



MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, JULY 7, 2025

LAND USE HEARING

There was no Land Use Hearing for the week of July 7, 2025.

PUBLIC IMPROVEMENT DISTRICT HEARING

The Board of County Commissioners met at 6:00pm with Katie Beilby, Business Operations Manager for Engineering. Chair Stephens presided. Commissioner Shaddock-McNally and Commissioner Kefalas were present. Also present were Amy Nguyen, Engineering; Todd Juergens, Road and Bridge Director; Justin Hersh, Road and Bridge Assistant Director; Mark Peterson, County Engineer; Lesli Ellis, Community Planning, Infrastructure, and Resources Director; Frank Haug, Assistant County Attorney; and Lindsey Jones, Deputy Clerk.

Chair Stephens opened the meeting with the Pledge of Allegiance.

STAFF PRESENTATION:

Ms. Beilby gave a presentation explaining the history of Public Improvement Districts (PID), what a PID is, how PIDs are created, and what their purpose is. Ms. Bielby also explained Larimer County's role in overseeing PIDs and why neighborhoods choose to use PIDs for road maintenance. The purpose of this hearing is for the Board of County Commissioners to decide whether to forward the three proposed PIDs onto the November ballot. During the November election, voters that own property or live within the proposed district boundaries will vote, and the outcome will be determined by a simple majority.

Ms. Bielby addressed some frequently asked questions that are received regarding PIDs, which include questions about why assessed values are used, what the County's role does and does not include, and what will happen next if the PID is approved during the November election.

PUBLIC IMPROVEMENT DISTRICT DISCUSSION ITEMS:

1. LARIMER COUNTY THUNDER MOUNTAIN PUBLIC IMPROVEMENT DISTRICT NO. 76: Ms. Beilby explained that a Public Improvement District (PID) application for Thunder Mountain was submitted in the winter of 2024. A petition in favor of the formation of the proposed PID was signed by 72.60% of the electors in the neighborhood. A notice was mailed to all properties about the Board of County Commissioners hearing including instructions on how to submit written comments and how to attend the hearing. Legal notices were also published in the newspaper.

Amy Nguyen presented background information about the Thunder Mountain Public Improvement District No. 76. This neighborhood is located at the south end of Tunnel Road, 3.2 miles south of Highway 36 and southwest of Estes Park. There are 44 lots in the neighborhood with an average property value of \$1,211,584.09. Ms. Nguyen discussed the anticipated maintenance needs in this proposed PID. The age of the roads and the need to save for significant maintenance activities will result in high costs per lot for the first four years of the PID.

Mill Levy: A mill levy of 37.282 will generate approximately \$142,000 in the first year. This is an average of \$3,227 per lot in the first year. The PID can reduce collection to \$69,500 in 2029 to save for the cost of ongoing road maintenance.

The Board asked if the road outside of the neighborhood entrance is a state road or a county road. The Board asked for clarification about the anticipated cost. The Board also asked about the map of the neighborhood that shows the neighborhood being split into two separate pieces.

PUBLIC COMMENT: Chair Stephens opened public comment.

The following members of the public spoke in favor of the creation of the PID: Loren Shriver, Mike Elgin, Robert Wegner, and Judy Brannon. Commenters stated that roads in the neighborhood are 35-40 years old, and patching is not solving the problem anymore. This is a small neighborhood and none of the property owners are experts on asphalt or engineering. The neighbors have struggled to make contact and negotiate with contractors, and they are hoping that the County will be able to achieve better results on their behalf. If the PID is not approved, this neighborhood will still be dealing with poor road conditions, and ultimately, they will still have to pay for the cost of the repairs. Paying directly to the County with their taxes will simplify the entire process.

Tim Orel expressed concern about which roads would specifically be included in the maintenance as it seems like the short stretch of road in front of his property will no longer be included since it is considered a private road. Mr. Orel would be in favor if all roads are included in the PID, but not in favor if his road is not included.

Chair Stephens closed public comment.

The Board asked staff about Mr. Orel's comments. Ms. Beilby responded that the road that was mentioned was not included in the petition because it is not considered a public road. Mark Peterson, County Engineer, clarified that the road does not meet the standards to be considered a public road. Mr. Peterson also confirmed that because this road is not in the public right-of-way, it is not eligible to be included in the PID.

