

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, DECEMBER 4, 2023

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m. with Rebecca Everette, Community Development Director. Chair Shaddock-McNally presided. Commissioner Kefalas and Commissioner Stephens were present. Also present were Mark Christensen, Kassidee Fior, and Samantha Lasher, Community Development; Amy White, Code Compliance Supervisor; Noel O'Dell and Lea Schneider, Health Department; Connor Sheldon, Engineering; Jenny Axmacher, Planning Manager; Christine Luckasen, County Attorney's office; and Tessa Beaty, Deputy Clerk.

PUBLIC HEARING CONSENT ITEMS:

1. AMENDED PLAT OF LOTS 3 AND 4 OF THE JAMES ELLER MINOR RESIDENTIAL DEVELOPMENT (MRD), FILE NO. 23-LAND4353: The subject properties are located at 6447 and 6516 W. County Road 20 in Loveland, CO, approximately 0.3 miles west of the intersection of W. County Road 20 and N. County Road 23H, and are Lots 4 and 3, respectively, of the James Eller Minor Residential Development (MRD) which was approved in 1987. Both lots are zoned RR-2 – Rural Residential.

The property owners request amended plat approval to remove the following plate not for lots 3 and 4: "Residential sprinkler systems will be required for new residential structures. Plans must be submitted to the Loveland Fire Authority before building permit issuance."

The property owners of 6515 W. County Road 20 (Lot 3) have applied for Administrative Special Review approval for an Accessory Living Area (ALA), File No. 23-ZONE3454. If the proposed amended plat is approved, a residential fire sprinkler system would not be required for the proposed ALA on Lot 3 or any future residential structures on Lots 3 or 4.

Additionally, based on the current fire flow infrastructure in the area, the Loveland Fire Rescue Authority is supportive of this request.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends Approval of the amended plat of Lots 3 and 4 of the James Eller Minor Residential Development, File No. 23-LAND4353, subject to the following conditions:

1. The existing plat not requiring residential fire sprinkler systems for new residential structures shall be removed from lots 3 and 4 of the James Eller Minor Residential Development, and the property will be subject to all other restrictions, covenants, and conditions as set forth in the plat of record for the James Eller Minor Residential Development.

2. Any future uses on lots 3 and 4 shall obtain approval through the applicable planning review procedure as established in the Larimer County Land Use Code prior to the commencement of the use.
3. The Findings and Resolution shall be a servitude running with the property. Those owners of the Property or any portion of the Property who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of this Amended Plat approval.

MOTION

Commissioner Kefalas moved the Board of County Commissioners to approve the Consent Agenda subject to the conditions outlined in the staff report and further authorized the chair to sign the findings and resolution.

Motion carried 3-0.

PUBLIC HEARING DISCUSSION ITEMS:

1. ZUELLIG SHORT-TERM RENTAL ADMINISTRATIVE SPECIAL REVIEW, FILE NO. 23-ZONE3493: The subject property is located at 322 N Sunset Street, Fort Collins, CO. The property currently contains an existing single-family residence and is zoned RR-2 – Rural Residential. The applicant requests Administrative Special Review approval for a small short-term rental located in the existing two-bedroom single-family residence with one additional sleeping area for a maximum occupancy of five total guests – two guests per bedroom and one guest in the sleeping area. No construction or modifications to the home are proposed with this request. The applicant has listed themselves as the Property Manager for the proposed short-term rental as they live next door at 324 N Sunset Street.

Administrative Special Review for an STR requires both Planning Division and Building Division approval. For this case, the Planning Division review was conducted prior to the Building Division review. In general terms, the Planning review process involves:

1. Staff and referral agency evaluation
2. Community notice and comment review
3. Review and recommendation by the Estes Valley Planning Advisory Committee, if applicable
4. The scheduling of a public hearing, if applicable, or an administrative review and decision by the Community Development Director

A courtesy neighbor notification about the proposed project was mailed to properties 500 feet around the subject property, with 68 neighbors being notified. Staff received emails from five neighbors voicing concern regarding the application. The concerns ranged from noise, rule enforcement, water supply, trash, property taxes, and general opposition to allowing short-term rentals in the community. Due to the nature of the neighbors' concerns, the Community Development Director determined that the application be scheduled at a public hearing before the Board of County Commissioners per Section 6.3.6.D.3 of the Land Use Code.

