

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, SEPTEMBER 4, 2023

LAND USE HEARING

There was no Land Use Hearing for this week with the observation of Labor Day.

TUESDAY, SEPTEMBER 5, 2023

ADMINISTRATIVE MATTERS MEETING

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

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

1. PUBLIC COMMENT: Larry Sarner from Loveland addressed the Board. Mr. Sarner expressed concern about the amount of property tax that is being collected. Mr. Sarner stated that the tax revenue should not be given to the Loveland municipality. Additionally, Mr. Sarner expressed concern about the Bass Pro Shop construction within Loveland. The Centerra South construction and water park construction also concerned Mr. Sarner.

Commissioner Shadduck-McNally closed public comment.

Commissioner Stephens spoke about the taxes and the want to provide tax relief to the citizens of Larimer County depending on legislative outcomes. Commissioner Stephens also expressed a want to be a good faith partner and did not know about a Bass Pro Shop deal within the county.

Commissioner Kefalas echoes Commissioner Stephens comments about the tax relief in Larimer County.

Commissioner Shadduck-McNally spoke about the idea of a tax "windfall" and how the County works to be good stewards of public money. Commissioner Shadduck-McNally explained how there are many agencies that use property taxes for funding and how the County is only one of them. The County has continued to be part of the urban renewal conversation and Commissioner Shadduck-McNally expressed a want people to understand upcoming ballot measures in relations to these issues.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF AUGUST 21, 2023, and August 28, 2023:

MOTION:

Commissioner Kefalas moved that the Board of County Commissioners approve the minutes for the week of August 21, 2023, and August 28, 2023.

Motion carried 3 – 0.

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF SEPTEMBER 11, 2023: Ms. Martin reviewed the upcoming schedule with the Board.

4. CONSENT AGENDA:

ABATEMENTS:

1. PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT #P8286720

2. PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT #R0044466

3. PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT #R1664929

4. PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT #R1643025

5. PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT #R1664929

AGREEMENTS:

1. GRANT OF PUBLIC ART LICENSE

2. AMENDED AND RESTATED MEMORANDUM OF LAND LEASE AGREEMENT FOR FTC TAFT HILL VERIZON COMMERCIAL MOBILE RADIO SERVICE (CMRS) ADMINISTRATIVE REVIEW, FILE NO. 18-ZONE2361

3. FIRST AMENDMENT TO LAND LEASE AGREEMENT FOR FTC TAFT HILL VERIZON COMMERCIAL MOBILE RADIO SERVICE (CMRS) ADMINISTRATIVE REVIEW, FILE NO. 18-ZONE2361

APPOINTMENTS

1. RECOMMENDED APPOINTMENT TO THE EXTENSION ADVISORY COMMITTEE – XOCHIL ARELLANO

**2. RECOMMENDED MIDTERM APPOINTMENT TO THE LAPORTE
PLANNING ADVISORY COMMITTEE – TAMARA HADLEY**

DEEDS:

- 1. DEED OF DEDICATION FROM CARROLL AND DEBBIE CROMER FOR
RIGHT OF WAY FOR CR 19, PN 337**
- 2. DEED OF DEDICATION FROM WILLIAM AND MARETTA ARMSTEAD FOR
RIGHT OF WAY FOR CR 19, PN 337**

LETTERS OF SUPPORT:

- 1. BROADCOM LETTER OF SUPPORT FOR CHIPS ACT FUNDING**

LIQUOR LICENSES:

- 1. LIQUOR LICENSE – REPORT OF CHANGES CORPORATION, LIMITED
LIABILITY COMPANY AND PARTNERSHIP LIQUOR AND FERMENTED
BEVERAGE LICENSES – WAPITI PARK CORPORATION DBA ROCKY MOUNTAIN
GATEWAY #1 – ESTES PARK, COLORADO**
- 2. LIQUOR LICENSE – REPORT OF CHANGES CORPORATION, LIMITED
LIABILITY COMPANY AND PARTNERSHIP LIQUOR AND FERMENTED MALT
BEVERAGE LICENSES – WAPITI CORPORATION DBA ROCKY MOUNTAIN
GATEWAY #2 – ESTES PARK, COLORADO**
- 3. LIQUOR LICENSE RENEWAL – NOBLE WOLFF LLC DBA POT BELLY
RESTAURANT & LOUNGE – RED FEATHER LAKES, COLORADO**
- 4. LIQUOR LICENSE SPECIAL EVENT LIQUOR PERMIT 6% - FRIENDS OF
LAUGHING BUCK FARM – FORT COLLINS, COLORADO**
- 5. LIQUOR LICENSE SPECIAL EVENT 6% - GREEN EVENTS INC.'S FALL
EQUINOX – BELLVUE, COLORADO**
- 6. LIQUOR LICENSE SPECIAL EVENT LIQUOR PERMIT 6% - OVERLAND
MOUNTAIN BIKE ASSOCIATION – FORT COLLINS, COLORADO**
- 7. LIQUOR LICENSE SPECIAL EVENT PERMIT 6% - MATTHEWS HOUSE –
FORT COLLINS, COLORADO**

8. LIQUOR LICENSE SPECIAL EVENT LIQUOR PERMIT 6% - THE VEGETABLE CONNECTION – HEART OF THE FARM DINNER – FORT COLLINS, COLORADO

9. LIQUOR LICENSE RENEWAL – VERN'S LIQUOR LLC – VERN'S LIQUOR – LAPORTE, COLORADO

10. LIQUOR LICENSE – TRANSFER OF OWNERSHIP: DISH UP TOO LLC DBA VERN'S PLACE – VERN'S PLACE – LAPORTE, COLORADO - TABLED

MISCELLANEOUS:

1. REQUEST FOR APPROVAL TO ENTER UPON LANDS – JEFFREY ALBERT

2. REQUEST FOR APPROVAL TO ENTER UPON LANDS – NICHOLAS BROWNWOOD

3. REQUEST FOR APPROVAL TO ENTER UPON LANDS – DAVID DADONE

4. REQUEST FOR APPROVAL TO ENTER UPON LANDS – CHRISTOPHER FARNWORTH

5. REQUEST FOR APPROVAL TO ENTER UPON LANDS – ALAN GROVER

6. REVESCO (USE) PROPERTIES OF FORT COLLINS LLLP/HARMONY SHOPS STIPULATION AS TO TAX YEAR 2021 VALUE (R1629762)

7. REVESCO (USE) PROPERTIES OF FORT COLLINS LLLP/HARMONY SHOPS STIPULATION AS TO TAX YEAR 2021 VALUE (R1645188)

8. REVESCO (USE) PROPERTIES OF FORT COLLINS LLLP/HARMONY SHOPS STIPULATION AS TO TAX YEAR 2021 VALUE (R1645189)

9. NINTH AND DENVER LLC STIPULATION AS TO TAX YEAR 2021 VALUE

POLICIES:

1. HUMAN RESOURCES POLICY AND PROCEDURE 331.5R, COMPENSATION

2. LARIMER COUNTY POLICIES AND PROCEDURES: COUNTY DATA POLICY 100.19B

RESOLUTIONS:

- 1. RESOLUTION ESTABLISHING COMPENSATION FOR DEPUTY DISTRICT ATTORNEY III**
- 2. FINDINGS AND RESOLUTION DENYING THE WILLARD SHORT-TERM RENTAL**
- 3. RESOLUTION APPROVING LAON FROM ID CONSTRUCTION FUND TO THE BLUFF'S PUBLIC IMPROVEMENT DISTRICT NO. 41 FUND**
- 4. RESOLUTION ADOPTING THE LARIMER COUNTY STORMWATER DESIGN STANDARDS**
- 5. FINDINGS AND RESOLUTION DENYING THE MCGARVEY, KRESS, WHITNAH SHORT-TERM RENTAL**
- 6. FINDINGS AND RESOLUTION DENYING THE STANIER APPEAL**

Commissioner Shadduck McNally pulled the #10 Liquor License – Transfer of Ownership: Dish Up Too LLC dba Vern's Place off the consent agenda to be tabled until next week's discussion.

