



MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, SEPTEMBER 12, 2022.

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m., with Don Threewitt, Planning Manager. Chair Stephens presided. Commissioner Kefalas and Commissioner Shadduck-McNally were present. Also present were, Tracy Shambo, Engineering; Michael Whitley, Planning Department. In the audience there was Leslie Ellis, Community Development Director; Matt Lafferty, Principal Planner; Todd Hillenbrand, Planning; Connor Sheldon, Engineering; Andrew Lewis, Attorney's Office; online Lea Schneider, Health; also present were; Frank Haug, Attorney's Office and Elizabeth Kimball, Deputy Clerk.

Chair Stephens opened the hearing with the Pledge of Allegiance.

DISCUSSION ITEMS:

1. HILLCREST ESTATES LOTS 1-3, 4A, 5A, 6-11 & OUTLOT A RIGHT-OF-WAY VACATION, FILE NO. 20-LAND4042: Chair Stephens asked the applicant, Stanley Schaffer, approximately how long he needed for his presentation. Mr. Schaffer addressed the Board, and it was agreed upon that he and the opposing party would both have 12 minutes for their presentations and 5-minute rebuttals.

Michael Whitley, Larimer County Planning Staff addressed the Board and gave details of the Hillcrest Estates Lots 1-3, File #20-LAND4042.

BACKGROUND

The Hillcrest Estates Subdivision was platted in 1992. The subdivision consists of eleven residential lots and one outlot which functions as a utility easement and stormwater detention area. The plat dedicated public right-of-way for Stonegate Drive to serve the residential lots.

Stonegate Drive is currently developed as a cul-de-sac. The road is unpaved.

Lots 4 and 5 are on the western end of the subdivision. There was a 60-foot-wide right-of-way dedicated between Lots 4 and 5 with the area labeled, "Dedicated as Right-of-Way for Future Roadway."

In 2005, The Board of County Commissioners approved a partial right-of-way vacation request that vacated ten feet of width from the right-of-way between Lots 4 and 5 (leaving 50 feet of right-of-way) and vacated 30 feet of width from the right-of-way between Lots 3 and 4 (leaving 30 feet of right-of-way). The right-of-way vacation was followed by an amended plat adjusting the boundaries of Lots 4 and 5 and relabeling the parcels as Lot 4A and Lot 5A. The boundaries of Lot 3 were unchanged.

Approximately 15,635 square feet of the Stonegate Drive right-of-way within the Hillcrest Estates Subdivision has been annexed to the Town of Estes Park. This request is to vacate all of the public right-of-way within the Hillcrest Subdivision that is in unincorporated Larimer County.

Initially, there was a proposal to install a gate at the entrance of the subdivision. The applicants are no longer requesting to install a gate.

The applicant's project description includes a justification for the right-of-way vacation including that the road is privately maintained and Larimer County does not provide snow removal or weed control within the right-of-way.

Prior to 1994, Larimer County had an application process for local road within subdivisions to be accepted by the County for maintenance. That acceptance required Board of County Commissioner approval.

In 1994, the County stopped accepting new subdivision roads for maintenance. In subdivisions where the County has not accepted maintenance, it is the responsibility of the residents or resident association to perform road maintenance.

Although local subdivision roads are privately maintained, Larimer County's standard requirement is that those roads be dedicated as public right-of-way and that pedestrian and vehicular connections are planned for when land is divided. This allows for the free use of roads by property owners adjacent to the roads, their guest, delivery and service providers, utility providers, public safety personnel, and the general public. This also allows for the development of a local transportation network through the connection of roads and/or trails from one subdivision to another.

If the proposed right-of-way vacation is approved, an Amended Plat process will be required to adjust the property boundaries within the subdivision and to dedicate access and utility easements.

REVIEW CRITERIA

Sections 5.9.3 – Right-of-Way and Easement Vacation Review Criteria. To approve a right-of-way or easement vacation, the County Commissioners consider the following review criteria and find that each criterion has been met or determined to be inapplicable.