Administrative Special Review requires General Review Criteria to be met for approval (Article 6.4.3.D in the Land Use Code), in addition to supplemental review criteria for small short-term rentals (Article 3.3.5.B.2 in the Land Use Code).

Staff finds the application and supporting materials may not have adequately met the following Administrative Special Review General Review criteria in Article 6.4.3.D of the Land Use Code:

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

And

Criterion 2: Any impacts associated with the environment, wildlife, access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, odor, and other adverse impacts have been adequately addressed and/or mitigated.

Staff finds the application meets all other criteria in Article 6.4.3.D and all short-term rental use regulations criteria located in Article 3.3.5.B. The following section addresses staff findings and the review criteria, including neighbor concerns and the applicant's response.

DEVELOPMENT SERVICES TEAM RECOMMENDATION

The Development Services Team is not making a specific recommendation on the Zuellig Short-Term Rental, File #23-ZONE3493, and has presented all the information on which the Board of County Commissioners may base their deliberation and decision.

STAFF PRESENTATION:

Mr. Christensen gave a brief presentation on the application.

Commissioner Kefalas asked about the density of the area and how many other short-term rentals have been approved in the area. Mr. Christensen showed the locations of other short-term rentals in the area.

APPLICANT PRESENTATION:

Leanne Zuellig, the applicant, addressed the Board. Ms. Zuellig provided some background on the property in question. Ms. Zuellig explained that they are looking for the flexibility of a short-term rental but do not look at the property as a business. Ms. Zuellig addressed concerns from the neighbors and the way that the applicant has tried to mitigate them.

Ms. Zuellig addressed the specifics of how they will mitigate the impacts of a short-term rental on the neighborhood. Some of these specifics include having occupancy in the house for less than 60% of the time and the installation of a noise monitor.

COMMISSIONER QUESTIONS:

Commissioner Stephens asked why the applicant was applying for a short-term rental license when they said that they were mainly going to be renting the property for more extended stays. Ms. Zuellig explained that they would be able to fill in times when there is not a long-term renter on the property.

Commissioner Kefalas asked about the possibility of renting the property for a longer term. Ms. Zuellig spoke about flexibility and having the house if necessary.

Commissioner Shadduck-McNally asked about the possibility of the property being rented out illegally. Ms. Zuellig confirmed that the property has been rented out in the short term as the application is in process. Amy White confirmed that this would be in violation of the land use code.

Commissioner Shadduck-McNally asked about the other properties that the applicant owned. Ms. Zuellig explained that they bought seven acres behind the property in question, though the two are not connected, and the plan is to preserve the nature of the land.

Commissioner Shadduck-McNally asked about the specifics of the plan for the property. Ms. Zuellig confirmed that without short-term rentals, the plan is to rent out the property more long-term.

PUBLIC COMMENT:

Maria Goransson, a property owner on Sunset Drive, addressed the Board. Ms. Goransson expressed support for the short-term rental application.

Denice Crisafulli, a neighbor of the short-term rental application, addressed the Board. Ms. Crisafulli expressed support for this application. Ms. Crisafulli explained that previous long-term renters have had negative experiences in the neighborhood. Ms. Crisafulli explained that the short-term rental could be beneficial to the neighborhood.

Commissioner Shadduck-McNally closed public comment.

REBUTTAL:

Ms. Zuellig declined the opportunity for rebuttal.

DELIBERATION:

Commissioner Shadduck-McNally asked about what to do in a situation where a property owner was already renting out the property short-term without a license. Ms. White explained that that situation has not happened before but confirmed that planners should explain that property owners are not allowed to rent while the application is in progress.

Commissioner Shadduck-McNally asked the applicant whether they have considered reaching out to neighbors to help mitigate concerns. Commissioner Shadduck-McNally asked about the installation of noise sensors. The applicant confirmed that they would be amendable to the noise sensor. Commissioner Shadduck-McNally also asked the applicant about the plan for quiet hours for the rental property. Ms. Zuellig explained that they would at least follow the Larimer County rules for quiet hours.

Commissioner Shadduck-McNally asked staff about the parking on the property. Mr. Christensen explained that there is a parking minimum but no parking maximum on the property's driveway.

Commissioner Stephens asked about the history of applicants in the neighborhood. Mr. Christensen gave a brief history of applicants in the neighborhood.