M O T I O N

Commissioner Stephens moved the Board to approve the remainder of the Consent Agenda for September 5, 2023.

Motion carried 3 – 0.

5. COMMISSIONERS' GUESTS: Commissioner Shadduck-McNally recognized and welcomed David Born from the Office on Aging Advisory Council. Erin Alt, Program Manager of the Larimer County Office on Aging, addressed the board. Ms. Auld expressed gratitude for Mr. Born for his all his dedication and service to the community. Mr. Born explained his journey to being a part of the Office on Aging Advisory Council. Mr. Born explained that the council has achieved great things.

Commissioner Kefalas thanked Mr. Born for all his contributions to the community and the council. Commissioner Kefalas explained how the efforts and demeanor of Mr. Born have positively impacted the council's efforts.

Commissioner Stephens and Commissioner Shadduck-McNally echoed Commissioner Kefalas' comments of gratitude for Mr. Born.

Manager Volker explained that the community has benefitted greatly because of Mr. Born's efforts.

6. DISCUSSION ITEMS:

1. PROCLAMATION DECLARING SEPTEMBER 2023 AS WORKFORCE DEVELOPMENT MONTH IN LARIMER COUNTY: Mark Johnson, Interim Director of Economic and Workforce Development, addressed the Board. Mr. Johnson gave a brief explanation of this proclamation and how throughout the nation, September has been highlighted for the support for workers. Mr. Johnson recognized the staff from the Economic and Workforce Development team, including Evan Wendlandt, Associate Director; Wendy Horst, Accounting and Contracts Manager; Tanya Perry, Workforce Team Manager; Adam, Crowe, Economic Development Manager; Cheryl, Communications Specialist; and Kelsey Baun, Program Manager.

Mr. Johnson additionally highlighted Julie Cila, Workforce Development Board Chair, for her work with this project.

Finally, Mr. Johnson recognized the partners and Workforce Innovation Grant subrecipients, including Arpi Miller, ISACC of Northern Colorado; Hannah Krikorian, City of Fort Collins Gardens on Spring Creek; Dr. James Graham, Colorado State University; Karen Wong-Brown, Unified Workforce; Yvonne Myers and Steffanie Merrell, Fort Collins Chamber of Commerce; Lorye McLeod, Partnership for Age Friendly Communities; and Michael Hensley, Northern Colorado Home Builders Association and Colorado Careers in Construction.

Mr. Johnson thanked the Board for all the work and the support for the work being done.

Commissioner Stephens expressed gratitude for each one of the people working for helping people find meaningful work.

Commissioner Kefalas explained The Workforce Innovation Opportunity Act and how it has helped the community. Commissioner Kefalas thanked those who have helped the community find good work.

Commissioner Shadduck-McNally echoed the words of the other Commissioners. Commissioner Shadduck-McNally expressed gratitude for the number of partnerships and the important work that is being done. This work not only helps the economy but helps individuals find meaning within their work. Commissioner Shadduck-McNally also wanted to recognize the value of small businesses and collaboration.

Manager Volker spoke about the values of the county and how they can be seen in the work being done within these partnerships.

MOTION:

Commissioner Stephens read the Proclamation and moved the Board of County Commissioners to approve the Proclamation declaring September 2023 as Workforce Development Month.

Commissioner Kefalas explained that meaningful work creates dignity and that many types of work are not compensated accurately, for example, caretaking working roles.

Motion carried 3-0.