DELIBERATION:

The Board asked Ms. Beilby to show the slide that outlined the criteria that can be considered before making a motion. The Board deliberated and thanked all of the neighbors for coming to the hearing to voice their opinions. The Board commented that all of the criteria have been met and that they would be in favor of approving the petition and adding the PID to the November ballot.

RESOLUTIONS

1. **RESOLUTION APPROVING THE PETITION FOR THE ORGANIZATION OF LARIMER COUNTY THUNDER MOUNTAIN PUBLIC IMPROVEMENT DISTRICT NO. 76**
2. **RESOLUTION CALLING AN ELECTION REGARDING LARIMER COUNTY THUNDER MOUNTAIN PUBLIC IMPROVEMENT DISTRICT NO. 76**

MOTION

Commissioner Shaddock-McNally moved that the Board of County Commissioners approve the Resolution Approving the Petition and the Resolution Calling for an Election for Thunder Mountain Public Improvement District No. 76.

Motion carried 3-0.

2. **LARIMER COUNTY NEDRAH ACRES PUBLIC IMPROVEMENT DISTRICT NO. 77:** Ms. Beilby explained that a Public Improvement District (PID) application was submitted in the spring of 2024. A petition in favor of the proposed PID was signed by 33.33% of the electors in the neighborhood. A notice was mailed to all properties about the Board of County Commissioners hearing including instructions on how to submit written comments and how to attend the hearing. Legal notices were also published in the newspaper.

Amy Nguyen presented background information about the Nedrah Acres Public Improvement District No. 77. This neighborhood is located on the south side of Country Club Road between Lemay Avenue and Turnberry Road, to the south of Long Pond and northeast of Fort Collins. There are 74 properties in the neighborhood with a range of property values between \$594,000 - \$1,219,200.00. Ms. Nguyen discussed the anticipated maintenance needs in this proposed district. The age of the roads and the need to save for significant maintenance activities will result in high costs per lot for the first four years of the PID.

Mill Levy: A mill levy of 34.734 will generate approximately \$142,000 in the first year. This is an average of \$1,919 per lot. The PID can reduce collection to \$88,000 in 2032 to save for ongoing road maintenance.

The Board asked about the unusual shape of the proposed PID boundary and why some lots appear to be excluded. The Board also asked if this subdivision is located in a Growth Management Area. If the neighborhood were to be annexed into the City of Fort Collins in the future, the Board wanted to know if the PID would be dissolved and what would happen to any paid funds. Ms. Beilby responded that although this neighborhood is in a Growth Management Area, she is not aware of any plans to annex it to the City of Fort Collins. If that were to happen, the PID would be dissolved, and any remaining funds would be allocated or refunded to current property owners.

PUBLIC COMMENT: Chair Stephens opened public comment.

The following members of the public spoke in favor of the creation of the PID: Paul Ashby, John Hasler, Marilyn Smith, Donald Dick, and Bill Renz. Commenters noted that there was a relatively low

response rate to the petition because many neighbors did not answer their doors. The cost for residents on fixed incomes is significant and may be a concern for some neighbors, but the benefit of repairing the roads for both safety reasons and property values is worth the cost. Several commenters noted that the longer the neighborhood waits to repair the roads, the worse the damage will become and the more costly the repairs will be. Roads in the neighborhood are very old and have a failing base. Creating a PID is the best way to address the issue before it gets worse.

One commenter noted that some neighbors do not encounter the most badly damaged roads and do not feel that they should have to pay for other neighbors' roads to be repaired. However, those neighbors are not considering the damage that is done throughout the neighborhood by guests, garbage trucks, snowplows, and other visitors.

Mr. Dick raised some concerns regarding why garbage trucks are not held accountable to road damages and how quickly trucks could damage fresh asphalt after work begins.

Chair Stephens closed public comment.

The Board asked how costs can disproportionately affect residents who are on fixed incomes and may not be able to pay the full amount, and whether installment payments would be allowed. Ms. Beilby responded that there is a third party escrow program that can be paid into monthly instead of bi-annually. The Treasurer's Office can provide more information to those with interest in this program.

The Board asked Todd Juergens, Road and Bridge Director, to address Mr. Dick's questions about potential damage to fresh asphalt. Mr. Juergens responded with some of the technicalities of asphalt paving and how pavement is designed. The roads in Nedrah Acres are 60 years old, and most pavements are designed with a 20-year lifespan. Mr. Juergens would not be concerned about structural damage to asphalt right after it cools.

DELIBERATION:

The Board encouraged concerned neighbors to contact their garbage provider regarding damage to the roads.