Commissioner Kefalas expressed appreciation for those who gave public comments. Commissioner Kefalas continued to explain that it was his belief that the applicant had met the criteria and was in support of the application. Commissioner Kefalas explained that there was already a condition of approval to send out postcards with contact information. Commissioner Kefalas additionally spoke to the fact that none of the referral agencies had concerns about the property. Commissioner Kefalas expressed a belief that the neighborhood is yet to become saturated with short-term rentals.

Commissioner Stephens explained that she would not be supporting the short-term rental application. Commissioner Stephens expressed concerns about the neighborhood feeling and the density of short-term rentals in the neighborhood.

Commissioner Shadduck-McNally echoed Commissioner Stephen's concerns about the short-term rental application.

MOTION

Commissioner Stephens moved the Board to deny the Zuellig Short-Term Rental, File #23-ZONE3493.

The motion carried 2-1, with Commissioner Kefalas dissenting.

2. FRONCZAK SHORT-TERM RENTAL ADMINISTRATIVE SPECIAL REVIEW, FILE NO. 23-ZONE3501: The subject property is located at 818 Hiawatha Kry, Red Feather Lakes, CO. The property currently contains an existing single-family residence and is zoned O-Open. The applicant requests Administrative Special Review approval for a small short-term rental located in the existing three-bedroom single-family residence with one additional sleeping area for a maximum occupancy of four total guests. The applicant had originally requested eight guests; however, this was reduced due to septic limitations. The home is currently being remodeled to accommodate the short-term rental. The applicant has listed themselves as the Property Manager for the proposed short-term rental. They reside at 8540 3rd Street in Wellington, CO, a 52-minute drive away. The Red Feather Lakes Planning Advisory Committee has not reviewed this application as this Committee does not typically review short-term rental applications.

Administrative Special Review for an STR requires both the Planning Division and the Building Division approval. For this case, the Planning Division review was conducted prior to the Building Division review. In general terms, the Planning review process involves:

1. Staff and referral agency evaluation
2. Community notice and comment review
3. Review and recommendation by the Estes Valley Advisory Committee, if applicable
4. The scheduling of a public hearing, if applicable, or an administrative review and decision by the Community Development Director

A courtesy neighbor notification about the proposed project was mailed to properties 500 feet around the subject property, with 221 neighbors being notified. Staff received emails from seven neighbors voicing concern regarding the application. The concerns ranged from noise, rule enforcement, water supply, fire concerns, and general opposition to allowing short-term rentals in the community. Due to the nature of the neighbors' concerns, the Community Development Director determined that the application be scheduled as a public hearing before the Board of County commissioners per Section 6.3.6.D.3 of the Land Use Code.

Administrative Special Review requires General Review Criteria to be met for approval (Article 6.4.3.D in the Land Use Code), in addition to supplemental review criteria for small short-term rentals (Article 3.3.5.B.2 in the Land Use Code).

Staff finds the application and supporting materials may not adequately meet the following Administrative Special Review General Review criteria in Article 6.4.3.D of the Land Use Code:

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

And

Criterion 2: Any impacts associated with the environment, wildlife, access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, odor, and other adverse impacts have been adequately addressed and/or mitigated.

Staff finds the application meets all other criteria in Article 6.4.3.D and all short-term rental use regulation criteria located in Article 3.3.5.B. The following section addresses staff findings and the review criteria, including neighbor concerns and the applicant's response.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team is not making a specific recommendation on the Fronczak Short-Term Rental, File #23-ZONE3501, and has presented all the information on which the Board of County Commissioners may base their deliberation and decision.

STAFF PRESENTATION: Mr. Christensen gave a brief presentation of the property in question.

Commissioner Stephens asked about the parking and the amended plat process. Mr. Christensen explained that the plat would resolve any inconsistencies or confusion.

Commissioner Kefalas asked about concerns about the shared driveway. Mr. Christensen explained that there was an access agreement that satisfied the requirements of the engineering department. Mr. Sheldon explained that the access easement allows for legal access to the property, which is what the engineering department is requesting. Mr. Sheldon explained that there are two access routes to the property, and only one has been approved.

Commissioner Kefalas expressed concern that the legal description had not been resolved before the application was presented to the Board. Mr. Christensen explained that legal descriptions can be complicated, and the plat would create a concrete reference point.