A. Approval of the vacation request will not leave any land adjoining the right-of-way without an established public road or private access easement connecting the land with another established public road, or without utility or drainage services.

If the proposed right-of-way vacation is approved, an Amended Plat application would be required. That Amended Plat would adjust the boundaries of adjacent parcels and would dedicate utility and access easements in place of the vacated right-of-way.

While those easements would serve the needs of the lots within the Hillcrest Estates Subdivision, it would preclude a future road or trail connection to the west.

The Good Samaritan Subdivision was platted immediately south of the Hillcrest Estes Subdivision in 2002. That subdivision is within the Estes Park town limits. There is a residential lot south of the platted right-of-way between Lots 3 and 4A which precludes the extension of a road from Hillcrest Estates to the south.

Land Use Code provisions require the dedication of public right-of-way for roads within land division (Section 8.14.1.M) and require the provision of connectivity to adjacent properties (Section 8.14.1.R).

Because the platting of a residential lot south of the right-of-way between Lots 3 and 4A no longer allows for a road or trail connection from Stonegate Drive to the south, the Development Services Team supports the vacation of the right-of-way.

Because there is potential for further division of land west of the Hillcrest Estates Subdivision to the west, and a future road and/or trail connection could be possible, the Development Services Team does not support the vacation of the right-of-way between Lots 4A and 5A.

Because Stonegate Drive is an existing public road with a potential for extension to the west, the Development Services Team does not support vacation of the right-of-way that is developed with the road.

The request partially complies with this criterion.

B. The recommendation of referral agencies have been considered;

The Larimer County Planning Division, Larimer County Engineering Department, and Town of Estes Public Works Department all have concerns with the vacation of the right-of-way containing Stonegate Drive and the right-of-way that could provide a future road or trail connection to the west.

The Larimer County Engineering Department comments note that the Larimer County Land Use Code and general policies promote public right-of-way and road connectivity to adjacent properties in order to allow a neighborhood traffic circulation system and to improve emergency service access.

The right-of-way between lots A and 5A still holds potential for a valuable extension of Stonegate Drive to the western property line, which could then further connect as part of future development of those lots, to the two existing private drives to the west, or to the public right-of-way of Ptarmigan Lane to the south that was stubbed out to the western property line as part of the Good Samaritan Development.

The Engineering Department's comments indicate that Stonegate Drive and two other private drives in the vicinity are currently long dead ends roads and a connection between them would serve to improve emergency service between Devils Gulch Road and Dry Gulch Road.

The Engineering Department indicates that any vacated right-of-way would need to be replaced with sufficient utility easements, emergency access easements, and access easements for the homeowners and their designees and recommends that if the right-of-way between lots 4A and 5A is vacated, that it be replaced with an emergency, utilities, and pedestrian easement.

Comments from the Town of Estes Park Public Works Department include many of the same concerns and includes a statement that it supports the concepts of community connectivity and open spaces.

C. Any right-of-way that is vacated will be divided equally between the lots on each side, unless it can be demonstrated that all of the right-of-way was originally taken from one parcel. In that case, the right-of-way will be returned to that parcel. Property owners on each side of the right-of-way may agree divide the vacated right-of-way differently but must sign deeds to transfer ownership after the County Commissioners approve the vacation; and

If any right-of way vacation is approved, an amended plat process will be required to adjust the boundaries of adjacent parcels and to dedicate access and utility easements as needed.

D. Right-of-way vacations must also meet requirement of C.R.S 43-2-303.

The proposed vacation of right-of-way complies with the requirements of C.R.S 43-2-303.

DEVELOPMENT SERVICES TEAM RECOMMENDATION

Engineering Department: The Engineering Department supports the vacation of the 30-foot-wide right-of-way between lots 3 and 4A but opposed vacating the remainder of the right-of-way within the Hillcrest Estates Subdivision.

Department of Health and Environment: No concerns with the proposal.

Town of Estes Park Public Works Department: The Town of Estes Park Public Works Department opposes the proposed right-of-way vacation request based on a desire to maintain public access on roads in the Estes Valley and to retain the option of continuing Stonegate Drive if further development occurs to the west of the Hillcrest Estates Subdivision.

