MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, JULY 21, 2025

LAND USE HEARING

There was no Land Use Hearing for the week of July 21, 2025.

TUESDAY, JULY 22, 2025

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with County Manager Lorenda Volker. Chair Stephens presided. Commissioner Kefalas and Commissioner Shadduck-McNally were present. Also present were Sarah Martin and Tom Clayton, Commissioners' Office, and Dianne Cheney, 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. Ms. Buckardt discussed an email that was submitted on behalf of the Larimer County 4-H Foundation. Ms. Buckardt spoke regarding the Poultry Memorial Silent Auction and the 4-H Foundation's inability to use the Larimer County Fairgrounds for their auction supporting scholarships in memory of three members of the 4-H Foundation who passed away at young ages. Ms. Buckardt shared that the Larimer County 4-H Foundation is the past and the future of 4-H.

The Board appreciates everyone from the public who comes and shares their comments and concerns. The Board shared that a letter has been sent to the Larimer County 4-H Foundation in regard to non-compliance issues and that staff are working on a response to Ms. Buckardt's most recent email. The Board commented that their commitment to 4-H youth and the history and traditions of the Larimer County Fair and Rodeo have not wavered. The Board understands the value of the Larimer County 4-H Foundation and would like to move forward co-operatively. The Board invited the public to come to the Larimer County Fair from August 1 – 5, 2025.

2. **APPROVAL OF THE MINUTES FOR THE WEEK OF JULY 14, 2025.**

M O T I O N:

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the minutes for the week of July 14, 2025.

Motion carried 3-0

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF JULY 28, 2025: Ms. Martin reviewed the upcoming schedule with the Board. The Board made additions to the upcoming schedule.

4. CONSENT AGENDA:

ABATEMENTS

1. **PETITION FOR ABATEMENT OR REFUND OF TAXES: REFUND EXCEEDS THE ALLOTTED REFUND AMOUNT OF $10,000, R1633915 – Judith Roberts Cullen – Tax Year 2024**

AGREEMENTS

1. **PROFESSIONAL SERVICES AGREEMENT (P25-02, DISASTER RECOVERY SERVICES)**

2. **INTERGOVERNMENTAL AGREEMENT CONCERNING THE ARROWHEAD RED-TAIL CONSERVATION PROJECT**

3. **CONVEYANCE OF PERMANENT DRAINAGE EASEMENT FROM SHAWN A SPARKS**

4. **CONVEYANCE OF PERMANENT DRAINAGE EASEMENT FROM MOUNTAIN RANGE SHADOWS HOMEOWNERS' ASSOCIATION**

5. **STATE OF COLORADO INTERGOVERNMENTAL AGREEMENT BETWEEN THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING (STATE) AND LARIMER COUNTY HUMAN SERVICES (CONTRACTOR)**

6. **STATE OF COLORADO INTERGOVERNMENTAL AGREEMENT BETWEEN THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND LARIMER COUNTY OFFICE ON AGING, LARIMER COUNTY HUMAN SERVICES**

7. **COLLABORATIVE MANAGEMENT PROGRAM MEMORANDUM OF UNDERSTANDING 25-26**

APPOINTMENTS

1. **RECOMMENDED APPOINTMENT TO THE PARKS ADVISORY BOARD –** Andy Te Slaa

2. **RECOMMENDED APPOINTMENT TO THE BOARD OF ADJUSTMENT –** Brannon Hughes

LIQUOR LICENSES

1. **SPECIAL EVENT LIQUOR PERMIT – FORT COLLINS NURSERY: ROCK GARDEN CONCERT FOR LIVE THE VICTORY INC. DBA THE MATTHEWS HOUSE – SPECIAL EVENT LIQUOR PERMIT 6% - FORT COLLINS, COLORADO**

MISCELLANEOUS

1. **TREASURER'S SIX-MONTH REPORT**

2. **Q2 2025 PUBLIC TRUSTEE REPORT**

3. **ANNUAL COMPLIANCE CERTIFICATION REPORT (X2); MONITORING AND PERMIT DEVIATION REPORT (X2)**

The Board wanted to note that the amounts received by the State for the intergovernmental agreements for the Larimer County Department of Human Services and the Larimer County Office on Aging Department are both greatly reduced. This will have an impact on important work that the County does in the community.

M O T I O N:

Commissioner Kefalas moved that Board of County Commissioners approve the Consent Agenda for July 22, 2025.

Motion carried 3-0

5. COMMISSIONERS' GUESTS: The Commissioners did not have any guests; however, they did want to introduce Natalie, who will begin her senior year in high school this fall. She is interning over the summer and potentially throughout the academic year.