APPLICANT PRESENTATION:

Maria Lena Fronczak addressed the Board. Ms. Fronczak explained the history of wanting to rent the property as a short-term rental. Ms. Fronczak expressed a love of the short-term rental experience and the want to provide that experience for others. Ms. Fronczak explained the work that was done to address the concerns that were presented by the neighbors. Ms. Fronczak explained the things that have been done to mitigate fire issues. Ms. Fronczak explained her flexibility in delineating the property boundaries.

PUBLIC COMMENT:

Barbara Sturck, Red Feather Lakes resident, addressed the Board. Ms. Sturck explained her concern with parking, accessing the property, and fire mitigation. Ms. Sturck explained that she is worried about trespassing and garbage management as the area is not managed. Ms. Sturck explained that she is concerned about who is responsible for the land.

Tamara Johnson, Red Feather Lakes resident, addressed the Board. Ms. Johnson expressed concern about a short-term rental on this property. Ms. Johnson explained that there are not adequate resources for maintaining a short-term rental. Ms. Johnson explained that the easement for the driveway shows a small trail driveway, which is not adequate for a short-term rental.

Commissioner Shadduck-McNally closed public comment.

REBUTTAL:

Ms. Fronczak explained that she takes noise and fire mitigation seriously and plans to resolve any issues around the driveway.

DELIBERATION:

Commissioner Kefalas asked about the plat and whether it would resolve the setback issue. Ms. Axmacher explained that that would have to be addressed in the creation of the plat.

Commissioner Kefalas asked for a picture of the property. Mr. Christensen brought up a picture of the area, though, Mr. Christensen explained that community development usually depends on what the survey says, as the map might not be accurate.

Commissioner Stephens asked about issues with the septic situation. Ms. Lea Schneider addressed the Board. Ms. Schneider explained the history of the property and the septic situation. Ms. Schneider explained that the applicant was agreeable to decreasing the number of people allowed at the residence.

Commissioner Kefalas asked about the drainage of the septic situation and the possibility of leaking into the water supply. Ms. Schneider explained that the Health Department was not aware of any failing septic situation and requested anyone who knew of failing septic systems to contact the Health Department.

Commissioner Kefalas further asked about the timeline for fixing a failing septic system. Ms. Schneider explained that there are backup plans, and once notified, the situation could be rectified quickly.

Commissioner Shadduck-McNally asked about the replating issue. Mr. Christensen explained that the legal description was confusing, and the condition of approval would solidify that everything would exist on the lot. Ms. Everette explained that surveying is vital to property lines and may show differently on County maps. Ms. Everette explained that this issue could be fixed before the decision would be made or could be done at the same time.

Commissioner Kefalas asked about what would happen if the condition of approval was not met. Ms. Everette explained that as a condition of approval, the short-term rental could not exist without a resolution to this issue.

Commissioner Kefalas expressed gratitude for the flexibility of the applicant, though he ultimately explained that he had concerns about the septic system and the amount of uncertainty that seems to be a part of the property.

Commissioner Stephens explained that the review criteria have not been met because if neighbors are unhappy, there are concerns about the impact. Commissioner Stephens explained that there might be issues with glare, noise, and other impacts on the neighbors and environment.

Commissioner Shadduck-McNally echoed Commissioner Stephens's concerns with criteria one and two. Additionally, Commissioner Shadduck-McNally was not comfortable with the uncertainty surrounding the property.

MOTION

Commissioner Stephens moved the Board of County Commissioners to deny the Fronczak Short-Term Rental, File #23-ZONE3501.

The motion carried 3-0.

3. SECOND AMENDED ORDINANCE IMPLEMENTATION & ENFORCEMENT SHORT TERM RENTAL REGULATIONS, FILE NO. 23-CODE0275:

Amy White addressed the Board. Ms. White explained the necessity of these changes. Ms. White read the changes made to the Ordinance Implementation & Enforcement Short-Term Rental Regulations, File No. 23-CODE0275.

The Board was thankful for the work being done.

Ms. White explained the following processes for the amended ordinance.

With no further business, the Board adjourned at 4:40 p.m.

TUESDAY, DECEMBER 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.

PUBLIC COMMENT: No one addressed the Board.

Commissioner Shadduck-McNally closed public comment.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF NOVEMBER 20, 2023:

MOTION:

Commissioner Kefalas moved that the Board of County Commissioners approve the minutes for the week of November 20, 2023.

Motion carried 3 – 0.