Estes Valley Fire Protection District: The fire district comments provided details of requirements should a gate be proposed, but they did not express either support or opposition of the right-of-way vacation request.

Upper Thompson Sanitation District: The Sanitation District noted the need for easements for their infrastructure if the Stonegate Drive right-of-way is vacated.

Mr. Schaffer addressed the Board with details regarding his concerns about the right-of-way vacation.

Chair Stephens opened the hearing to public comment.

Jeffrey Lenchworth addressed the Board about his concerns of vacating the right-of-way and the need for them to be there for emergency services.

Jan Gehlhausen addressed the Board with her concerns about opening the road and how it would affect the wildlife. She is in favor of vacating the right-of-way.

Chair Stephens closed public comment.

The Board asked staff for clarification on emergency access easements and public rights-of-way.

M O T I O N

Commissioner Kefalas moved that the Board of County Commissioners partially approve the Hillcrest Estates Lots 1-3, 4A, 5A, 6-11, and Outlot a Right-of-Way Vacation, File #20-LAND4042 subject to the conditions noted above.

Motion carried 3 - 0

2. An Appeal to the Community Development Director's approval of a Short-Term Rental application, File No. 22-ZONE3200 The request is for an appeal of an Administrative Decision for File Number 22-ZONE3200, a Short-Term Rental Application at 4332 Edith Drive in Fort Collins, CO, as provided in 6.7.2.B.2 of the Larimer County Land Use Code.

Mr. Threewitt, Community Development, addressed the Board with details about the appeal.

BACKGROUND

Administrative Special Review for a Short-term Rental requires both Planning Division and Building Division approval. During this time, Planning Division review was conducted prior to Building Division review. In general terms, the Planning review process involves:

1. Staff and referral agency review;
2. Neighborhood notice and comments collection;
3. The scheduling of a public hearing if applicable, or an administrative review and decision by the Community Development Director.

Administrative Special Review requires certain General Review Criteria to be met for approval in addition to supplemental review criteria for small Short-Term Rentals.

The original applicant, Torre Alsup, applied for Short-Term Rental Administrative Special Review on February 8, 2022, on behalf of owners Torre and Stephanie Alsup. The subject property is a 1,102 square-foot, two bedrooms, plus one additional sleeping area residential property with 4 on-site parking spaces requesting a total occupancy of six persons. The application was deemed complete, and referral agencies were notified on February 22, 2022.

Neighboring properties within a 500-foot vicinity were notified by US Mail sent February 23, 2022. 50 properties were noticed, and staff received 7 community comments prior to the final determination. The Community Development Department's practice is to forward Short-Term Rental cases to public hearing before the Board of County Commissioners if the Community Development office receives substantial community or neighbor response, if any Code criteria are not fully addressed, or if extenuating circumstances or uncertainties are evident in the case review. In this case, 7 written comments were received comprising 14% of the notifications. Each of the review criteria had been met or included as a condition of approval. Finally, staff and the customer agreed to additional mitigation addressing access challenges raised during review.

The applicant addressed each of the neighbor comments and provided a response to each of the concerns raised. Where possible as outlined below, the applicant amended the project request in response to concerns and documentation of the proposed solution was provided in the re-submittal.

A formal re-submittal of documents addressing referral comments was filed on May 16, 2022. Amendments to the original request were as follows:

1. Technical clarifications and enhancements to the Operations Manual, site plan, and other submittal documents to comply with the Code requirements and agency reviews.
2. Applicant-initiated voluntary mitigation measures to address access concerns, which include: a requirement for 4-wheel-drive or all-wheel-drive vehicles along with safe driving instructions included in the operations manual; and a prohibitions of guest campers, boats, or other towed vehicles along with provision for off-site parking at the bottom of the hill for the same. This voluntary mitigation exceeds Code Standards.

