



MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, JUNE 14, 2021

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m., with Don Threewitt, Principal Planner. Chair Kefalas presided. Commissioner Stephens and Commissioner Shaddock-McNally were present. Also, present were Jenn Cram, Tawn Hillenbrand and Christina Scrutchins, Community Development; Lesli Ellis, Community Development Director; Steven Rothwell, and Connor Sheldon, Engineering; Lea Schneider, Health and Environment; Jeannine Haag, County Attorney; Elizabeth Kimball, Office of Clerk and Recorder, and Deirdre O'Neill, Deputy Clerk.

Chair Kefalas opened the hearing with the Pledge of Allegiance.

TABLED ITEM TO JUNE 28, 2021

CEDAR SPRINGS 3RD FILING, LOTS 23 AND 24 BLOCK 1 LOT CONSOLIDATION, FILE NO 21-LAND4120

STEWARDSHIP AWARDS:

This is the 26th year for these awards. The County Commissioners present these awards each year to honor the stewardship efforts of county residents, businesses, and organizations. Here is a short background of the award: We began the awards in 1995 and have presented 92 awards to date, this afternoon we will add 3 more! Once again, we received inspirational nominations, and each of us has come away with an appreciation for the commitment to environmental stewardship in Larimer County. The County's Environmental and Science Advisory Board reviews the nominations and makes recommendations to us, and then we determine the winners. Here are the awards selected for 2021:

1. Rocky Mountain Raptor Program (RMRP): The mission of the Rocky Mountain Raptor Program, is to inspire the protection and appreciation of raptors and the spaces where they live through excellence in rehabilitation, education, and research. The program treats injured hawks, eagles, falcons, and owls and then evaluates them for survival skills prior to releasing them back into the wild. In some cases, when they are not releasable, they become educational ambassadors as they participate in educational programs. Each year, the Rocky Mountain Raptor Program works with more than 15,000 school children through their educational programs. In response to the 2020 pandemic, the RMRP continued to serve the community by live streaming their educational programs as well as doing virtual open houses.

2. Horse and Dragon Brewing Company: When restaurants and pubs were shut down in March of 2020, Horse & Dragon Brewery decided to use their expired beer for good rather than disposing it into the City of Fort Collins wastewater treatment system. Their project involved donating their beer to gardens and farms around Larimer County who then used the beer to inoculate their compost piles. The beer worked to jump start the decomposition process and improve the beneficial properties of the compost. The project provides a great example of waste diversion by keeping it out of the water treatment system, and their work promotes land and water stewardship.

3. One Times Everyone: This local non-profit recognized the power that small steps can make toward a greater good. Their work focuses on addressing our climate crisis through implementing a giving circle model. This is where each person gives \$2.00 monthly, but their donation is compounded with others and then distributed to a different organization each month. They ask for small donations so they can ensure that their work compliments, rather than interferes with, a person's regular donating habits. This gives people the opportunity to work together on equal ground and to show anyone involved, especially children, what can be accomplished when everyone does just a little. In 2020, they gave \$250 pooled from 57 people to each of the four Larimer County organizations they donated to. This year they are on track to beat that monthly giving and increase the number of Larimer County Organizations that they contribute to.

The Commissioners thanked the recipients and congratulated them on their awards.

The Commissioners took a brief recess for photos with the recipients.

The Board returned to session.

CONSENT AGENDA:

2. **SOUTH NOKOMIS LAKE LOTS 32-34, BLK 27 LOT CONSOLIDATION, FILE NO 21-LAND4114:** This is a request to combine the area of Lots 32-34, BLK 27, South Nokomis Lake to create a 0.38 acre-lot.

The applicants seek to combine three lots within the South Nokomis Lake subdivision to create one 0.38-acre lot. Lots 32, 33, and 34 were originally platted as part of the 27th Block of the South Nokomis Lake Subdivision, which was originally platted in 1924, before current Larimer County development standards existed. Therefore, the resultant lots were very small, well under the current O – Open zoning district's minimum lot size of 10-acres.

The three lots are currently vacant. Lot 32 measures 0.13-acres, Lot 33 measures 0.12-acres, and Lot 34 measures 0.34-acres. The applicants are proposing to consolidate three lots that they own into one lot to have enough lot area to meet distance requirements between well, septic, and leech fields for a proposed cabin that will sit on the consolidated lot. Once combined, the proposed lot will measure 0.38-acres.

REVIEW CRITERIA:

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

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

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the lot consolidation, subject to the following condition:

1. All conditions shall be met, and the final resolution of the County Commissioners recorded by December 14, 2021, or this approval shall be null and void.
 2. The resultant lot is subject to all covenants, deed restrictions or other conditions that apply to the original lots in the subdivision.
 3. The reconfiguration of the lots lines shall be finalized at such time when the Findings and Resolution of the County Commissioners is recorded.
 4. Prior to recordation of the Findings and Resolution, provide Ownership and Encumbrances for both parcels. If the Ownership and Encumbrances include any lienholders, a Consent of Lienholder form will be required to be signed by each lienholder.
- 3. JAX/HOLCIM REZONE, FILE NO18-ZONE2335:** This is a request to rezone a portion of parcel #98170-00-001 and a portion of parcel #98160-00-001 and parcel #98174-00-070 in its entirety from O-Open to PD-Planned Development.

The applicant requests to rezone three parcels, a portion of parcels #98170-00-001 and #98160-00-001 and parcel #98174-00-070 in its entirety. The properties are located approximately one-half mile north of the intersection of N. Highway 287 and Overland Trail. The properties, as well as surrounding

properties, are currently zoned O – Open. Uses in this area include agriculture, industrial, vacant land, and Curtis Lake.

Parcels #98170-00-001 and #98160-00-001 are currently owned by Holcim (US) Inc. A portion of parcel #98170-00-001 is currently used for the processing and storing of concrete. The property currently contains several administrative offices, storage buildings, a material conveyor, a cement truck loading station, a detention pond, and Union Pacific railroad track spurs used to support distribution of Holcim materials. Parcel #98160-00-001 contains additional raw material storage buildings for the concrete facility. Parcel #98174-00-070 is currently owned by Jax and contains several administrative offices and storage buildings used to support distribution to Jax stores.

The existing parcels are located within the LaPorte Plan area. The PD – Planned Development zone district is used in Growth Management Areas and in the boundary of the LaPorte Area Plan and is intended to establish densities and uses consistent with the applicable supplementary regulations of the LaPorte Area Plan. In this instance, the zoning would reflect the current densities of the O – Open zone district and select land uses allowed by the current O – Open as well as the IH – Heavy Industrial zone district.

