

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, OCTOBER 18, 2021

LAND USE HEARING

There was no Land Use Hearing held during this week.

MONDAY, OCTOBER 18, 2021

EXECUTIVE SESSION

The Board of County Commissioners met at 10:00 a.m. with Linda Hoffman, County Manager. Those present included Chair Kefalas presided. Commissioner Shadduck-McNally and Commissioner Stephens were present. Also present were David Ayraud, County Attorney and Kelly Bryant, Deputy Clerk.

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners enter into Executive Session pursuant to State Statute [C.R.S.] 24-6-402(4)(d) to conference and receive legal advice from the attorney regarding legal questions on an Inter-Governmental Agreement (IGA) with Loveland on the Ranch Complex Project.

No decision expected.

Motion carried 3 - 0

TUESDAY, OCTOBER 19, 2021

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with Linda Hoffmann, County Manager, Chair Kefalas presided; Commissioner Shadduck-McNally and Commissioner Stephens were present. Also present were Austin Harvill, Commissioners' Office, and Kelly Bryant, Deputy Clerk.

Commissioner Kefalas opened the meeting with the Pledge of Allegiance.

1. PUBLIC COMMENT: Stacey Slinkard (via email), Lisa Hecker, Sean Harrison, Ross Livingston, Nick Lance, Neil Spooner, Julie Formby and Chase Hecker (via phone) addressed the Board.

Chair Kefalas closed public comment.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF OCTOBER 11, 2021:

MOTION

Commissioner Stephens moved that the Board of County Commissioners approve the minutes for the week of October 11, 2021.

Motion carried 3-0

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF OCTOBER 25, 2021: Mr. Harvill reviewed the upcoming schedule with the Board. Commissioner Shadduck-McNally advised Mr. Harvill of the noted changes: she would also be attending the Dia De Los Muertos Community Celebration in Old Town and Summit Stone Health Partners Annual Fundraising Event has been moved to a virtual event.

4. CONSENT AGENDA:

AGREEMENTS:

- 1. CONTRACT FOR ELECTRIC SERVICE**
- 2. PROFESSIONAL SERVICES AGREEMENT (B21-17 RE-SOLICITATION OF ON-CALL REFUSE COLLECTION SERVICES)**
- 3. LIVE THE VICTORY, INC. DBA THE MATTHEWS HOUSE NON-CORE CONTRACT PACKET**
- 4. ADDENDUMS TO SPECTRA VENUE MANAGEMENT AND SPECTRA TICKETING AGREEMENTS**
- 5. GRANT AGREEMENT-LCBHS GRANT AGREEMENT 21-RES-NCHA**

APPOINTMENTS

- 1. RECOMMENDED APPOINTMENTS TO THE ESTES VALLEY PUBLIC LIBRARY DISTRICT BOARD OF TRUSTEES**

DEEDS

1. **DEED OF DEDICATION SUBMITTED BY: TIM MEYER, ENGINEERING**

LIQUOR LICENSES:

DAO HOUSE DAO HOUSE HOTEL & RESTAURANT W/ OPTIONAL PREMISE – FORT COLLINS;
NOBLE WOLFF LLC DBA POT BELLY RESTAURANT & LOUNGE, TAVERN – RED FEATHER
LAKES; AND RIVERSONG INC DBA ROMANTIC RIVERSONG INN ROMANTIC RIVERSONG
INN, BED AND BREAKFAST-ESTES PARK.

MISCELLANEOUS:

1. **DEPARTMENT OF HUMAN SERVICES PAYMENTS FOR AUGUST 2021**

POLICIES:

1. **HR POLICY AND PROCEDURE 331.8F; CORRECTIVE AND ADVERSE ACTIONS; GRIEVANCE
PROCEDURE; AND PROBLEM-SOLVING PROCESS**

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the
Consent Agenda for October 19, 2021.

Motion carried 3-0.

5. **COMMISSIONERS GUESTS:** The Commissioners invited Clerk and Recorder Angela Myers
to provide an update on the upcoming elections activity. Clerk Myers began by providing a brief
comment about mask mandates. She asked the Commissioners not to take a stand on the Health
Departments position as she is a firm believer in personal choice and freedom to make decisions
for one's own health. She does not believe that a one-size-fits-all approach works for everyone.

As for the elections update, Clerk Myers stated that there was one withdrawal request from Tyler
Gearhart in the St. Vrain Valley School District. By law, the election results for this withdrawn
candidate will be suppressed. The withdrawal status of this candidate will be available at all
voting booths as well as on the website: vote.larimer.gov.

Clerk Myers stated that the Elections Office has received almost 13,000 completed ballots. She
asks that the voters remove the stub from their ballot before returning them in an effort to save
time in processing their vote. If a voter has not received a ballot by now, they are asked to call
the office at (970)498-7820 and a replacement ballot can be issued. Please note that within eight
days of the election, a ballot cannot be mailed to a voter. If they have not received a ballot

within eight days of the election, they can go to a voting site to get a replacement ballot. Clerk Myers encouraged the public to take care of this as soon as possible.