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF DECEMBER 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 #R1645189 TO UPHOLD THE ASSESSOR'S VALUE OF \$3,319,200 FOR TAX YEAR (S) 2022

2. PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT #R1673176 TO UPHOLD THE ASSESSOR'S VALUE OF \$12,897,600 FOR TAX YEAR (S) 2022

3. PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT #R0543535 TO UPHOLD THE ASSESSOR'S VALUE OF \$1,627,110 FOR TAX YEAR (S) 2022

4. PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT #R0175017 TO UPHOLD THE ASSESSOR'S VALUE OF \$1,400,000 FOR TAX YEAR (S) 2022

5. PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT #R1609562 TO UPHOLD THE ASSESSOR'S VALUE OF \$489,600 FOR TAX YEAR (S) 2022

6. PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT #R0176028 TO UPHOLD THE ASSESSOR'S VALUE OF \$1,400,000 FOR TAX YEAR (S) 2021

AGREEMENTS

1. AMENDMENT NO.5 TO THE FIBER USE LICENSE AGREEMENT

2. COMMON INTEREST AND CONFIDENTIALITY AGREEMENT RE: THE SHARING OF INFORMATION FOR THE JOINT REPRESENTATION BEFORE THE COLORADO ENERGY AND CARBON MANAGEMENT COMMISSION

3. FIBER LEASE AGREEMENT – AMENDMENT 3, 2024 BETWEEN LARIMER COUNTY AND LOVELAND PULSE

APPOINTMENTS

1. RECOMMENDED APPOINTMENT TO THE WELD/LARIMER COUNTY REVOLVING LOAN FUND COMMITTEE – MINDY KOEHNEN

2. RECOMMENDED REAPPOINTMENT TO BONNELL WEST PUBLIC IMPROVEMENT DISTRICT – STEVE DAVISON

3. RECOMMENDED REAPPOINTMENTS TO THE FAIR BOARD – JOHN FOLEY, KRISTIN MILLER, AND PAT YOUNG

4. RECOMMENDED REAPPOINTMENTS TO THE CHARLES HEIGHTS PID – BRAD JOHNSON AND KENT BOSCH

5. RECOMMENDED APPOINTMENT TO THE BEHAVIORAL HEALTH TECHNICAL ADVISORY COMMITTEE – BRIANCA DOHERTY

6. RECOMMENDED REAPPOINTMENT TO THE BEHAVIORAL HEALTH TECHNICAL ADVISORY COMMITTEE – RADHWAN JUBAIR

7. RECOMMENDED APPOINTMENT TO THE RED FEATHER LAKES GID – ROBERT FENLASON

8. RECOMMENDED APPOINTMENTS TO THE BEHAVIORAL POLICY COUNCIL – SETH FORWOOD AND SIERRA BLACK

9. RECOMMENDED REAPPOINTMENTS TO THE BEHAVIORAL HEALTH CONSUMER ADVISORY COMMITTEE – MADISON KRUMWIEDED AND STEVE PIETRAFESO