The Jax/Holcim site has operated as an industrial and general commercial use since 1926. At the time of the zoning of the property by the County and the LaPorte Area Plan, the existing uses were not fully considered, and a blanket zoning was assigned to the entire region. The existing cement facility, classified as a ‘Manufacturing, Heavy’ use, and the existing Jax facility, classified as a ‘Commercial’ use, are currently not permitted in the O – Open zone district. The intent of the rezone is to bring the existing uses into compliance with the current Land Use Code; to ensure that the existing uses are consistent with the zone district.

A neighborhood meeting was not required as part of this proposed Rezone.

The LaPorte Planning Advisory Committee (LAPAC) reviewed this item at their April 20, 2021, meeting. LAPAC voted 3-2, with 1 abstaining, to recommend approval of the rezoning to Planned Development. The Advisory Board expressed concern regarding a specific use on the proposed PD Zone District Standards Table, specifically the ‘Hazardous Materials Storage and/or Processing’ use. Hazardous materials or substances is defined by the Land Use Code as “any material that, by reason of its toxic, corrosive, caustic, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such a material or substance.” Although a ‘Hazardous Materials Storage and/or Processing’ use is not currently in operation on the Holcim property, such a use may be associated with the existing cement facility and may be warranted in the future as part of the ongoing operations of the facility. The property owner (current or future) could seek approval for the use through the Special Review approval process, the most stringent of application processes. An application for a ‘Hazardous Materials Storage and/or Processing’ use would not only be reviewed for compatibility with existing uses on the subject property but also with existing uses in the area. Additionally, community input and the input of the LaPorte Planning Advisory Committee would be considered.

REVIEW CRITERIA:

In deciding the application to amend the zoning map, the Planning Commission and the County Commissioners shall consider the approval criteria in 6.6.1.D and determine whether and the extent to which the proposed amendment meets the following:

1. Compatible with Surrounding Uses
2. Community Need or Public Benefit
3. Change of Circumstances
4. Adequate Infrastructure
5. Natural Environment
6. Additional Review Criteria in Growth Management Area (GMA) Districts

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends that the Planning Commission recommend to the Board of County Commissioners approval of the Jax/Holcim Rezone from O-Open to PD-Planned Development, File #18-ZONE2335 subject to the conditions in the staff report.

Don Threewitt, Planner stated that the applicant for Jax/Holcim Rezone, FILE NO18-ZONE2335 would like this item tables until June 28, 2021.

MOTION

Commissioner Stephens moved that the Jax/Holcim Rezone, FILE NO18-ZONE2335 be postponed until June 28, 2021.

Motion carried 3-0

A member of the audience, Dan Cathey, requested that Red Tail Estates Rural Land Plan Modifications, FILE NO 19-LAND3889 be pulled from the consent agenda for a full hearing.

MOTION

Commissioner Shaddock-McNally moved to approve the remaining item, South Nokomis Lake Lots 32-34, Blk 27 Lot Consolidation, FILE NO 21-LAND4114 subject to the conditions in the staff report and further authorize the Chair to sign the findings and resolution.

Motion carried 3-0

1 RED TAIL ESTATES RURAL LAND PLAN MODIFICATIONS, FILE NO 19-LAND3889: This is a request for a modification to an approved Rural Land Plan to divide 168.5-acres into ten single-family residential lots, ranging in size from 5.01-5.79-acres, and two residual lots totaling approximately 114.5-acres that will be protected from any further development for a minimum of 40-years, as required under the Rural Land Use Process (RLUP).

The Red Tail Estates Rural Land Plan (RLP) is located on the south side of County Road 4 where it transitions into County Road 27. It is southwest of the Town of Berthoud and approximately one mile north of the Boulder/ Larimer County line. The Little Thompson River is located to the south of the site.

The entire property ownership for the four parcels included in the RLP was approximately 545 acres. The modified RLP includes 168.5-acres. The remaining acreage shown as Tracts 1-5 and Outlot 1 are all separate 35 + -acre lots.

The Red Tail Estates RLP was approved by the Board of County Commissioners on January 6, 2020. The proposal included the division of approximately 176.9 acres of land into ten (10) residential lots and one (1) residual lot at 112 acres. The applicant had one year to get the final plat approved.

While working through the site engineering to get to final plat approval it was discovered that the lots needed to be reconfigured to meet site distance standards for access and roadway design. As such, the applicant formally requested an extension to complete the final plat phase. Since there have been modifications to the originally approved Rural Land Plan, we are bringing the proposed changes back to the Board of County Commissioners for review and approval.

The reconfiguration includes 10 lots in the same general location of the originally approved 10 lots. The newly configured residential lots will range in size from 5.01-5.79-acres. There will be two residual lots totaling approximately 114.5-acres in size slightly exceeding the two-thirds or 67% requirement. The residual lots will be protected by a covenant for a minimum of 40-years, as required under the Rural Land Use Process. The proposed density of the Red Tail Estates RLP remains the same, with one unit per 17.5-acres. This density was originally approved and found to be compatible with the surrounding area.

As noted above, the property is zoned O-Open, and RR2- Residential (formerly FA1-Farming) and is a reclaimed mining site that is currently used as dry land grazing. There is a Poudre Valley REA substation site on the property as well as an existing Larimer County trail and trail head easement granted by a previous owner several years ago. This trailhead easement is intended to connect to the Redtail Ridge Open Space area. The applicant has been working with the Open Lands staff on the details of the trail and trailhead easements.

This property is currently accessed from County Road 4 and Parrish Road. In the original approval there were three new driveways proposed off County Road 4. The new configuration will not require any new driveways off County Road 4. Access will be taken from an internal road from Parrish Road and Lucky Lane. Additional right-of-way for County Road 4 will still be dedicated with the final plat.

The existing property is served by a well and public water and an on-site septic system. Public water for the new lots will be provided by a combination of Little Thompson Water District taps and an existing well and the addition of one new well. All the new lots will utilize on-site septic systems. Electricity will be provided by Poudre Valley REA, and gas would be through delivered propane.

REVIEW CRITERIA:

This application has been reviewed and found to meet the criteria set forth in the Larimer County Land Use Code. Except as expressly modified by the approved conditions for this project, this development must comply with Section 5.8—Rural Land Use Process, the Road Naming and Site Addressing System Resolution, Section 8.8—Irrigation Facilities, Section 8.10—Management/Use Plans, and Section 4 –Zoning.