The Board stated that the criteria have been met and that they would be in support of signing the resolutions to approve the petition and to forward the proposed PID to the November ballot. The cost does not appear to be excessive, and the need for repairs is significant.

RESOLUTIONS

1. **RESOLUTION APPROVING THE PETITION FOR THE ORGANIZATION OF LARIMER COUNTY NEDRAH ACRES PUBLIC IMPROVEMENT DISTRICT NO. 77**
2. **RESOLUTION CALLING AN ELECTION REGARDING LARIMER COUNTY NEDRAH ACRES PUBLIC IMPROVEMENT DISTRICT NO. 77**

MOTION

Commissioner Kefalas moved that the Board of County Commissioners approve the Resolution Approving the Petition and the Resolution Calling for an Election for Nedrah Acres Public Improvement District No. 77.

Motion carried 3-0.

3. LARIMER COUNTY ROLLING HILLS ESTATES PUBLIC IMPROVEMENT DISTRICT NO. 78: Ms. Beilby explained that a Public Improvement District (PID) application was submitted in the spring of 2024. A petition in favor of the proposed PID was signed by 41.03% of the electors in the neighborhood. A notice was mailed to all properties about the Board of County Commissioners hearing including instructions on how to submit written comments and how to attend the hearing. Legal notices were also published in the newspaper.

Amy Nguyen presented background information about the Rolling Hills Estates Public Improvement District No. 78. This neighborhood is located on the north side of County Road 54G in Laporte. There are 71 properties in the neighborhood with an average property value of \$695,550.00. This neighborhood is unique in that it has gravel roads rather than paved roads. Ms. Nguyen discussed the anticipated maintenance needs in this proposed district. The age of the roads and the need to save for significant maintenance activities will result in higher costs for the first several years of the PID.

Mill Levy: A mill levy of 43.955 will generate approximately \$140,000 in the first year. This is an average of \$1,972 per lot. The PID can reduce collection over the course of four years to \$15,500 in 2030 and thereafter to save for ongoing road maintenance.

The Board asked if all the roads in the neighborhood are as they appeared in the presented photos. Ms. Nguyen responded that the roads are primarily gravel.

PUBLIC COMMENT: Chair Stephens opened public comment.

The following members of the public spoke in favor of the creation of the PID: Robert Fetsch, Pat Shafroth, Debbie Hayhow, and Lisa Hempel. Commenters requested that the Board add this PID to the election so that everyone can cast their vote. Over the last 10 years, the roads have changed significantly. There is so much deferred maintenance, and current taxes will not cover the extent of the repairs needed. Culverts are clogged and drainage is bad, and there is basically no road base. Options for addressing the issue are a PID, creating a homeowner's association, or localized work done by small groups of neighbors. A long-term plan in partnership with the expertise of the County would be far more comprehensive and organized. There will be four years of higher expenses and then it will be reduced significantly. This is not a plan for gentrification, but a plan to maintain the community. The roads are dangerous, and this community needs to come together to find a solution.

The following members of the public spoke in person in opposition to the creation of the PID: Cheryl Dryer Henderson, Randy Wootton, Andrew Kabot, Susan Strong, Patrick Henderson, Rhiannon Bruns, Thaine Michie, Scott Hagan, Barbara Ashley, Jeff Schrum, Patrick Burnston, Roxxe Wootton, Lou Benke, and Vachel Galloway. Kiotee Alexander also commented online. Commenters described the poor conditions of the roads, including washouts and lack of adequate drainage. Many commenters felt that the Road and Bridge Department has not been fulfilling the current road maintenance

agreement and did not trust that anything would change with the creation of a PID. Those with higher property values felt they would be unfairly taxed and do not feel they should have to pay such high costs to repair roads that have not been adequately maintained by the County. There is concern that residents on fixed incomes would have to move out of the neighborhood due to the high PID costs. Some residents did not feel adequately educated, and some felt that PID formation would benefit the public at large at the expense of private owners. One commenter asked for clarification on the breakdown of fees in the financial statement.

Chair Stephens closed public comment.