SHORT-TERM RENTAL REVIEW CRITERIA

In reviewing a proposed administrative special review application, the Director shall consider the general approval criteria, and also whether:

1. The proposed use has minimal impacts on existing and future development of the area;

Staff finding: This criterion was met. Horizontal and vertical separation of this property to neighboring properties reduces impact to existing developments. Operational restrictions directly address impacts to neighboring development; if infractions occur, curative measures up to and including revocation of this approval are available. The proposed use is anticipated to be more seasonal and less frequented than other STRs due to the limited accessibility of the property and the seasonal nature of the adjacent recreational uses. This reduces the overall impacts to 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.

Staff Finding: Impacts to the environment, access, traffic, parking, and noise were each identified during the project referral and review period. These items were noted as requiring mitigation and the applicant responded directly to agencies and community members, and proposed amendments to the project and Conditions of Approval to address the impacts. Staff reviewed and concurred with the applicant's mitigation actions.

3. The recommendations of referral agencies have been considered and adequately addressed:

Staff findings: The applicant addressed referral agency concerns and amended the project accordingly.

4. Within a Grown 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

Staff findings: The project is consistent with applicable regulations and the Comprehensive Plan.

5. The applicant has demonstrated that this project can meet applicable additional criteria listed in Article 3.0, Use Regulations.

Staff Finding: All criteria in Article 3.0 have been met or are included as a condition of approval to be met prior to operation.

In addition to the 6.4.3.D, Review Criteria for Administrative Special Review, applications for short-term rentals with ten or fewer occupants shall comply with the following standards:

A. Only one short-term rental shall be allowed on a property. Preexisting lodging facilities in the EV A and EV A-1 zoning districts are not subject to this requirement as set for in 13.6.1.D, Preexisting Lodging Facility.

B. The short-term rental shall only be conducted in a legally constructed dwelling and shall require a change of occupancy permit prior to occupancy for 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 shall be located within one 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 from the property manager shall be provided to the Larimer County Community Development Department within five business days of the change of contact information.

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

E. 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 2.7.2, Floodplain Overlay (FP-O).

F. 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.

G. The short-term rental shall be equipped with an operations manual/users guide that is in a visible location.

H. 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 pick-up/disposal, and screening of the outdoor storage area.

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

J. Solid fuel fire pits shall not be allowed in identified wildfire hazard areas.

K. Cooking areas within the short-term rental shall be equipped with a stove top fire stop or approved alternative.

1. 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:

i. In each room with a cooking appliance, fireplace, heating appliance or water heater.

- ii. Inside and adjacent to the door leading to a deck, porch, or patio with such appliances.
- iii. At least one on each story.

Staff findings: All technical requirements had been met, thereby qualifying this application for administrative approval.

Final review and staff recommendation was conducted in late June and the Planning Division approved the use as an administrative action on July 7, 2022.

APPEAL REVIEW PROCESS AND CRITERIA:

Procedure for Appeals of Administrative Decisions

A written application for appeal was submitted to the Community Development Department within 30 days of the decision, on August 1, 2022. The appeal was submitted on a form provided by the Community Development Department and included a statement of the decision being appealed, the date of the decision, and the facts and other evidence that supports the decision was an error. The submittal was subsequently determined to be a complete application on August 8, 2022. A public hearing was then scheduled on the next available agenda of the County Commissioners on September 12, 2022, within 60 days after the date on which a property completed notice of appeal was filed. Notice of the time and place of the appeal hearing will be published in the Coloradoan at least 10 days before the hearing date. Notice of the hearing was mailed to property owners within 500-feet of the subject property via US Mail on August 9, 2022. These actions comply with the procedure outlined in 6.7.2.B.2 of the Code.

An appeal may be granted, and the decision of the administrative officer will not be reversed unless a preponderance of the evidence supports that the decision is in error or inconsistent with the intent and purpose of this code (6.7.2.B.2.f).

APPEAL CLAIMS, EVIDENCE, AND STAFF FINDINGS:

Claim 1: Factual safety hazards exist which pose real, life-threatening dangers to individuals who use the roads and choose to live or visit this neighborhood.

Claim 1.1. Irene Drive has a history of being treacherous in all weather.