Engineering has reviewed the proposed changes to lot layout to address access issues. The appropriate fees will be collected at the time of final plat and building permit issuance as applicable to meet the requirements in Section 9.0—Land Dedications, Fees-in-Lieu of Dedications, Facility Fees and Capital Expansion Fees. The fees that will be collected on this project are park fees, school fees, drainage fees, and Transportation Capital Expansion fees. Other fees that will be collected are Rural Land Use Process fees in effect at the time of building permit issuance.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends that the Board of County Commissioners approve the modifications to the Red Tail Estates Rural Land Plan, File # 19-LAND3889, subject to the following conditions which must be met prior to approval of final plat by the Board of County Commissioners:

1. The final plat shall be consistent with the approved changes to the preliminary plan and with the information contained in the Red Tail Estates Rural Land Plan (File # 19-LAND3889) 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 Red Tail Estates Rural Land Plan.
2. Public water will be provided for this project. A letter of commitment from the water provider must be provided prior to final plat approval. This letter of commitment must specifically state that the water distribution system is (or will be) designed to meet the normal and minimum pressure design standards contained in Section 8.1.2.A.1 of the Land Use Code or more stringent standards as required by the district. If the water system will be designed to provide fire protection, the letter of commitment also must address the pressure and delivery standards outlined in Section 8.1.4 of the Land Use Code.
3. Little Thompson Water District will also need to acknowledge that they do not oppose wells.
4. All roads and drainage shall be in accordance with Section 5.8.6.D of the Rural Land Use Process. The drainage review must include information about the effects of the proposal on existing drainage patterns and address concerns about future site grading and/or storage pond/s plans that might impact the on-site septic systems and outlines plans for mitigation of such effects. Before final approval, all designs must be prepared, stamped, and certified by a qualified professional engineer licensed in the State of Colorado that design standards in 5.8.6.D were followed.
5. The applicant must obtain an access permit for any new access points and/or any existing access points that have a change in use from the Larimer County Access Coordinator prior to commencing any construction on the project. The applicant and applicant's engineer must contact the Larimer County Access Coordinator to discuss access design requirements. The applicant shall comply with all such design requirements. The applicant's plans must be prepared and stamped by a qualified professional engineer licensed in the State of Colorado and certified that they meet the access design requirements.
6. The owners shall dedicate a 40-foot half section of right-of-way along Larimer County Road 4. This dedication shall be shown on the final plat.

7. Road names and addressing shall meet standards in the "Road Naming and Site Addressing System Resolution".

8. If fences and existing trees are currently located in the existing or newly dedicated right-of-way, the applicants shall enter into a binding fence removal agreement with the County which, at the request of the County, shall obligate the owners to remove, at their expense, the existing fences in the dedicated half section of right-of-way. No new fences, trees or buildings shall be allowed in the right-of-way; however, repair and maintenance of existing fences shall be allowed. The fence removal agreement shall be reviewed and approved by the County Attorney.

9. On-site septic systems for each lot will be required to meet the requirements of the Larimer County Health Department for the new lots.

10. Automatic fire protection sprinklers will be required for all new residential structures or another approved fire plan approved by the Berthoud Fire District or written permission to deviate from this requirement must be provided from the fire district.

11. The residual land management plan must be reviewed and approved by Development Services Team (DST) prior to final plat approval.

12. The residual land protective covenant and final development agreement must be reviewed and approved by the County Attorney and the DST prior to final plat approval.

13. Restrictive covenants (if any), including provisions for internal road maintenance, small acreage management, architectural guidelines, and other requirements must be reviewed and approved by the DST prior to final plat approval or at minimum, a Road Maintenance Agreement must be submitted and reviewed and approved by the County Attorney and DST prior to final plat approval.

14. A Lot Sale Prohibition shall be placed on this property preventing the sale of any new lots until the applicable improvements (i.e., legal access and public utilities, including but not limited to roads, water supply and electricity) have been completed and/or installed according to the project requirements. The lots cannot be sold, transferred, or conveyed unless and until Developer provides written designation stating the improvements have been completed for the lot proposed to be sold, transferred, or conveyed. The Lot Sale Prohibition will be recorded in the records of the Larimer County Clerk and Recorder and will be a covenant running with the Lots. Upon receipt of such written designation, County will provide to the Developers a release of the Lot Sale Prohibition for the particular lot(s) for which the improvements have been completed.

15. The following must be listed on a disclosure statement, approved by the County Attorney, available to lot buyers through the public records at the time of purchase:

a) The Red Tail Estates RLUP was approved by Larimer County under the County's Rural Land Use Process. This is an abbreviated review process and does not involve the higher scrutiny afforded projects developed under other County land division processes.

b) Passive radon mitigation measures shall be included in construction of structures designed for habitable space on these lots. The results of a radon detection test conducted in new dwellings once the structure is enclosed but prior to issuance of a certificate of occupancy shall be submitted to the

Building Department. As an alternative, a builder may present a prepaid receipt from a radon tester which specifies that a test will be done within 30 days. A permanent certificate of occupancy can be issued when the prepaid receipt is submitted.

c) Engineered footings and foundations may be required for new habitable construction. Please check with the Larimer County Building Department for requirements prior to submitting a building permit application.

d) Lot owners should be advised that there is a potential for nuisance conflicts from wildlife (such as skunks, mountain lions, bears, raccoons, foxes, coyotes, prairie dogs and snakes). The Colorado Parks and Wildlife can provide information to property owners about how to handle these situations, but lot owners are responsible for addressing wildlife conflicts if they arise.

e) Many other species of wildlife live in the area; some can be dangerous to humans and pets. It must be remembered that landowners will be living with wildlife. Species that may be found in the area are coyotes, mountain lions, bobcats, skunks, badgers, raccoons, deer, elk, hawks, owls and eagles.

f) During certain times of the year, mosquitoes may present a significant nuisance. Larimer County does not have a mosquito abatement program. Any mosquito abatement activity will be the responsibility of the homeowner; such activity must be according to applicable Federal, State and local rules and regulations.

g) Prairie dog colonies exist in the general area; prairie dogs can be a nuisance if they migrate to developed residential property. At times, these animals are implicated in the transmission of plague to people or their pets. It is important for residents to observe animal control requirements for dogs and cats.