The Board asked why the roads were maintained to a higher quality in the past as some commenters mentioned. Mr. Juergens responded that Larimer County has a responsibility for surface maintenance and the neighborhood has a responsibility for road base and drainage. The roads have aged, so the capacity to perform surface maintenance is not the same as it was 10-15 years ago. Culverts are undersized and in less than optimal locations, and there is no gravel left to grade, so after any weather event the roads revert to their previous poor condition. Mr. Juergens also explained that the Road and Bridge Department has hundreds of miles of roads to maintain throughout the County, and they just cannot be in every neighborhood every time it rains. The roads are over 60 years old and major maintenance in this neighborhood has been deferred. The road needs to be re-graveled on a periodic basis and that has not happened. The roads will continue to be in poor condition until they can be brought back to a standard that allows for routine maintenance.

The Board asked about the County's responsibility around snowplowing. The Board also asked about the cost of maintaining a gravel road and how it would be possible that the cost could decrease so much after the first four years. The Board asked if the reconstruction work would be bid out to a private contractor. Mr. Juergens responded that a private contractor would do the reconstruction, and then the County would maintain the grading going forward.

The Board asked how the level of maintenance provided by the County would change if a PID were created. Mr. Juergens responded that after the roads are reconstructed, maintenance would absolutely continue. The road condition now is so bad that there is really nothing to maintain, so surface maintenance is not accomplishing anything. The roads need to be rebuilt before surface maintenance can reasonably make any difference.

The Board had questions regarding the concerns about misinformation that were raised by many residents, and why so many residents felt confused and under-informed regarding the creation of the PID. The Board asked what the County's role is in educating the public, and if education continues after the PID is added to the ballot. Ms. Beilby responded with the educational process and the ways in which her department informed the residents.

The Board asked about some of the financial discrepancies that were mentioned by one commenter. The Board also asked how neighbors can be sure whether or not their road or their property would be included in the PID. The Board requested a very clear breakdown of what the average costs would look like for each resident and how that would change after the first four years. Ms. Nguyen shared a spreadsheet showing the full financial analysis of the PID.

The Board asked about one commenter's mention of the County gaining eminent domain over the neighborhood if there is a PID. Frank Haug, Assistant County Attorney, responded that this is

possible, but not likely for this particular subdivision. After checking Colorado State Statute, Mr. Haug amended his statement and stated that eminent domain would be granted. Eminent domain has not historically been used in any Larimer County PID.

The Board asked what would happen if the PID was not approved on the November ballot. Ms. Beilby responded that the Road and Bridge Department could decide not to continue attempting to maintain the roads because the conditions are too poor. The neighborhood would then be forced to get the roads to a maintainable level before Road and Bridge would resume maintenance.

DELIBERATION:

During deliberation, some members of the Board commented that they would be in support of the resolutions because the review criteria have been met. There is a concern whether emergency vehicles can access the neighborhood safely, and while the cost would be a greater burden on neighbors at first, the need for repairs is critical and the high cost would not continue in the long run. The Board noted that the decision to create a PID is not ultimately up to them. They are only deciding whether or not to approve the petition and forward the PID to the November ballot. The neighbors still get to cast their vote to decide if they want the PID or not. The Board felt that it would be best for the community to decide, and the only way they can provide that opportunity is by adding the PID to the November ballot.

Conversely, the Board felt that many of the neighbors were greatly opposed to forming a PID. The Board did not feel that the criteria regarding cost had been met as many residents may not be able to afford the cost.

RESOLUTIONS

1. **RESOLUTION APPROVING THE PETITION FOR THE ORGANIZATION OF LARIMER COUNTY ROLLING HILLS ESTATES PUBLIC IMPROVEMENT DISTRICT NO. 78**
2. **RESOLUTION CALLING AN ELECTION REGARDING LARIMER COUNTY ROLLING HILLS ESTATES PUBLIC IMPROVEMENT DISTRICT NO. 78**

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the Resolution Approving the Petition and the Resolution Calling for an Election for Rolling Hills Estates Public Improvement District No. 78.

Motion carried 2-1, Commissioner Kefalas dissenting.

With there being no further business, the Board adjourned at 8:40pm.

TUESDAY, JULY 8, 2025

ADMINISTRATIVE MATTERS MEETING

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

Chair Stephens opened the meeting with the Pledge of Allegiance.

1. PUBLIC COMMENT: Cindy Buckardt, President of the Larimer County 4-H Foundation, addressed the Board regarding emails received from Conor McGrath, The Ranch Director. Ms. Buckardt stated that the 4-H Foundation has been informed that they have violated pre-packaged food policies at The Ranch, but they have not received documentation of past violations. Ms. Buckardt also felt that the 4-H Foundation is being treated unfairly, and that other organizations are not held to the same standards. Ms. Buckardt would like the 4-H Foundation to be immediately reinstated to full use of all facilities at The Ranch.