Staff findings: Access to this property is accomplished via Shoreline Drive – a paved, 2-way road leading to Irene Way, a steep 1.5 lane road consisting of crushed asphalt. This approach is conventional for accessing rural mountain neighborhoods in Larimer County. Past the first driveway of Irene Way, the road narrows to one lane and the grade begins to increase considerably. At this point, blind rises and curves exist and oncoming vehicles would not be identified until one is in close proximity. Entrance to the subject property is from an informal cul-de-sac at the terminus of Edith Drive, the driveway then descends at a steep grade to the property. Staff concurs that access is challenging during

dry, daylight hours as evidenced on site visits. Staff concurs that in instances of t, snow-packed, or icy roads, access to the property would be severely compromised.

Claim 1.2: Appellant claims that a helicopter transport was required to serve a medical emergency during dry, sunny conditions, solely due to the access constraints to the subject property.

Staff Findings: Staff confirmed that a helicopter response did occur but did not confirm details of the nature of the medical emergency or the responsibility of access constraints for emergency service provision.

Claim 2: Example concerns such as Emergency Service Access, Road Safety, and Fire Risk were not addressed during the review process.

The original application was referred to Poudre Fire Authority for fire review, Emergency Services for wildfire review, Environmental Health for general safety and health review, Building for structural and life safety review, and Engineering for access, drainage, and parking review.

Poudre Fire has updated the record for the property as a STR use and provided no additional comments regarding emergency services access.

Prior to the Administrative Decision, the uncommon, challenging access to this property was noted by staff and voluntarily mitigated by the applicant along with wildfire, noise, and other noted concerns. The applicant effectively responded to each community comment and referral comment, referencing their acknowledgement of stated concerns and their strategy to mitigate them. Each of the technical criteria in Code were met or exceeded, and the compatibility criteria appeared to be met based on the information available at the time of decision and the standards of practice within the department.

Therefore, the Development Services Team finds:

The Community Development Director's decision to approve the Short-Term Rental application, File No. 21-ZONE3200, is not in error or inconsistent with the intent and purpose of the Land Use Code.

The Commissioners addressed their questions to staff.

DEVELOPMENT SERVICES TEAM RECOMMENDATION

The Development Services Team recommends denial of the Alsup Short-Term Rental Appeal, File No. 22-GNRL0533.

The appeal applicant, Matt Wood, addressed the Board regarding his concerns about the Short-Term Rental application for 4332 Edith Drive, Fort Collins. Mr. Wood made a 12-minute presentation with a power point that gave detailed information about his request.

The original applicant, Torre Alsup, addressed the Board regarding his concerns if his original application were to be denied in a PowerPoint presentation as well.

Chair Stephens opened the Board to public comment:

Todd Rogers, Dan Kaiser, Colleen Machete, and Mal Bennett were in favor of the appeal applicant.

Pam Manning was in favor of the original applicant.

Gene MaCane, Poudre Fire Authority, addressed the Board with the PFA assessment that had gone from severe to moderate after Mr. Alsup's upgrades to the property.

Chair Stephens closed public comment.

Both Mr. Wood and Mr. Alsup addressed the Board with their rebuttal.

The Board addressed staff with questions and deliberated between themselves.

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners affirm the appeal to reverse the Community Development Director's decision for the Alsup Short-Term Rental, File No. 22-GNRL0533.

Motion carried 2-1

Commissioner Kefalas rescinding.

With no further matters to come before the Board, Chair Stephens adjourned the meeting at 5:35 p.m.

TUESDAY, SEPTEMBER 6, 2022.

ADMINISTRATIVE MATTERS MEETING

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

Chair Stephens opened the meeting with the Pledge of Allegiance.

- 1. PUBLIC COMMENT:** There was no one present for Public Comment.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF SEPTEMBER 5, 2022:

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the minutes for the week of September 5, 2022.

Motion carried 2-0.

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF SEPTEMBER 19, 2022: Ms. Martin reviewed the upcoming week's schedule with the Board.