h) Agricultural operations and farming practices on adjacent properties can produce odors, noise and dust. These are a normal part of agriculture and should be expected to occur. In addition, plowing, planting, cultivating, spraying, harvesting, and various livestock operations may be carried out at all times including nighttime.

i) If livestock will be kept on these lots, it will be important to carefully manage grazing to maintain grass cover in the pasture. Overgrazing will produce bare ground, weeds, erosion, and polluted runoff. Management of these lots should be coordinated with drainage and erosion control issues, siting of sanitation systems, fencing, and feeding.

j) Larimer County has adopted a Right to Farm Resolution.

k) The following fees shall be collected at building permit issuance for new single-family dwellings: Poudre school fees, Larimer County fees for County and Regional Transportation Capital Expansion, Larimer County Park Fees (in lieu of dedication), Drainage Fees, and Rural Land Use Process fees. The fee amount that is current at time of building permit application shall apply.

l) Larimer County shall not maintain roads or streets in this development. Maintenance of the streets shall be the responsibility of the property owners. Failure to maintain streets may result in a lien being placed on these lots.

m) The owners of the residual land parcels will be responsible for maintaining the residual land according to the restrictions listed in the management plan and for providing periodic monitoring report(s) to the County.

n) Lots in this Rural Land Plan are subject to the conditions and requirements of a Development Agreement. The Developer and Larimer County executed this agreement in consideration of the approval of this Development. This Agreement was recorded in the Larimer County Clerk and Recorder's office immediately after the plat. All purchasers should obtain and read the Development Agreement.

Jen Cram, Planning, gave an overview of the Red Tail Estates Rural Land Plan Modifications including location and the original proposal. While working through the site engineering to get to the final plat approval it was discovered that the lots needed to be reconfigured to meet the site distance standards for access and roadway design.

The Little Thompson Water District has committed to nine taps for nine lots. Ms. Cram mentioned that there are 15 conditions of approval and showed a PowerPoint slide of the original plan as well as the proposed plan.

Chair Kefalas asked Ms. Cram to explain to the public the Rural Land Use Process (RLUP). Ms. Cram explained that the RLUP provides landowners wishing to develop their land an alternative to creation of traditional 35-acre parcels, a use-by-right in Colorado for which there is a county review. It is intended to preserve the rural character of Larimer County.

Don Threewitt, Planner went over the process for notification as well as all applications are made public on the Larimer County website.

The applicant, Steve Hilde, thanked the planning staff and the department of natural resources for all their hard work. He explained that this project has gone before the Open Lands Advisory Board, had neighborhood meetings, and that the changes are required based on engineering. Colorado Parks and Wildlife did not have any concerns about the proposed modifications.

Chair Kefalas opened the hearing for public comment.

Dan Cathey explained that he has concerns about density of the actual home sites and believes that County Road 4 does not conform to county standards. Mr. Cathey also stated that he has concerns about water pressure and eagle nests.

John Bauman via zoom had some questions on how big the parking lot will be and how many parking spaces will it contain?

Chair Kefalas let Mr. Bauman know that his question will be address to the staff.

Mr. Hilde, applicant explained that the parking lot is approximately 2-acres, but he is not sure how many vehicles that will accommodate. Mr. Hilde spoke of the 5-acre lot density and that he has scaled it back drastically. He is complying with the 67% needs to be a residual lot and the project does meet that criterion.

Mr. Hilde did answer to the water issue and stated that he has a 2-inch tap and provided a water commitment letter which has been provided to the planning staff.

Jenn Cram stated that with regard to County Road 4, as part of the final plat there will be additional right-of-way that is dedicated for County Road 4 that will allow for future maintenance and improvements.

There were some questions for staff on eagle nests and water pressure and the preservation of land.

MOTION

Commissioner Stephens moved that the Board approve the application for Red Tail Estates Rural Land Plan Modifications, FILE NO 19-LAND3889 subject to the conditions in the staff report and based on the findings and comments presented and the evidence and testimony presented at the hearing.

Motion 3-0

PUBLIC HEARING DISCUSSION ITEM:

1. HOLIDAY TWIN SPECIAL EVENT SECOND APPEAL GNRL0511: This request is an appeal to Section 7.2.2., 7.2.3., and 7.2.4. of the Larimer County Land Use Code to allow the applicant to host more than three Special Events in a year, to host events that exceed 30-days in a 12-month period, and to allow more than one event per calendar month.

The applicants intend that live events subject to this request will occur on a Thursday through Sunday schedule with an 11 PM end time on Thursdays and Sundays, and a 12 AM end time on Fridays and Saturdays. Any other weekday events would not include live shows.

The applicants reiterate their intent to remain selective in the process and cultivate live shows that bring community together in a family-oriented environment. They also reiterate their prohibition on the Electronic Dance Music genre, which was the cause of several complaints in 2020. The daytime events are considered a core component of their business operation between 7am and 7pm, which would not be impacted by this request.

The drive-in movie use was established in 1979, prior to much of the surrounding residential development. Most residential uses in the vicinity were constructed between 1985-1995 and continuing through present. The adjacent residential owners have historically accepted the property's use as a theatre, with no noise complaints filed prior to last year.

The Holiday Twin is a non-conforming use and includes two parcels in County jurisdiction which are fully enclosed within the City of Fort Collins' jurisdiction (a 'county island'). Adjacent road access is provided by South Overland Trail, which is fully under the jurisdiction of the City of Fort Collins. Water and sewer are provided by the City of Fort Collins, and fire protection service is provided by Poudre Fire Authority.

COVID-19 restrictions throughout 2020 created unforeseen challenges to the scope and nature of live community events. At the same time, the production and distribution of commercially released

films—which are the basis for the applicants’ business, came to a halt. In response to artist demand, community desires, and in alignment with national trends, the Holiday Twin Drive-in began operating a modified group events facility. This included artist performances conducted via live and video feeds, with an audio broadcast through a limited-range FM signal to audience vehicle radios.

One recurring event which is included in this request includes a partnership with Fort Collins Musicians Association (FOCOMA) to produce weekly live shows featuring local musicians. In 2020, 60 different local bands performed in 21 local shows at this location. This helped to generate a revenue stream for artists who had no other performance opportunities.

However, the nature of a live performance use exhibits different impacts. Sustained audience noise, more frequent cheering and applause, audience loitering later than the performance, additional sound impacts due to audience amplification from car speakers (beyond what would normally be movie-viewing volume levels), and generally more active audience behavior have been reported through filed complaints and neighborhood feedback.

