEAR 2023 VALUE**
- 7. EPR FITNESS LLC STIPULATION AS TO TAX YEAR 2023 VALUE**
- 8. GENESIS HEALTH CLUBS EAST FT COLLINS LLC STIPULATION AS TO TAX YEAR 2023 VALUE**
- 9. TIM GOSAR & JENNIFER DAYTON STIPULATION AS TO TAX YEAR 2023 VALUE**
- 10. LACHANCE CHAD E STIPULATION AS TO TAX YEAR 2023 VALUE**
- 11. MASSEY DAVID T/MARIE J STIPULATION AS TO TAX YEAR 2023 VALUE**

POLICIES

- 1. HUMAN RESOURCES POLICY AND PROCEDURE 331.8H, CORRECTIVE AND ADVERSE ACTIONS; GRIEVANCE PROCEDURE; AND PROBLEM-SOLVING PROCESS**

RESOLUTIONS

- 1. RESOLUTION ESTABLISHING COMPENSATION FOR DEPUTY DISTRICT ATTORNEY III**

M O T I O N

Commissioner Kefalas moved the Board to approve the Consent Agenda for November 14, 2023.

Motion carried 3 – 0.

5. COMMISSIONERS' GUESTS: The Commissioners did not have any guests.

6. DISCUSSION ITEMS:

1. LARIMER COUNTY SHERIFF'S OFFICE EMERGENCY OPERATIONS 2023 YEAR-END UPDATES: Justin Whitesell, Emergency Operations Director, addressed the Board. Mr. Whitesell highlighted specific programs that have been implemented, such as the Emergency Operations Medical Program, the Wildfire Partners Program, and the Suppression Module. The Emergency Operations Medical Program helps respond to high-risk medical calls and helps train other departments. There are plans to add another person to this program.

For the Wildfire Partners Program, 67 home inspections and 83 home assessments have been done in 2023. The Sheriff's department has also collaborated with six Fire Protection Districts under the Ambassador Program. Middle Mile Task Force is also working to solve wildfire fuel debris issues to do mitigation work. The Suppression Module involves a 7–12-person module that assists with hazardous events throughout the United States.

Additional emergency services included the Initial Attack Module, which responds to wildland fires and mitigation, and the Emergency Service Unit, which responds to all-hazard incidents throughout the county and provides support, management, and organization for all incidents. Mr. Whitesell also highlighted the Wildland Firefighter Paycheck Protection Act of 2023.

Mr. Whitesell concluded with information about the proposed helicopter program and the funding required.

Commissioner Kefalas asked about the emergency operations facility and the status of that program. Mr. Whitesell introduced Tim Keyton. Mr. Keyton spoke about the application for funding for this program. Commissioner Kefalas further asked about the specifics of the budget for this program. Mr. Keyton explained the funding strategy and how best to apply for funding. Commissioner Kefalas also highlighted additional funding opportunities.

Commissioner Kefalas asked about the future of wildfire and extreme weather management. Mr. Whitesell spoke about the difficulty of predicting weather. However, the department is always striving to protect the community in the most effective way possible. There is a ten-year plan in place that worked to initiate programs and plan for the future. Mr. Keyton explained that though it is not easy to predict weather, it is possible to plan for future issues.

Commissioner Kefalas asked about the Larimer Decision Aid Tool and whether this tool, which can scan for data for social welfare, could assist the sheriff's office. Mr. Whitesell confirmed that the department is always looking for additional tools.

Commissioner Stephens expressed gratitude for all of the work being done and the information provided in the presentation.

Commissioner Shadduck-McNally echoed Commissioner Stephens's gratitude. Commissioner Shadduck-McNally highlighted tools that the Forest Service uses to help predict potential fires.

Commissioner Shadduck-McNally asked for specifics about the severe weather responses. Mr. Whitesell explained any time there is an advisory for severe weather, folks get sent into the field to look for people who need assistance, possible road issues, and possible evacuation implementation. Commissioner Shadduck-McNally asked about deputies being sent up into the field. Mr. Whitesell confirmed that reality.

Commissioner Shadduck-McNally asked about the grant money for mitigation projects. Mr. Whitesell explained that reimbursement is given to the county for fire mitigation but not in every situation.

Commissioner Shadduck-McNally asked about the budget issues and how this might impact the programs for fire mitigation. Mr. Whitesell explained that there are programs in the community that are very successful in helping with fire mitigation. Mr. Whitesell further highlighted efforts to help with egress and ingress.

Commissioner Shadduck-McNally had a question about the increasing need for medical services in the County. Mr. Whitesell explained that conversations have been happening with Larimer Emergency Telephone Authority and other programs to help train other districts outside the municipalities. Mr. Whitesell continued to explain that many assets exist to help in every situation throughout the county.

Commissioner Shadduck-McNally asked about further conversations that need to be had. Commissioner Shadduck-McNally also highlighted the work being done by Raina Eshleman.

Manager Volker expressed gratitude for the collaboration between the Sheriff's office and the emergency management office.

Mr. Keyton highlighted the opportunities for funding for the helicopter program.

2. SKY RIDE LLC BEHAVIORAL HEALTH SECURE TRANSPORTATION LICENSE & VEHICLE PERMIT: Laura Walker, Human Economic Health Director, addressed the Board and briefly explained this discussion item. The State initiated a new type of transportation for emergency health services to help transport people to get the services that they might need.

Commissioner Stephens asked about the possibility of adding a vehicle to the license. Ms. Walker explained the logistics of the licensing and the permit.

Commissioner Kefalas expressed gratitude for the work being done.

Commissioner Shadduck-McNally asked about the training required for those working in this program. Ms. Walker introduced Ryan Barstow, the Business Operations Coordinator for Behavioral Health Services. Mr. Barstow explained the background of how the application is processed. Mr. Barstow introduced the applicant, who briefly described his work in Alamosa County.

Ms. Walker explained the schedule for managing the permits and renewals. Ms. Walker said that Medicaid reimburses providers, so Medicaid remains involved throughout the process.

Commissioner Stephens asked about the distance that drivers can drive. Ms. Walker explained that there is a flat rate per transport per client, but there are no limits on distance to help provide services to rural areas of the state.

MOTION

Commissioner Stephens moved the Board of County Commissioners to approve Sky Ride LLC's Behavioral Health Secure Transportation license and one-vehicle permit.

Motion carried 3-0.

7. **COUNTY MANAGER UPDATE:** County Manager Volker briefly detailed the previous week's events.

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

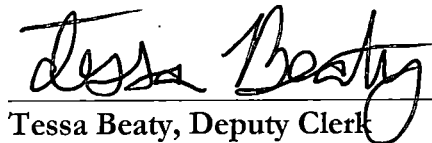
9. **LEGAL MATTERS:** None requested

With there being no further business, the Board adjourned at 11:20 a.m.


JODY SHADDUCK-MCNALLY
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK AND RECORDER

ATTEST:


Tessa Beaty, Deputy Clerk

