



MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, OCTOBER 17 , 2022

LAND USE HEARING

The Board did not hold a Land Use Hearing on October 17, 2022

ABATEMENT HEARING

The Board of County Commissioners met at 4:00 p.m. with, Jennifer Pawleshyn, Appraiser. Chair Stephens presided. Commissioner Kefalas and Commissioner Shadduck-McNally were present. Also present were Brendon Howard, Assessor's Office, and Elizabeth Carter, Deputy Clerk.

PETITION FOR ABATEMENT OF TAXES FOR 2021 (SCHEDULE #s R0009164, R0009172, R0009199, R0009202, R0009229): Ms. Pawleshyn explained that the property is located at 1314 Red Cedar Circle in Fort Collins, Colorado.

Ms. Pawleshyn addressed the Board and presented a packet of information detailing the method in which the Assessor's Office arrived at their current indicated value for each of the parcels, R0009164 \$178,400, R0009172 \$160,800, R0009199 \$383,300, R0009202 \$158,100, and R0009229 \$227,700. Ms. Pawleshyn noted that the property in question is an income generating property that includes storage spaces. She relayed to the Board that multiple approaches were utilized to determine the value of the property including a market and an income approach.

There was a discussion between the Board and staff regarding the difference between the income value and the actual determined value for tax year 2021. Additionally, the Board asked for clarity regarding a discrepancy between the values listed for some of the parcels.

Jerald Russell, the property owner, addressed the Board. Mr. Russell presented the Board with information regarding the individual parcels and the property as a whole. He noted that his main concern is the value placed on the canopies, which are not affixed to the property. Mr. Russell stated that since the canopies are not permanently affixed to the property they should not qualify as "land improvements".

The Board asked the applicant to clarify the number of canopies on the property. There was also a discussion about classifying the canopies as personal property. Lastly, the Board asked the applicant

about the length of time the canopies have been on the property and if they remain in place during high winds and inclement weather conditions.

There was further discussion between the Board and staff regarding the canopies and how the value of the canopies is assessed in determining the value of the property.

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners uphold the Assessor's value for tax year 2021 of \$988,300 for parcels located at 1314 Red Cedar Circle, Fort Collins, Colorado.

Motion carried 2-1, with Commissioner Kefalas dissenting.

With there being no further business, the Board adjourned at 4:40 p.m.

TUESDAY, OCTOBER 18, 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 Michelle Bird, Commissioners' Office, and Elizabeth Carter, Deputy Clerk.

Chair Stephens opened the meeting with the Pledge of Allegiance.

- 1. PUBLIC COMMENT:** Chair Stephens opened public comment. No members of the public addressed the Board. Chair Stephens closed public comment.
- 2. APPROVAL OF THE MINUTES FOR THE WEEK OF OCTOBER 10, 2022:**

MOTION

Commissioner Kefalas moved that the Board of County Commissioners approve the minutes for the week of October 10, 2022.

Motion carried 3-0

- 3. REVIEW OF THE SCHEDULE FOR THE WEEK OF OCTOBER 24, 2022:** Ms. Bird reviewed the upcoming week's schedule with the Board.

- 4. CONSENT AGENDA:**

AGREEMENTS:

- 1. LARIMER COUNTY BEHAVIORAL HEALTH SERVICES GRANT AGREEMENT 22-TP3-LCCJS**
- 2. PROJECT AGREEMENT – NOCO PLACES 2050**
- 3. FOURTEENTH JUDICIAL DISTRICT COMMUNITY CORRECTIONS BOARD SUB-CONTRACT WITH LARIMER COUNTY COMMUNITY CORRECTIONS**

APPOINTMENTS:

- 1. RECOMMENDED REAPPOINTMENT TO THE AGRICULTURAL ADVISORY BOARD-George Wallace**
 - 2. RECOMMENDED REAPPOINTMENT TO THE RED FEATHER LAKES PLANNING ADVISORY COMMITTEE-Caryn Hughes**
 - 3. RECOMMENDED REAPPOINTMENTS TO THE RED FEATHER LAKES GID-Patrick Grissom and Caryn Hughes**
 - 4. RECOMMENDED REAPPOINTMENT TO THE SOLDIER CANYON ESTATES PID-Robert Hufziger**
 - 5. RECOMMENDED REAPPOINTMENT TO THE CLYDESDALE ESTATES PID-Heather Schlegel**
 - 6. RECOMMENDED REAPPOINTMENT TO THE SADDLEBACK PID- Don Jaffee**
 - 7. RECOMMENDED MIDTERM APPOINTMENT TO THE RURAL LAND USE ADVISORY BOARD-Raina Clingan**
 - 8. RECOMMENDED APPOINTMENT TO THE LITTLE VALLEY GID-Jim McGibney**
 - 9. RECOMMENDED APPOINTMENTS TO THE RED FEATHER LAKES PLANNING ADVISORY COMMITTEE- Tamara Hadley-Risler, John Johnson, and Ryan McAdams**
 - 10. RECOMMENDED APPOINTMENT TO THE SADDLEBACK PID-Gerald Runta**
- DEEDS**
- 1. DEED OF DEDICATION FOR RIGHT OF WAY PURPOSES FROM JENNA MORENO AND JOELL A. MORENO (OWNER) TO LARIMER COUNTY**
 - 2. DEED OF DEDICATION FOR RIGHT OF WAY PURPOSES FROM RICCI D. PETERSEN (OWNER) TO LARIMER COUNTY**

LIQUOR LICENSE: Adhikari and Sons Corporation dba Four Season Liquor – Transfer of Ownership for Retail Liquor Store-Fort Collins, Colorado; Noble Wolff LLC dba Pot Belly Restaurant & Lounge-Tavern-Red Feather Lakes, Colorado.