Separately, staff has been working with the applicants to solidify a permanent use approval in conjunction with a planned expansion of the concession stand and remedy of unpermitted improvements. A portion of the upcoming request includes results from the applicants’ engagement with Colorado State University to improve the overall sound landscape, design of natural sound absorption barriers, and additional sound monitoring.

In 2020, the applicants began utilizing the subject property to address an unprecedented community need and made efforts to mitigate the negative external impacts as they arose. In so doing, they learned which issues were concerning to the neighbors and took steps to permanently address them. Due to shifting public health restrictions, the initial maximum of 45 events has been voluntarily reduced to 25 of which 10 are daytime events. This reduction in number will yield a subsequent reduction in potential neighborhood impacts.

Upon compliance with the conditions of approval herein and the associated individual review of each event, staff finds that offsite impacts may be successfully mitigated, and the applicant may successfully host events consistent with the purpose and intent of Article 7.0 of the Land Use Code. If allowed to apply for the additional Special Events permits, the permits will be subject to review and conditions of approval that are consistent with input from the reviewer and referral agencies.

Additionally, the applicant seeks to file a permanent expansion of nonconformity which will specify permanent conditions and approvals for the overall operation. Approval of this appeal could allow them to demonstrate the feasibility of live events prior to a decision about limited, permanent events beyond traditional drive-in movie showings. Prior to requesting any permanent approval of live events at this site, the applicants continue to research best practices and monitor market demand in order to assess the need and impacts.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of this appeal for Special Event application limitations, File No.21-GNRL0511 subject to the following conditions:

1. The number of requests shall not exceed twenty-five individual events between May 31, 2021, and October 31, 2021. Event applications may group together identical, repeating events but each event counts toward the maximum of 25.
2. The applicant shall note planned deviations to the business' normal traffic movement or vehicle count in each Special Event application.
3. Event ticketing shall be conducted in advance of the event online, transactions shall be minimized one eliminated at the gate so as to minimize traffic stacking on South Overland Trail.
4. Normal traffic control protocols shall be approved by City of Fort Collins and Larimer County Engineering, with any event-specific deviations to be highlighted and specific traffic control plans presented in the Special Event application.
5. Noise levels shall be at or under 50 decibels at the property boundary for the duration of any Special Event.
6. Permanent, continuous noise monitoring equipment shall be installed by sound professionals at the fence-line of the property. Noise monitoring reports shall be made available to Larimer County staff upon request, and time-stamped data shall be submitted to staff in the event of a noise complaint.
7. If sound amplification is utilized for any Special Event, event staff shall continuously monitor fence-line equipment and adjust controllable output levels to ensure perimeter decibels do not exceed the maximum 50 decibel limit.
8. Hours of operation for Special Events shall be limited to 7 PM -11 PM on Sunday and Thursday; and 7 PM- 12 AM on Friday and Saturday.
9. Daytime events not subject to Special Event permits shall end on or before 7 PM. An event which is conducted continuously before 7 PM into the hours of operation above, with or without breaks, shall be considered a Special Event and subject to these conditions and an individually reviewed application.
10. Special Event lighting shall not exceed the limitations outlined in Larimer County Land Use Code or the Special Event application, whichever is more stringent. Event lighting shall not fall or project outside the property boundary at any time.
11. Non-compliance with one or more of these conditions may result in a revocation of existing and/or future Special Event Permits and may result in denial of future Special Event Permit applications.

Don Threewitt, Principle Planner, explained that this is an appeal to allow the applicant to host more than three Special Events in a year, to host events that exceed 30-days in a 12-month period, and to allow more than one event per calendar month. The original request included up to 45-events, ending as late as 10 p.m. Monday through Wednesday, 11 p.m. Sunday through Thursday and 12 a.m. Friday and Saturday. Many of the public comments received are based on the original request.

The applicants have submitted a revised request to include up to twenty-five (25) live events, ten of which will be daytime shows on Sundays. The applicants will restrict the live show events to Thursdays through Sundays.

Mr. Threewitt went over the ordinance concerning noise levels in Unincorporated Larimer County and gave a summary of the appeal criteria as well as staff findings and recommendations. Mr. Threewitt explained to the Commissioners that the available decision actions will be to approve the appeal subject to existing conditions, approve with amended conditions or deny the appeal.

The Commissioners did have some questions for staff on the number of Special Events per month that will be allowed between May 31, 2021, through October 31, 2021, and to clarify as the original request was for 45 events and now the applicant is asking for up to 25.

Mr. Threewitt stated that staff advised the applicant to ask for the maximum number of events which could be booked at the Holiday Twin Drive-In. In May, the applicant reached out to staff wanting to reduce the request to 25 Special Events. There are currently only eleven or twelve booked at this time.

The Chair invited the applicants to address the Board and staff.

Josh Cisar, applicant explained to the Commissioners the types of events that were held at the drive-in in 2020 in response to the pandemic including 22 nighttime shows as all movies had been moved off the calendar.

Mr. Cisar did have the health department come out to the visit and measure sound pressure levels during one of the live events after several complaints from the neighboring community. This year they are also working with Colorado State University's health consultation program to further understand sound dynamics. They are looking at moving to a PA system instead of having cars tune in via their radios which will help in noise reduction.

Mr. Cisar also spoke about lighting, and that they would no longer be having laser shows, which he received many neighboring complaints about. He spoke about the amount of events they would like to have and that most of the events that are booked are daytime events as well as they have moved to online only tickets which will help with slowing traffic.

Mr. Cisar introduced his mother, Stephanie Webb, the owner of Holiday Twin Drive-In. She has owned the drive-in since 1979 and is the sole income of her family. It is now the only drive-in in Colorado. In order for them to remain in business they need the opportunity to have Special Events as the venue has the space.

The Commissioners did have questions on the sound pressure monitoring devices and decibel levels and there was discussion on the end times of the events.

Chair Kefalas opened the hearing for public comment mentioning they did receive several emails on this issue. Some concerns were about the original request for the 45 Special Events and concerns about property values, disrupting sleep loud music and feeling like they live next to a concert venue.

The following members of the public addressed the Board: Carolina Banuelos, Kelly Reasoner, Stephanie Neid (Zoom). Their collective concerns are noise pollution, number of events, and the honking and yelling of the crowds. They believe more noise data needs to be presented and be limited to the number of events. They are also concerned about serving alcohol and are there limitations. They would like to see the cutoff times be reduced.