Please remember that that the drop boxes previously located in grocery stores are no longer an option for voters to deliver their completed ballots. Clerk Myers stated the reason for grocery store drop boxes being phased out was due to the high number of drop box locations throughout the county including 23 drop boxes open 24 hours. All but four of those sites are drive through drop boxes.

And lastly, each set of voting instructions will have an "I voted" sticker, a list of the 24-hour drop box sites as well as, voting service and polling center locations. Clerk Myers encouraged citizens to call the Elections Office for any questions about the election at (970)498-7820 and said, "Whether it be about process or integrity, we are at the ready."

6. DISCUSSION ITEMS:

1. Resolution Supporting the Public Health Order Issued October 15, 2021, by the Larimer County Public Health Director

This resolution was prepared by Lorenda Volker, Assistant County Manager at the request of the Board of County Commissioners to indicate the Boards support for the Larimer County Public Health Director and his decision to implement a countywide face covering requirement in Larimer County as well as join the Public Health Director in encouraging eligible Larimer County residents to get vaccinated. Chair Kefalas stated that the Board would not dismiss or discount the comments heard during public comment. Commissioner Stephens read the resolution as a motion in its entirety.

Commissioner Shadduck-McNally provided comments regarding the resolution to include thanking constituents who supported the resolution. She added that she has been personally affected by COVID-19 and understands the strain its placed on our community's medical professionals. Commissioner Shadduck-McNally commented that the intensive care units (ICU's) and local hospitals have been over capacity for weeks and the Delta variant has been a "game changer." Hospital capacity concerns also exist for the high rates of respiratory syncytial virus – (RSV) in children, trauma cases, expected seasonal influenza cases, and non-COVID related illnesses and injuries in adults. She noted that the Public Health department and Larimer County Sheriff's Office have held open meetings to help navigate this current health crisis. Commissioner Shadduck-McNally expressed support for the resolution and noted she will "do what is right."

Commissioner Stephens reiterated that the hospitals were overwhelmed and that this is a public health emergency. She stated that the mask mandate may also help protect people against the flu and RSF. She prefaced her next comment by saying it was not a political or polarizing stance, but, if there were higher vaccination rates, there may not be a need for

masks. Commissioner Stephens added that she would be supporting the resolution and that she hoped to achieve the metrics outlined out by the Public Health Director.

Chair Kefalas noted that he appreciated the constituents who attended and spoke at the hearing. He expressed that people of all points of view have the right and freedom to engage in civil discourse and added that this was an emotional and polarizing issue. He stated that the public health order will go into effect Wednesday, October 20, 2021 to help protect the most vulnerable populations in the community, such as young children and senior citizens. Chair Kefalas mentioned that local businesses will feel the effects of the mask mandate, however, some of those businesses have already expressed their support. There have been 307 deaths caused by COVID-19 and 21 of those have died since September of this year. Chair Kefalas stated that he's in favor of this order because he has a 4-year-old granddaughter and a 10-year-old grandson he'd like to protect. He added that he was also highly concerned with the impact to business owners and their livelihoods. All things considered, he believed this mandate was reviewed carefully and the result was a proper and informed decision. Chair Kefalas asked the community to respect one another and stated "We can agree to disagree but please be nice to each other."

MOTION

Commissioner Stephens moved to that the Board adopt the Resolution in support of the Larimer County Public Health Director and his decision to implement a public health Order Issued October 15, 2021, requiring face coverings in Larimer County and join the Public Health Director in encouraging all eligible Larimer County residents to get vaccinated.

Motion carried 3-0

7. COUNTY MANAGER UPDATE: County Manager Hoffmann updated the Board on this week's coordination meetings and upcoming projects and activities.

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

9. LEGAL MATTERS: EXECUTIVE SESSION

No Decision Expected

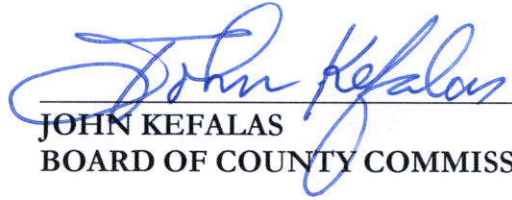
Executive Session pursuant to C.R.S. 24-6-402(4)(b): Conferences with an attorney for the purpose of receiving legal advice regarding court opinion issued in Thompson Area Against Stroh Quarry Inc. et al v. Board of County Commissioners of Larimer County and Coulson Excavating

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners enter into 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 opinion issued in Thompson Area Against Stroh Quarry Inc. et al v. Board of County Commissioners of Larimer County and Coulson Excavating

Motion carried 3-0

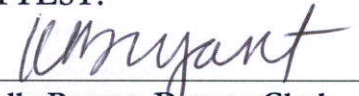
With there being no further business, the Board adjourned at 10:20 a.m.



JOHN KEFALAS
BOARD OF COUNTY COMMISSIONERS

ANGELA MYERS
CLERK AND RECORDER

ATTEST:



Kelly Bryant, Deputy Clerk