MISCELLANEOUS:

1. CENTERRA RETAIL SHOPS I LLC REVISED STIPULATION AS TO TAX YEAR 2021 VALUE-CENTERRA RETAIL SHOPS LLC

POLICIES

1. LARIMER COUNTY, COLORADO ROAD AND BRIDGE DEPARTMENT POLICY AND PROCEDURE 450 – SNOW AND ICE CONTROL POLICY

RESOLUTIONS

1. RESOLUTION ESTABLISHING COMPENSATION FOR DEPUTY DISTRICT ATTORNEY IV

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the Consent Agenda for Tuesday, October 18, 2022.

Motion carried 3-0

5. COMMISSIONERS GUESTS: Commissioner Shadduck-McNally relayed that her mother is a two-time breast cancer survivor. In honor of her mother and the many cancer survivors in our community, Commissioner Shadduck-McNally invited two guests, Amy Dixon and Mary Temer, to address the Board.

Mary Temer addressed the Board. Ms. Temer reported to the Board that she is a breast cancer survivor. She noted that cancer treatment can be devastating with many long-term side effects including brain fog, fatigue, hearing loss, and neuropathy. In her case, because of the neuropathy, she has suffered two falls which have led to multiple shoulder surgeries.

Ms. Temer stated that while a cancer diagnosis can be devastating, there is also much hope. She stated that there are many wonderful resources in the community. In particular, she highlighted the kindness shown to her at the Chilson Recreation Center and the special accommodations the Rec Center has made for her. Ms. Temer also highlighted the work done by Hope Lives a local group in Larimer and Weld Counties providing a variety of support services and resources to those suffering from breast cancer.

Amy Dixon addressed the Board about her son Ben's journey with cancer and subsequent treatment. Ms. Dixon reported to the Board that her son Ben lost his battle with Ewing's Sarcoma in July 2021.

Ms. Dixon stated that her son complained of leg pain. Initially, it was believed he was suffering from growing pains. When Ben's pain continued, he went to numerous specialists before being diagnosed four months later after his mother requested her doctor to perform an MRI. After being diagnosed, Ben endured 14 rounds of chemotherapy and 30 rounds of radiation. While the treatment helped to beat back cancer, it also took a tremendous toll on Ben.

Ms. Dixon shared with the Board several statistics regarding childhood cancer and, in particular, funding for childhood cancers versus other cancers. Additionally, she noted that typically when a patient goes to the doctor, and something unexplained is happening, cancer is the first thing that is ruled out. With children, cancer is often the last disease that is considered. She encouraged the Board and members of the community to support efforts directly targeted at childhood cancer.

The Board thanked the guest and their support networks for sharing their stories and raising awareness.

The Board took a brief recess. The Board reconvened.

DISCUSSION ITEMS:

There were no discussion items on the Agenda for October 18, 2022.

6. COUNTY MANAGER UPDATE: The County Manager updated the Board on this week's coordination meetings and upcoming projects and activities. Manager Volker noted for the public that on October 19, 2022, there will be a work session on the 2023 Budget.

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

8. LEGAL MATTERS:

Executive session pursuant to Colorado Revised Statute, 24-6-402(4)(b), for the purpose of conferences with an attorney for the purpose of receiving legal advice regarding case No. 2020CV30481 City of Fort Collins v. Geo Henderson.

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners enter into Executive Session pursuant to Colorado Revised Statute, 24-6-402(4)(b), for conferences with an attorney for the purpose of receiving legal advice regarding case No. 2020CV30481 City of Fort Collins v. Geo Henderson.

Motion carried 3-0

MOTION

Commissioner Kefalas moved that the Board of County Commissioners approve the County Attorney's Office to represent the Board in the case No. 2020CV30481 City of Fort Collins v. Geo Henderson and to file a disclaimer.

Motion carried 3-0

With there being no further business, the Board recessed at 10:25 a.m.

EXECUTIVE SESSION

The Board met at 1:30 p.m. with Bridget Paris, Human Resources Director, for an Executive Session regarding the Annual Evaluation for County Manager pursuant to C.R.S 24-6-402(4)(f) personnel matters.

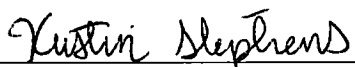
MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners enter into Executive Session pursuant to Colorado Revised Statute, 24-6-402(4)(f) to discuss personnel matters.

Motion carried 3-0

With there being no further business, the Board adjourned at 1:35 p.m.





KRISTIN STEPHENS
BOARD OF COUNTY COMMISSIONERS

ANGELA MYERS
CLERK AND RECORDER

ATTEST: 

Elizabeth Carter, Deputy Clerk