The applicants addressed some of comments brought forth by the public. They are working with CSU with sound studies as well as looking to use hay bales to mitigate noise levels. The applicants stated they do not want to upset neighbors and are willing to do whatever they can to let their audience know about keeping the human noise to a minimum, but some human noise is out of their control.

The Commissioners had questions about the late-night hours. Mr. Cisar explained that the projector cannot run until the after sunset because the screen will not be visible.

The Commissioners did have questions of staff on registering of sounds and sound ordinance including maximum noise levels and compliance.

Mr. Threewitt stated that if this is approved, each Special Event is a separate approval. This approval would give them permission of up to 25 Special Events this year and each one must comply with the conditions of approval.

Commissioner Stephens would like additional conditions stating that the Special Events need to be limited to 11 pm on Friday and Saturdays and adding a sound buffer to make allowances for the noise levels in troublesome areas.

M O T I O N

Commissioner Stephens moved that the Board approve the Holiday Twin Special Event Second Appeal subject to the conditions in the staff report and based on the findings and comments and evidence and testimony presented at the hearing.

Motion carried 3-0

With there being no further business, the Board adjourned at 5:40 p.m.

MONDAY JUNE 14, 2021

LAND USE HEARING

The Board of County Commissioners met at 6:30 p.m., with Jake Wilson, Engineering Department. Chair Kefalas presided, Commissioner Stephens and Commissioner Shadduck-McNally were present. Also, present were Clint Jones and Kathy Bohn, Engineering Department, Elizabeth Kimball, Clerk's Office and Deirdre O'Neill, Deputy Clerk.

Mr. Wilson briefly went over how Public Improvement Plans (PID) work and are operated. Mr. Wilson noted that PIDs are formed to make public improvements through an increase in the mill levy tax. Improvements may consist of providing fire protection services or for the purpose of installing or acquiring any public improvement. These improvements include, but not limited to, fire protection facilities, grading, paving, curbing, guttering, or otherwise improving the whole or any part of any

street or alley, parking and off-street facilities, sewer drainage collection systems, storm sewer drainage systems, and surface drainage systems. He also outlined the county's role in the process. Once the application is file, the Engineering department staff prepares a plan for improvements and a petition requesting that the district be formed.

The plan and cost estimates are then incorporated as part of a petition asking that a district be formed at an election. The petition is signed by neighbors in the district who are in favor of the PID going to election.

Upon receipt of a valid petition with at least 30% signing in favor, a public hearing is held with the Board of County Commissioners and the public is invited to make comments about the proposed district. If a majority of the property owners vote in favor of the proposed district, the district is formed.

1. Public Hearing for Larimer County Eagle Crest Public Improvement District No. 74: Eagle Crest is located approximately one and a half miles south of Loveland on the east side of Highway 287. The property owners in this subdivision contacted Larimer County about ways to generate additional funds to pay for road improvements.

There are 28 lots in the proposed district with 57 possible elector signatures. 78.95% (45 possible electors) signed the petition in favor of the formation of the proposed improvement district.

Mill Levy: A mill levy of 52.367 will generate approximately \$65,000 per year. This is an average of \$2,321 per lot.

Clint Jones, Engineering gave a brief overview of the Eagle Crest proposed public district. The roads are 25-years old, and they do not receive Larimer County surface maintenance and have never received an asphalt overlay. Mr. Joes went over the cost per property owner.

Public Comment: The following homeowners spoke in favor of the district: Gary Neuschwanger, Kevin Johnson, and Renee Ginard. Ms. Ginard stated that the consensus from the neighborhood is that most are in favor.

Chair Kefalas closed public comment.

MOTION

Commissioner Shadduck-McNally moved to approve the petition for the organization of Larimer County Eagle Crest District No 74.

Motion carried 3-0

2. Public Hearing for Larimer County Harvest Heights Public Improvement District No 72: Harvest Heights is located west of Berthoud on the east side of County Road 23 just north of CR 8. The property owners in this subdivision contacted Larimer County about ways to generate funds to pay for road improvements.

There are 15 lots in the proposed district with 27 possible elector signatures. 66.67% (18 possible electors) signed the petition in favor of the formation of the proposed improvement district. Out of the 15 lots 14 of them are taxable.

Mill Levy: A mill levy of 74.096 would generate approximately \$52,500 per year. This is an average of \$3,750 per lot.

Kath Bohn, Engineering, gave a brief presentation on proposed PID Harvest Heights. The roads are 17-years old, and the HOA has paid for routine surface maintenance. They do not receive Larimer County surface maintenance and there are no curbs, gutters, or sidewalks. There are 14-taxable properties and Miss Bohn explained the average cost per homeowner. Staff has received one written comment in favor of the district.

Public Comment: Greg Larrew spoke via chat in opposition. Jeff Pream, Jordan Austin, Glen Devoe and Julie Pream all spoke in favor of the district. Ms. Pream is on the HOA Board and stated that 2/3 of the neighborhood are in favor.

Chair Kefalas closed public comment.

The Commissioners did have some questions for staff based on some of the comments about assessed values, which would be handled by the Assessor's office and on educating the public on those areas that do not receive county road maintenance and that is part of the Comprehensive Plan. Staff did respond to one of the questions explained that snow removal would be included.

Commissioner Shadduck-McNally had a question for staff on procuring contracts for snow removal.

MOTION

Commissioner Stephens moved that the Board approve the resolution approving petition for the organization of Larimer County Harvest Heights Public Improvement District No. 76.

Motion carried 3-0

3. Public Hearing for Larimer County Auburn Estates Public Improvement Districts No. 76: Auburn Estates is located east of Interstate 25 and north of Mulberry on the west side of County Road 3. The property owners in this subdivision contacted Larimer County about ways to generate additional funds to pay for road improvements.

There are 27 lots in the proposed district with 55 possible elector signatures. 36.36% (20 possible electors) signed the petition in favor of the formation of the proposed improvement district.

Mill Levy: A mill levy of 29.986 will generate approximately \$42,000 per year. This is an average of \$1,556 per lot.

Clint Jones gave a brief presentation on the Auburn Estates proposed PID. The roads are 14-years old and are in good condition. They do not receive Larimer County surface maintenance. He went over the average cost per homeowner and actual values of the properties.

Public Comment: Staff has received 12 written comments from property owners in the proposed district in advance of the hearing that were evenly split for and against.

Chair Kefalas opened the hearing for public comment.

The following homeowners spoke in favor: Glena Colton, Harry Turtle, Rodney Mckenrick.