2. EMERGENCY PREPAREDNESS MONTH PROCLAMATION: Ricardo Perez and Camille Milard, Emergency Management Coordinators, addressed the board. Mr. Perez explained the importance of emergency management and how the county works to be prepared. Mr. Perez spoke about Hero Fest that honors Larimer County's first responders. Mr. Perez also gave details about upcoming events that work to connect resources with the community.

Ms. Milard explained about a program that is being put on which is called Dare to Prepare. Ms. Milard explained how this is a community event to help meet communities where they are at.

Mr. Perez also highlighted the events that were going on to commemorate the ten-year anniversary of the 2013 floods. Additionally, community conversations will be taking place to help the office of Emergency Management improve the upcoming programs.

The Board thanked everyone for the hard work that was being done. Commissioner Stephens spoke about how remarkable the community connection work that helps connect the community with resources.

Commissioner Shadduck-McNally expressed the importance of mitigation and working to prepare for emergencies. Commissioner Shadduck-McNally explained how empowerment for the community helps in emergencies and commended the team for the work within the community.

Manager Volker explained how the office on emergency management has worked backwards to help connect the community with resources for preparedness and resiliency.

MOTION:

Commissioner Kefalas read the proclamation and moved the Board of County Commissioners to approve the Proclamation declaring September 2023 as Emergency Preparedness Month.

Motion carried 3-0.

3. REQUESTING BCC APPROVAL OF THE 2023 IMPACT FUND GRANT AWARD RECOMMENDATIONS FOR FUNDING AND AN ALLOCATION INCREASE OF \$16,731 FROM THE PREVIOUSLY APPROVED \$2.8 MILLION: Jessica Plummer, Behavioral Health Services, addressed the Board. Ms. Plummer gave a brief background of this grant award and the request for approval of additional funds to help support further resources. Ms. Plummer explained how the grant applications are reviewed and approved. Mr. Plummer broke down the different needs and funding that would go towards helping each need.

Commissioner Shadduck-McNally explained that there have been several work sessions that have culminated in this discussion item.

Commissioner Stephens thanked Mr. Plummer for the work being done. Commissioner Stephens highlighted the work that went into approving these grants. Commissioner Stephens also wished that the community would continue to invest in behavioral health.

Commissioner Kefalas echoed Commissioner Stephen's gratitude and highlighted Laura Walker for her work as well. Commissioner Kefalas expressed support for these recommendations. Commissioner Kefalas explained that sales tax dollars are going back to support the community.

Commissioner Shadduck-McNally thanked the behavioral health team. Commissioner Shadduck-McNally explained the connections that are being forged between recipients and the county. Ryan Barstow, Tyler Kelly, Summer Leaming, and Jennifer Wolf Kimble were all thanked by Commissioner Shadduck-McNally. Commissioner Shadduck-McNally also thanked the community for approving the sales tax addition to help the community at large.

Manager Volker explained that those who were not chosen for these grants were not because of worthiness. Many worthy organizations were not chosen. Manager Volker wanted to highlight everyone who is working towards behavioral health services.

MOTION

Commissioner Stephens moved that the Board of County Commissioners approve the 2023 Impact Fund Grant award recommendations and an allocation increase of \$16,731 for a total amount of \$2,816,731.

Motion carried 3-0.

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

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

9. LEGAL MATTERS:

No decision expected

Executive Session pursuant to C.R.S 24-6-402 (4)(b): Conferences with an attorney for the purpose of receiving legal advice regarding court case number 23CV30694, 4411 Storm Mountain, LLC v. Larimer County Board of County Commissioners.

MOTION

Commissioner Stephens moved that the Board of County Commissioners enter Executive Session pursuant to C.R.S 24-6-402 (4)(b): Conferences with an attorney for the purpose of receiving legal advice regarding court case number 23CV30694, 4411 Storm Mountain, LLC v. Larimer County Board of County Commissioners.

Motion carried 3-0.

With there being no further business, the Board adjourned at 11:05 a.m.


JODY SHADDUCK-MCNALLY
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK AND RECORDER

ATTEST:



Tessa Beaty, Deputy Clerk