4. CONSENT AGENDA:

ABATEMENTS:

1. RECOMMENDED APPROVAL PETITION OR REFUND OF TAXES: 830 College LLC c/o John Bocina and Larimer County - #R1660538 / 97132-43-001 (2021); SiteOne Landscape Supply LLC DBA Harmony Gardens and Larimer County - #P8242739 / 86030-00-011 (2021); RAMCO-Gershenson Properties LP and Larimer County - #R1645724 / 87324-07-013 (2020); RAMCO-Gershenson Properties LP and Larimer County - #R1648619 / 87324-09-001 (2020); RAMCO-Gershenson Properties LP and Larimer County - #R1645725 / 87324-07-014 (2020); RAMCO-Gershenson Properties LP and Larimer County - #R1643779 / 87324-05-004 (2020).

AGREEMENTS:

1. PROFESSIONAL SERVICES AGREEMENT (CAMERON PEAK FIRE MITIGATION DESIGN AND CONSTRUCTION SERVICES)

2. GRANT SUBRECIPIENT AGREEMENT WORKFORCE INNOVATION GRANT SUB AWARD

APPOINTMENTS:

1. RECOMMENDED REAPPOINTMENT TO THE HIGHLAND HILLS PID – Ryan Yoch

2. RECOMMENDED APPOINTMENT TO THE HIGHLAND HILLS PID – John Brzeinski

3. RECOMMENDED REAPPOINTMENT TO THE LAND STEWARDSHIP ADVISORY BOARD – Jesse Dillion

LIQUOR LICENSES: Etalem Inc dba Branding Iron Liquor – Renewal – Laporte; Cherokee Park Dude Ranch LLC dba Cherokee Park Dude Ranch – Hotel & Restaurant – Livermore; Ellis Ranch Inc dba Ellis Ranch Event Center & Wedding Park – Tavern – Loveland.

MISCELLANEOUS: Department of Human Services Payments for June 2022 – Total Dollar Amount \$13,647,098.74; Department of Human Services Payments for July 2022 – Total Dollar Amount \$12,666,376.85.

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the consent agenda, as outlined above.

Motion carried 2-0.

5. COMMENTS FROM COMMISSIONERS' GUESTS: There were no guests present for comment.

6. PROCLAMATION DECLARING SEPTEMBER 17 – 23, 2022 AS CONSTITUTION WEEK: Chair Stephens gave the description of the proclamation for September 17-23 as Constitution week and ask the residents of our community to affirm the ideals of the Constitution of the United States of America and the Bill of Rights by protecting the freedom guaranteed through this foundation document.

Sue Harmon, Daughters of American Resolution, addressed the Board to speak on the history of the Resolution.

The Commissioners showed appreciation towards the work Ms. Harmon does and thanked her for all the services the Daughters of American Resolution do for the county.

Commissioner Shadduck-McNally read the Proclamation.

The Board took a brief recess.

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the Proclamation declaring September 17 – 23, 2022 as Constitution Week.

Motion carried 2-0.

The Board took a brief recess.

7. COUNTY MANAGER UPDATE: Manager Volker updated the Board on upcoming projects and activities.

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

9. **EXECUTIVE SESSION:** Executive Session pursuant to C.R.S. 24-6-402(4)(b): Conference with an attorney for the purpose of receiving legal advice regarding the Court of Appeals judgement issued in case #21CA0467, City of Thornton vs. Board of Larimer County Commissioners. No decision expected.

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners enter into Executive Session pursuant to C.R.S. 24-6-402(4)(b): Conference with an attorney for the purpose of receiving legal advice regarding the Court of Appeals judgement issued in case #21CA0467, City of Thornton vs. Board of Larimer County Commissioners

Motion carried 2-0.

With there being no further business to discuss, the Board adjourned at 9:50 a.m.

Kristin Stephens

**KRISTIN STEPHENS
BOARD OF COUNTY COMMISSIONERS**

**ANGELA MYERS
CLERK AND RECORDER**

ATTEST:

Elizabeth Kimball
Elizabeth Kimball, Deputy Clerk