The following spoke in opposition: Steve Hoven, Maxine Weaver, and Bill Rahmeyer.

Robert Moore, Homeowners Association, stated he will not advocate either way and that there are strong opinions on both sides.

Chair Kefalas closed public comment.

The Commissioners encouraged the owners to connect with their leadership to decide and invest in their infrastructure.

Commissioner Shadduck-McNally stated that she would be in support and Chair Kefalas and Commissioner Stephens believed it is not ready to be put on the ballot until more support is received.

MOTION

Commissioner Shadduck-McNally moved that the Board approve the resolution approving the petition for the organization of Larimer County Eagle Crest Public Improvement District No 74.

Motion failed 1-2, Chair Kefalas and Commissioner Stephens dissenting.

The hearing adjourned at 8:30 p.m.

TUESDAY, JUNE 15, 2021

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with Linda Hoffmann, County Manager. Chair Kefalas presided. Commissioner Stephens and Commissioner Shadduck-McNally were present. Also, present were Michelle Bird, Public Affairs Director, Elizabeth Kimball, Clerk's Office and Deirdre O'Neill, Deputy Clerk.

1. **PUBLIC COMMENT:** The following members of the public addressed the Board: Doug Henderson, Dr. Corey Carroll, Von Bortz-via phone, Vicky McLane, Tom Rhoades, Tim Gosar, Ed Behan, Karen speed, Josh Joswick-via phone- all spoke about Oil and Gas Regulations. Andy Ayers and Lyn Sedar spoke about Wedding Venue on Bingham Hill.

2. **APPROVAL OF THE MINUTES FOR THE WEEKS OF MAY 31, 2021, AND JUNE 7, 2021.**

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the minutes for the weeks of May 31, 2021, and June 7, 2021.

Motion carried 3-0

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF JUNE 21, 2021: Ms. Bird reviewed the upcoming schedule with the Board.

4. CONSENT AGENDA:

ABATEMENTS: Recommended Denial of Petition for Abatement or Refund of Taxes: Remington Annex, LLC, R1654886; Recommended Denial of Petition for Abatement or Refund of Taxes: Prenzlöw Enterprises II, LLC, R1530739.

AGREEMENTS:

- 1. PROFESSIONAL SERVICES AGREEMENT (LARIMER COUNTY BROADBAND STRATEGIC PLAN)**
- 2. AMENDMENT TWO TO THE CONTRACT BETWEEN LARIMER COUNTY DEPARTMENT OF HUMAN SERVICES AND A LITTLE HELP**
- 3. RECOMMENDED MID-TERM APPOINTMENT TO THE LARIMER EMERGENCY TELEPHONE AUTHORITY**
- 4. RECOMMENDED APPOINTMENT TO THE WORKFORCE DEVELOPMENT BOARD**

LIQUOR LICENSES: The following liquor licenses were approved/issued: Whitaker Oil Inc, Loveland Country Store-Fermented Malt Beverage Off Premise-Loveland; Special Event Liquor License Permit-AlterMed Flow @NOCO Islands AlterMed Research Foundation- Special Event 6%-Fort Collins; Horsetooth Store and Gas LLC, Horsetooth Store and Gas-Fermented Malt Beverage Off Premise-Fort Collins.

RESOLUTION:

- 1. RESOLUTION PROVIDING FOR THE APPOINTMENT OF INDEPENDENT REFEREES TO CONDUCT HEARINGS ON BEHALF OF THE LARIMER COUNTY BOARD OF EQUILIZATION**
- 2. RESOLUTION ADOPTING AMENDMENTS TO THE LARIMER COUNTY LAND USE CODE**
- 3. RESOLUTION FOR STATUTORY VESTED RIGHTS FOR THE DONALDSON RLUP, FILE 18-LAND3780**
- 4. RESOLUTION ORDERING A PUBLIC HEARING TO CONSIDER PETITIONS FOR CARTER**

5. RESOLUTION OPPOSING THE PROPOSED COLORADO STATE BALLOT INITIATIVE 2021-2022 #16 "PROTECT ANIMALS FROM UNNECESSARY SUFFERING AND EXPLOITATION" (PAUSE AC.

MISCELLANEOUS: Department of Human Services Payments for April 2021; Stipulation as to Tax Year 2019 Value; Final Plat of the Donaldson RLUP 18-LAND3780; Request for Approval to Enter Upon Lands for Weed Mitigation-Antoine Smith; Request for Approval to Enter Upon Lands for Weed Mitigation-Judy Stencil; Larimer County Environmental and Science Advisory Board Bylaws; Easement for Behavioral Health Facility.

MOTION

Commissioner Stephens moved to approve the Consent Agenda for Tuesday, June 15, 2021.

Motion carried 3-0.

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

6. PROCLAMATION DECLARING JUNE 15, 2021, WORLD ELDER ABUSE AWARENESS DAY IN LARIMER COUNTY: Lori Metz, Human Services office on Aging, spoke about encouraging residents to join us in the engaging and empowering movement to put an end to elder abuse, and to recognize and celebrate older adults and their ongoing contributions to the success and vitality of our community.

Commissioner Shadduck-McNally read the proclamation marking 2021 as the fifth annual World Abuse Awareness Day stating that as our population lives longer, we are presented with an opportunity to think about our collective needs and future as a nation. Preventing abuse of older adults through maintaining and improving social supports like senior centers, human services and transportation will allow everyone to continue to live as independently as possible and contribute to the life and vibrancy of our communities.

The Commissioners and County Manager Linda Hoffmann each thanked Lori and her team for shining a light on this issue and thanked the Long-Term Care Ombudsman program stating they work to protect the rights of residents of assisted living residences and nursing facilities.

MOTION

Commissioner Shadduck-McNally moved to proclaim June 15, 2021, World Elder Abuse Awareness Day in Larimer County.

Motion carried 3-0.

7. PROCLAMATION HONORING FIREFIGHTERS, FIRST RESPONDERS AND SUPPORT PERSONNEL FOR THEIR HEROIC RESPONSE TO THE HISTORIC 2020 CAMERON PEAK AND EAST TROUBLESOME FIRES: Chair Kefalas stated that the purpose of this proclamation is to recognize and honor service to our community by Wildland Firefighters especially during major events and to acknowledge their extraordinary work. The county

recognized their bravery of all the volunteers and professionals who perform this critical work. The Chair spoke about the Annual Larimer Fire Agency Grant Program that was started in 2018 to protect public safety and welfare of our community and to enhance capabilities which will reduce the likelihood of fire fighting responsibility being delegated to the Sheriff's office and requiring county funding.