6. DISCUSSION ITEMS:

1. **RECOGNIZE JEFF GREEN FOR BEING AWARDED THE PUBLIC RISK MANAGER OF THE YEAR:** Lorrie Lopez, Finance Director, addressed the Board. Ms. Lopez introduced Jeff Green, Risk Manager for Larimer County. Mr. Green was nominated by his current and former employees and was named Public Risk Manager of the Year by the national Public Risk Management Association (PRIMA). PRIMA is comprised of 1,400 members from the risk management public sector. Ms. Lopez shared that the Risk Management staff were in attendance and introduced two videos: one by the PRIMA film crew and Mr. Green's acceptance speech.

The Board asked how long Mr. Green had been with the County.

Mr. Green shared that he had been with Larimer County since March 2008.

The Board thanked Mr. Green for his work and commitment to the Guiding Principles of Larimer County, in particular his dedication to the empowerment of his team and customer service. They appreciated Mr. Green's willingness to listen to and be a trusted source of information for the Board. The community does not always think about the importance of risk management and the Commissioners appreciate Mr. Green's expertise, experience, and insight. The Board thanked Mr. Green and his staff for all of the work that they continue to do with enthusiasm and passion for their job. The work that the Risk Management staff does builds a stronger local government and resilient community. The Board found the video insightful in showing the expanse of work that Risk Management focuses on and for Mr. Green's passion to mentor his employees.

County Manager Volker shared that Mr. Green not only is well respected by staff within the County but also across the State and his peers across the Nation. Manager Volker shared that Mr. Green has served on the board of the Colorado chapter of PRIMA for eight years and has been president for four years. In addition, Mr. Green leads the United Way committee for Larimer County, testifies on behalf of the County with regard to risk management issues at the State Capital, and has been appointed by two governors to serve on the State Special Funds Board for Self-Insurers.

Mr. Green appreciated the kind words and wanted to recognize his staff for all of their hard work.

The Board took a brief recess.

The Board reconvened.

2. REVIEW OF AUDITOR'S RESULTS AND ACCEPTANCE OF THE 2024 ANNUAL COMPREHENSIVE FINANCIAL REPORT: Lorrie Lopez, Finance Director, addressed the Board. Ms. Lopez shared that staff have completed the 2024 Annual Comprehensive Financial Report under the direction of Controller Sayaros Mohamed. As mandated by State Statutes, an audit of the financial statements was conducted by an independent audit firm, RubinBrown. The firm issued an unmodified (clean) audit opinion. Ms. Lopez introduced her finance staff and thanked them for all of their hard work putting the report together. Ms. Lopez introduced Matt Marino from RubinBrown to present the audit results.

Mr. Marino shared that the audit procedure went smoothly and thanked the staff in the Finance Department for their collaborative work. Due to the County's budget size, RubinBrown issued two reports. In addition to the financial audit, they also perform a single audit, also known as a federal expenditures audit. RubinBrown issued an unmodified or clean opinion for the financial audit. This is the highest level of report that can be issued. An unmodified opinion was also issued on the single audit report which looked at five different programs within the County. Mr. Marino stated that there was one new accounting standard that needed to be introduced in the new financial report. Governmental Standards 101 which has to do with compensated absences. All of the accounting impacts are noted in the current financial report with regard to this new accounting standard and did not represent a large fiscal impact for the County.

The Board asked Mr. Marino if there is anything coming up that the Commissioners should be thinking about regarding changes at the Federal and State level. Related to transparency, the Board asked why it was important to receive a clean opinion and how does this relate to the public. The Board also wanted Mr. Marino to touch on long-term liabilities, specifically in relation to the closure of the Landfill.

Mr. Marino responded to the Boards questions. Mr. Marino stated that uncertainty is hard to predict and keeping up with what is happening at the state and federal level is important. The Governmental Standards Board is always working on new standards and does listen to auditors and financial staff within various government entities on how to make financial reporting better. Mr. Marino encouraged the Board to share with the Governmental Standards Board when they feel that new standards in reporting do not add to the financial clarity and general public's ability to understand the report. Mr. Marino shared that a variety of stakeholders review the County's financial report to issue funding for different projects in the County. The financial report shows the ability of the County to meet its financial requirements, including carrying out various service projects, and a clean audit shows that the County can continue to deliver services at a high level. Regarding the County's Landfill, there are a number of statutory regulations that are considered which are then reflective in various accounting procedures.

The Board thanked Mr. Marino for his work and presentation and the staff for all of the work they did to put the financial report together. The Board commented that there are a lot of statutory requirements that are a part of the budget process. The Board will always look for ways to make the financial report more digestible to the public but wants to note that there is a significant amount of complexity in an organization that uses federal funds and deals with requirements from various levels of government on how to use and disclose those funds.