10. RECOMMENDED APPOINTMENTS TO THE BEHAVIORAL HEALTH CONSUMER ADVISORY COMMITTEE – AMBER SULLIVAN AND CEDRIC CLARK

11. RECOMMENDED APPOINTMENT TO THE ESTES PARK ESTATES PUBLIC IMPROVEMENT DISTRICT – ADAM TURNER

12. RECOMMENDED APPOINTMENT TO THE PLANNING COMMISSION – LISA CHOLLET

13. RECOMMENDED APPOINTMENT TO THE BOARD OF ADJUSTMENT – LISA CHOLLET

LETTERS OF SUPPORT

1. CAPITAL PROJECT FUND GRANT LETTERS OF SUPPORT

LIQUOR LICENSES

1. LIQUOR LICENSE RENEWAL – PTARMIGAN ACQUISITION LLC DBA PTARMIGAN COUNTRY CLUB

2. LIQUOR LICENSE CHANGE OF MANAGER – THE ROCK INN TBD DBA THE ROCK INN

MISCELLANEOUS

1. ROBERT A. AND JANIC H. WILLIAMS STIPULATION AS TO TAX YEAR 2023 VALUE

2. GEORGE AND CINDY COSMAS STIPULATION AS TO TAX YEAR 2023 VALUE

3. ZHOU DACHENG/YAN WENXIN STIPULATION AS TO TAX YEAR 2023 VALUE

4. ZHOU DACHENG/YAN WENXIN STIPULATION AS TO TAX YEAR 2023 VALUE

5. KCP RE LLC STIPULATION AS TO TAX YEAR 2023 VALUE

6. 1491 DENVER AVE LLC STIPULATION AS TO TAX YEAR 2023 VALUE
7. COMBS MICHAEL L/MARY LAWLER, COMBS BARR B/ATHENA LIVING TRUST STIPULATION AS TO TAX YEAR 2023 VALUE
8. MORIN N PAUL II AMEND RESTATED REV TRUST/NORMA CARROLL MAREK IRON JEANNETTE MORIN TRUSTEES STIPULATION AS TO TAX YEAR 2023 VALUE
9. POTTER KATHERINE FORDERHASE STIPULATION AS TO TAX YEAR 2023 VALUE
10. ORDER AND ASSESSMENT FOR CODE COMPLIANCE CASE NUMBER 23-CCPM0008
11. STATEMENT OF AUTHORITY

RESOLUTIONS

1. FINDINGS AND RESOLUTION APPROVING THE TRIPLETT ACCESSORY LIVING AREA APPEAL
2. RESOLUTION APPROVING THE SALE OF 2649 MULBERRY STREET, UNIT A6, FORT COLLINS, CO 80524, IN LARIMER COUNTY (WEED DISTRICT SHOP)
3. GOCO LAND ACQUISITION GRANT – HEAVEN’S DOOR RANCH ACQUISITION PROJECT

M O T I O N

Commissioner Stephens moved the Board to approve the Consent Agenda for December 5, 2023.

Motion carried 3 – 0.

5. COMMISSIONERS’ GUESTS: Tina Harris, the Clerk and Recorder, addressed the Board. Clerk Harris expressed gratitude to the Elections team and the citizen judges who worked on the election. Clerk Harris updated the Board that 39% of all ballots returned during the Coordinated Election were returned on Election Day. The total number of ballots returned was 126,030. Almost 48% of the population of Larimer County voted in the 2023 Coordinated Election. The 2023 Coordinated Election was certified by the Secretary of State office yesterday, December 4th.

Commissioner Stephens asked about the number of vote centers that were used and what the plan was to manage the upcoming election. Clerk Harris explained that during the Coordinated Election, by statute, only three voting centers were required, but Larimer County had more open to help voters.

The determining factors of how many voter centers are open are the number of voters, how difficult it is for residents to access the centers, and how much money it costs to staff each center. It takes 12-13 bipartisan election judges to staff each center. Clerk Harris explained that drop boxes allow a large number of voters to bring back their ballots, so the Clerk's office works to spread the drop boxes throughout the county for voter convenience.

Commissioner Stephens asked about locations for voting centers for the upcoming elections. Clerk Harris explained that the decision had been made to have the Estes Park voting center open for four days moving forward instead of the statutorily required two days. Commissioner Stephens confirmed that a resident could register to vote and vote on the same day.

Commissioner Stephens asked about the number of election judges needed for the upcoming elections. Clerk Harris explained that for the general election in 2024, 800-900 judges will be required to staff the election process adequately. Clerk Harris highlighted the job posting on the Larimer County website at vote.larimer.gov.

Commissioner Stephens expressed gratitude for the work being done.

Commissioner Kefalas asked about recognition for the election judges and whether the Commissioners could express gratitude for the work being done. Clerk Harris explained the events that were hosted to show the county's appreciation for each election worker. Clerk Harris highlighted recruitment opportunities in the coming year. Commissioner Kefalas expressed the want to recognize the election judges personally.

Commissioner Kefalas asked about lessons learned from this past Coordinated Election. Clerk Harris explained that there were some bottlenecks in the ballot removal process and the steps in the future to help rectify this issue. Additionally, the reporting for the election in the past coordinated election was delayed. This was because of a last-minute voter in a voting center. Clerk Harris explained the measures that the department is putting in place to help with this issue moving forward.

Commissioner Kefalas asked about the ballot boxes and the logistics of collecting ballots. Clerk Harris explained the timeline of drop box pickups. Most drop boxes are emptied every 72 hours, but as election day gets closer, the boxes are checked every 24 hours. Additionally, each of the drop boxes are constantly monitored by video cameras.

Commissioner Kefalas asked about ballots for those who speak Spanish and how the public might be able to comment on the election. Clerk Harris explained that by statutes, once a specific amount of the population speaks Spanish as their primary language, the ballot must be offered in Spanish. Clerk Harris expects that bilingual ballots will soon be offered in Larimer County. As for public comments, starting February 29, anyone with a question or concern can submit their comments to the County.