Chair Kefalas invited Justin Whitesell, Emergency Operations Director with the Larimer County Sheriff's office to give a brief statement.

Mr. Whitesell spoke of the round-the-clock efforts of over 1,000 personnel, including regional firefighters and law enforcement officers, US Forest Service personnel, National Guard volunteers in preventing further damage and protecting lives, property and infrastructure.

Mr. Whitesell stated that resources were spread thin and having deputies and other personnel help saving homes was significant. He spoke of new training to help combat wildlife fires and also mentioned the heat wave we are currently under and expects to see fires soon. He thanked the Commissioners for the recognition for his team.

Commissioner Stephens read the proclamation explaining that the Cameron Peak fire started near Chambers Lake, Colorado on August 13, 2020, and burned an area of 208,913 acres (over 326-square miles) and became the largest recorded wildfire in Colorado History, surpassing the Pine Gulch Fire, which had set the mark just seven weeks prior. The Cameron Peak fire destroyed a total of 492 structures, including 237 residential structures.

The East Troublesome fire, the second largest recorded wildfire in Colorado History started on October 14, 2020 and burned a total of 193,812-acres in Grand and Larimer counties. The East Troublesome fire destroyed 366 residential structures and 214 secondary structures in Grand County and claimed two lives before it was declared contained.

Each of the Commissioners and County Manager Hoffmann spoke about the heroic efforts of everyone involved and expressed their gratitude and sacrifice of all who helped during this historic time in Colorado under unmanageable conditions.

MOTION

Commissioner Stephens moved to proclaim and honor firefighters, first responders, and support personnel for their heroic response to the historic 2020 Cameron Peak and East Troublesome Fires.

Motion carried 3-0

The Board took a brief recess for a photo.

The Board returned to session.

8. **COVID-19 UPDATES AND DECISIONS:** Tom Gonzales, Public Health Director, let the Commissioners know that Larimer County is one of very few counties in Colorado in the green level on the dashboard dial. He thanked everyone for their continued efforts in keeping our Covid-19

numbers down and knows of the many sacrifices the public has made. He invited Sergio Torres, Health Equity Coordinator and Dr. Jared Olson, Epidemiologist to speak to the Board.

Mr. Torres spoke about vaccination efforts within the county and the importance of equitable access to the vaccine. Mr. Torres stated that the Health Department has partnered with community leaders, businesses, agencies, and vaccine providers to support and coordinate efforts and mentioned some of the partners by name.

Mr. Torres explained that there are a variety of clinics in key locations, with varying hours of operations as well as bilingual support and he did address the hesitancy among certain community members. The Health Department has ground outreach and education about the vaccines and the web page is in Spanish and English for information, updates, and resources.

Dr. Jared Olson spoke about metrics and the Delta variant which was originally recognized in India and represents a 40-60% increase in transmissibility. He encourages everyone to get vaccinated. Businesses can request Mobile Vaccination clinics for onsite vaccinations for their staff. There were several slides presented to the Board on Vaccination by Race and Ethnicity.

Mr. Gonzales presented slides showing the number of doses that have been given with at least one dose and those fully vaccinated. There are currently 180,389 residents that have received both doses. We are very close to the "Drive to 65". We are currently at 64% percent and would like to surpass this. The Health Department is working with the school districts to get those 12 and older vaccinated.

Mr. Gonzales announced this week's clinics as well as provided the phone number and email for those who have questions or concerns about the vaccines.

The Commissioners thanked everyone for the update and their continued efforts in getting information to the public on vaccinations.

Shayle Sabo, Pandemic Recovery Manager and Ricardo Perez Communications Recovery, gave the Board updates on root cause analysis and looking at key community issues, processes, and framework. The Larimer Recovery Collaborative is a group of Northern Colorado leaders from many sectors and municipalities in Larimer County who are working together to find short and long-term recovery solutions in the wake of 2020 pandemic and wildfires. The Collaborative is a group of numerous task forces with specific focus areas and goals.

Mr. Perez spoke about resources that can be found at larimerrecovers.org. They are asking the community for feedback. Resilience begins at the community level. It is difficult to ensure that the recovery actions we take are truly beneficial for the community without this input. He is reaching out to houses of worship as well to communicate with parishioners.

The Commissioners thanked them for their hard work.

County Manager Hoffmann asked the Commissioners if we need to continue weekly updates on COVID-19 as a standing update each week.

The Commissioners agreed we do not need the COVID-19 updates as a weekly item.

9. **UPDATE ON THE BEHAVIORAL HEALTH FACILITY NAMING/BRANDING PROJECT:** Laurie Stolen, Director of Behavioral Health Services provided an update on the Behavioral Health Facility naming/branding project. They are looking at community engagement interviews and survey questionnaires. They conducted a 28-question online survey and promoted it through various channels in both English and Spanish. There were some core questions that will be presented to the Commissioner that they can review including why the facility is important, what does success look like and the biggest challenges. Laurie explained the next steps which will be coming back before the Commissioners in approximately 6-8 weeks for phase two. They will be bringing recommendations for a brand purpose, vision, and mission for the new facility.

The Commissioners thanked Miss Stolen for her tireless efforts.

10. **COUNTY MANAGER UPDATE:** Ms. Hoffmann passed on updating the Board on this week's coordination meetings and upcoming projects and activities due to time constraints.

11. **COMMISSIONER ACTIVITY REPORTS:** The Board detailed their attendance at events during the previous week but kept it brief due to time constraints.

12. **EXECUTIVE SESSION:** Executive Session pursuant to C.R.S. 24-6-402(4)(b): discussion with attorneys about legal matters related to provisions of oil and gas code draft and case law including *Knick v. Township of Scott*.

MOTION

Commissioner Stephens moved that the Board enter into Executive Session pursuant to C.R.S. 24-6-402(4)(b): discussion with attorneys about legal matters related to provisions of oil and gas code draft and case law including *Knick v. Township of Scott*.

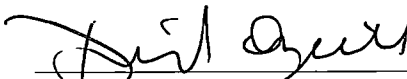
Motion carried 3-0

With there being no further business, the Board adjourned at 11:35 a.m.


JOHN KEFALAS
BOARD OF COUNTY COMMISSIONERS

ANGELA MYERS
CLERK AND RECORDER

ATTEST:


Deirdre O'Neill, Deputy Clerk