County Manager Volker thanked the staff for all of their hard work.

MOTION:

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the 2024 Annual Comprehensive Financial Report.

Motion carried 3-0

2. COLORADO HAS UPDATED ITS TRAFFIC LAWS WITH REGARD TO CHILD SAFETY SEATS. THE PROPOSED ACTION BRINGS LARIMER COUNTY'S TRAFFIC CODE IN LINE WITH BEST PRACTICES AND THE STATE LAW: County Manager Volker shared that this was the second reading of the ordinance on child safety seats and allows the Board to ask any questions or provide any comments before deciding to adopt the ordinance.

The Board shared that this ordinance is to update the County traffic codes with recent changes in State law. The Board encouraged the public to read the updated law including the change for children needing to stay in booster seats until they are nine years old. Manager Volker shared that cdot.gov has a safety tab with all of the information on this updated State law that will be enforced in Larimer County with the adoption of this ordinance.

M O T I O N:

Commissioner Kefalas moved that the Board of County Commissioners adopt the amended ordinance on child safety seats on second reading.

Motion carried 3-0

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: William Ressue addressed the Board. Mr. Ressue stated that they will take the Executive Session where no decision is expected prior to the sessions where decisions are expected. All three motions can be made together.

No decision expected.

Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(b): Conferences with an attorney for the purpose of receiving legal advice about water rights related to the new Larimer County landfill site.

Decision expected.

Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(b): Conferences with an attorney for the purpose of receiving legal advice regarding Margaret M. FitzGerald, L.C.S.W. v. Michael Alan Knaub et al., Supreme Court of the United States, No. 25-11.

Executive Session pursuant to Colorado Revised Statute 24-6-402(b): Conferences with an attorney for the purpose of receiving legal advice regarding ASTRID vs. Larimer County, federal district court case number 23-CV-02051; and pursuant to Colorado Revised Statute 24-6-402(4)(e): Determine positions, develop strategy, and instruct negotiators relative to said federal district court case and to discuss potential settlement.

M O T I O N:

Commissioner Kefalas moved that the Board of County Commissioners enter into Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(b): Conferences with an attorney for the purpose of receiving legal advice about water rights related to the new Larimer County landfill site.

Furthermore, Commissioner Kefalas moved that the Board enter into Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(b): Conferences with an attorney for the purpose of receiving legal advice regarding Margaret M. FitzGerald, L.C.S.W. v. Michael Alan Knaub et al., Supreme Court of the United States, No. 25-11.

Commissioner Kefalas moved that the Board enter into Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(b): Conferences with an attorney for the purpose of receiving legal advice regarding ASTRID vs. Larimer County, federal district court case number 23-CV-02051; and pursuant to Colorado Revised Statute 24-6-402(4)(e): Determine positions, develop strategy, and instruct negotiators relative to said federal district court case and to discuss potential settlement.

Motion carried 3-0

The Board entered into Executive Session.

The Board returned to session.

David Ayraud, Deputy County Attorney, addressed the Board. Mr. Ayraud commented on Margaret M FitzGerald v. Michael Knaub case, United States Supreme Court 25-11. This case originates from Pennsylvania. Ms. FitzGerald brought claims regarding 49 defendants across multiple states. Former Larimer County Sheriff, Justin Smith was included in her lawsuit in his official capacity as Larimer County Sheriff. The County Attorney's office is asking for a motion from the Board to enter into and represent the Office of the Sheriff in this case.

M O T I O N:

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve Larimer County to defend and indemnify Justin Smith in his former capacity as Larimer County Sheriff in United States Supreme Court Case 25-11.

Motion carried 3-0

County Attorney Bill Ressue addressed the Board, presenting a proposed settlement agreement in a lawsuit related to the County's removal of the Profile Rock Bridge. Mr. Ressue shared that this bridge was damaged following the Black Hollow flood of 2021. Mr. Ressue stated that there were two lawsuits relating to the removal of the bridge and the proposed settlement being presented to the Board is in relation to resolving the first lawsuit. The County Attorney's Office is asking for the Board to make a decision to approve and authorize the Chair to sign the settlement agreement.

M O T I O N:

Commissioner Kefalas moved that the Board of County Commissioners approve and authorize the chair to sign the proposed settlement agreement in United States District Court Case 1:23-CV-02051-PAB-TPO Astrid v. Board of County Commissioners of Larimer County, Colorado.

Motion carried 3-0

With there being no further business, the meeting was adjourned at 11:20 a.m.

Kristin Stephens

KRISTIN STEPHENS, CHAIR
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK & RECORDER

ATTEST:

Dianne Cheney

Dianne Cheney, Deputy Clerk

LARIMER COUNTY CLERK
SEAL
COLORADO