Chair Stephens closed public comment.

The Board commented that they do not agree with all of the information that was presented by Ms. Buckardt. The Board voiced their support for the 4-H Foundation and reinforced the belief that they are treating all organizations fairly.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF JUNE 30, 2025:

MOTION:

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the minutes for the week of June 30, 2025.

Motion carried 3-0.

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF JULY 14, 2025: Ms. Martin reviewed the upcoming schedule with the Board. The Board made several adjustments to the upcoming schedule.

4. CONSENT AGENDA:

ABATEMENTS

- 1. PETITION FOR ABATEMENT OR REFUND OF TAXES – R1673133 – Rocky Mountain High LLC – Tax Year 2024**
- 2. PETITION FOR ABATEMENT OR REFUND OF TAXES – R0043257 – DRN LLC – Tax Year 2023**

3. PETITION FOR ABATEMENT OR REFUND OF TAXES – R1586995 – 3T Investments LLC – Tax Year 2023/2024

AGREEMENTS

1. REIMBURSEMENT AGREEMENT FOR RED FEATHER LAKES AREA WILDFIRE DEFENSE PROJECT
2. FIRST AMENDMENT TO LEASE
3. STATE OF COLORADO INTERGOVERNMENTAL AGREEMENT BETWEEN THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND LARIMER COUNTY OFFICE ON AGING, LARIMER COUNTY HUMAN SERVICES
4. APPROVE FIRST AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT FOR FUNDING OF BRIDGE AND ROADWAY CONSTRUCTION AS PART OF THE REPLACEMENT OF BRIDGE NO. LR13E-0.3-24E OVER DRY CREEK PROJECT
5. APPROVE BID NO. B25-12 PN 6508 & 6513 CONTRACT AWARD
6. INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FORT COLLINS, COLORADO, AND LARIMER COUNTY, COLORADO REGARDING SHARED ROAD MAINTENANCE COSTS

LIQUOR LICENSES

1. FINDINGS AND ORDER – REGEN FITNESS CLUB LLC DBA RE:GEN FITNESS CLUB – BEER & WINE LICENSE – FORT COLLINS, COLORADO
2. SPECIAL EVENT LIQUOR PERMIT 6% – REALITIES FOR CHILDREN RIDE & RALLY – REALITIES FOR CHILDREN CHARITIES – LOVELAND, COLORADO
3. LIQUOR LICENSE MODIFICATION OF PREMISES – BLAM LLC DBA THE THIRSTY MOOSE – HOTEL & RESTAURANT WITH OPTIONAL PREMISES – RED FEATHER LAKES, COLORADO
4. LIQUOR LICENSE TRANSFER OF OWNERSHIP – THE MASONVILLE MERCANTILE L.L.C. DBA THE MASONVILLE MERCANTILE – FERMENTED MALT BEVERAGE ON/OFF PREMISES – LOVELAND, COLORADO

MISCELLANEOUS

1. REQUEST FOR APPROVAL TO ENTER UPON LANDS

RESOLUTIONS

1. FINDINGS AND RESOLUTION APPROVING THE VANHATTEM REZONING
2. FINDINGS AND RESOLUTION APPROVING THE NEUBAUER CONSERVATION DEVELOPMENT PRELIMINARY PLAT
3. FINDINGS AND RESOLUTION APPROVING THE MEAD ADMINISTRATIVE SPECIAL REVIEW FOR A SHORT-TERM RENTAL
4. FINDINGS AND RESOLUTION APPROVING THE JACOBS CONSERVATION DEVELOPMENT PRELIMINARY PLAT AND APPEAL

MOTION

Commissioner Kefalas moved that the Board of County Commissioners approve the Consent Agenda for July 8, 2025.

Motion carried 3-0.

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

6. DISCUSSION ITEMS: None requested.

7. COUNTY MANAGER UPDATE: County Manager Volker briefly detailed the events of the previous week.

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

9. LEGAL MATTERS: None requested.

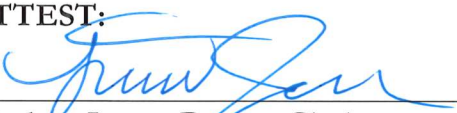
With there being no further business, the meeting was adjourned at 9:30 a.m.



KRISTIN STEPHENS, Chair
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK & RECORDER

ATTEST:


Lindsey Jones, Deputy Clerk