Commissioner Shadduck-McNally expressed gratitude for Clerk Harris and her team. Commissioner Shadduck-McNally asked how the Commissioners could help promote the public comment aspect of elections. Clerk Harris confirmed that the survey will be on the website and that she will let the Commissioners know once it becomes available.

Commissioner Shadduck-McNally explained that Clerk Harris personally goes to each election site during the election to ensure that each was adequately functioning. Clerk Harris explained that at the

Lory Student Center voting site, additional signs needed to be put up. Clerk Harris highlighted her efforts to ensure everything was operating smoothly, including visiting the drop boxes.

Commissioner Shadduck-McNally asked about the status of the machines purchased by the county to help count ballots. Clerk Harris explained that the two counting machines did help as they could run simultaneously. On election day, 35,000 ballots were processed, while in the past, usually, only 20,000 ballots could be processed. However, the main issue with this election was the ballot removal aspect of the process.

Commissioner Shadduck-McNally asked about the volume anticipated for the presidential general election. Clerk Harris explained that the anticipated volume is around 95,000 ballots just on election day. The larger space and extra machines will help handle this ballot load. Clerk Harris highlighted that counting was able to be completed the day after election day itself, which was an improvement from the last election.

Manager Volker expressed gratitude for the work accomplished by the Clerk and Recorder's office and the collaboration moving forward.

6. DISCUSSION ITEMS:

1. CELEBRATING/RECOGNIZING OUR 2023 RANGER BRENDAN UNITT COMMUNITY SERVICE AWARD RECIPIENT: LORI HODGES, DIRECTOR OF OFFICE OF EMERGENCY MANAGEMENT: Katelyn Lubick, a member of the guiding principles committee, addressed the Board. Ms. Lubick gave a brief history of the Ranger Brendan Utt Community Service Award. Award winners show outstanding devotion to the County. Ms. Lubick read out excerpts from the nomination letter for the award.

Lori Hodges, Director of the Office of Emergency Management, addressed the Board and thanked the Board for the award.

Commissioner Stephens congratulated Ms. Hodges for the fantastic work that she has done and directed. Commissioner Stephens highlighted the work that Ms. Hodges has done in both her professional and personal life. Commissioner Stephens explained that even if Ms. Hodges just did her job, that would be outstanding, but it is even more impressive that she does great work within the community outside of her day job. Commissioner Stephens highlighted Ms. Hodges's giving spirit and humility.

Commissioner Kefalas expressed gratitude for Ms. Hodges's work and expressed it has been a pleasure working with her for the benefit of Larimer County. Commissioner Kefalas highlighted the specific work that Ms. Hodges has done for Larimer County, such as advocacy in the creation of policy. Ms. Hodges additionally helps with the Matthews House and the foster program. Commissioner Kefalas told a story about Ms. Hodges helping with a population of migrant people during the holiday season.

Commissioner Shadduck-McNally echoed the other commissioner's comments of gratitude for Ms. Hodges's work. Commissioner Shadduck-McNally highlighted Ms. Hodges' work as an author and that she is currently working on her PhD. Commissioner Shadduck-McNally explained how lucky Larimer County is to have Ms. Hodges work for them. Other counties have commented on how Ms. Hodges has helped them in situations of need.

Manager Volker explained how perfect Ms. Hodges is to receive this award and how it is an honor to provide her with this award.

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:

Executive Session pursuant to Colorado Revised Statutes 24-6-402(4)(b): Conference with an attorney for the purpose of receiving legal advice about the status of the Centerra South urban renewal plan and related tax increment sharing agreement between Larimer County and the Loveland Urban Renewal Authority.

MOTION

Commissioner Kefalas moved the Board of County Commissioners to enter Executive Session pursuant to Colorado Revised Statutes 24-6-402(4)(b): Conference with an attorney for the purpose of receiving legal advice about the status of the Centerra South urban renewal plan and related tax increment sharing agreement between Larimer County and the Loveland Urban Renewal Authority.

Motion carried 3-0.

With there being no further business, the Board adjourned at 10:25 a.m.

Jody Shadduck-McNally
JODY SHADDUCK-MCNALLY
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK AND RECORDER

ATTEST:

Tessa Beaty
Tessa Beaty, Deputy Clerk

