

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, DECEMBER 18, 2023

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m. with Rebecca Everette, Community Development Director. Chair Shadduck-McNally presided. Commissioner Stephens was present. Also present were Samantha Lasher, Community Development, Frank Haug, Assistant County Attorney, and Tessa Beaty, Deputy Clerk.

Commissioner Kefalas was excused from the proceedings.

TABLED ITEMS TO JANUARY 8, 2024

1. E Lincoln Storage Facility SP Review & Appeal, File No. 21-ZONE3044

PUBLIC HEARING CONSENT ITEMS:

1. **AMENDED PLAT OF LOTS 1 AND 2 OF THE LAMPERT MINOR RESIDENTIAL DEVELOPMENT (MRD), FILE NO. 23-LAND4358:** The subject properties are located at 8039 and 8041 W. Highway 34 in Loveland, CO, which is located approximately 0.2 miles west of the intersection of N. Country Road 27 and W. Highway 34.

8039 W. Highway 34 is Lot 1 of the Lampert Minor Residential Development (MRD) and is zoned CD – Commercial Destination. 8041 W. Highway 34 is Lot 2 of the Lampert Minor Residential Development process and is limited to single-family residential use only.

The applicant requested amended plat approval to remove this land use restriction from Lots 1 and 2. The applicant indicated they want to apply for a bar/tavern use on Lot 1 and a hosted short-term rental on Lot 2. If the proposed amended plat is approved, the applicant could pursue approval of these non-residential uses or other principal uses identified in the RR-2 – Rural Residential and CD – Commercial Destination zoning districts, following the applicable planning review procedure specified for the use(s).

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the amended plats of lots 1 and 2 of the Lampert Minor Residential Development, File No. 23-LAND4358, subject to the following conditions:

1. The existing plat not restricting the use of the property to a single-family residential use shall be from lots 1 and 2 of the Lampert Minor Residential Development, and the property will be subject to all other restrictions, covenants, and conditions as outlined in the plat of record for the Lampert Minor Residential Development.

2. Any future use of Lots 1 and 2 shall obtain approval through the applicable planning review procedure as established in the Larimer County Land Use Code before 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 after 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 Stephens 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 2-0.

With no further business, the Board adjourned at 3:10 p.m.

TUESDAY, DECEMBER 19, 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 Michelle Bird and Tom Clayton, Commissioner's 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 DECEMBER 11, 2023:

MOTION:

Commissioner Kefalas moved that the Board of County Commissioners approve the minutes for the week of December 11, 2023.

Motion carried 3 – 0.

3. **REVIEW OF THE SCHEDULE FOR THE WEEK OF DECEMBER 25, 2023, and January 1, 2024:** Ms. Bird reviewed the upcoming schedule with the Board.

4. **CONSENT AGENDA:**

AGREEMENTS

1. **AGREEMENT FOR FUNDING OF BROADBAND SERVICE IN THE PTARMIGAN NEIGHBORHOOD**

2. **PROFESSIONAL SERVICES AGREEMENT (P23-19, NON-PROJECT SPECIFIC ENGINEERING & CONSTRUCTION MANAGEMENT SERVICE; AVI)**

3. **PROFESSIONAL SERVICES AGREEMENT (P23-19, NON-PROJECT SPECIFIC ENGINEERING & CONSTRUCTION MANAGEMENT SERVICES; FHU)**

4. **PROFESSIONAL SERVICES AGREEMENT (P23-19, NON-PROJECT SPECIFIC ENGINEERING & CONSTRUCTION MANAGEMENT SERVICES; J-U-B)**

5. **INTERGOVERNMENTAL AGREEMENT FOR FUNDING OF THE US34 TRANSPORTATION MANAGEMENT ORGANIZATION (TMO) IN LARIMER COUNTY**

6. **AMENDMENT TO THE CDOT AGREEMENT/CONTRACT – PHEMISTER BRIDGE AND TRAIL PROJECT**

7. **STATE OF COLORADO GRANT AGREEMENT (RE: OPIOID ABATEMENT INNOVATION CHALLENGE GRANT; AGREEMENT NUMBER GT2024-15)**

8. **TOWN OF BERTHOUD STATEMENT OF WORK AND BUDGET AGREEMENT FOR LAW ENFORCEMENT SERVICES**

9. **TOWN OF WELLINGTON STATEMENT OF WORK AND BUDGET AGREEMENT FOR LAW ENFORCEMENT SERVICES**

APPOINTMENTS

1. **RECOMMENDED APPOINTMENTS TO THE AGRICULTURAL ADVISORY BOARD – AUDREY WELSH AND DYLAN ALSBACH**

2. **RECOMMENDED REAPPOINTMENTS TO THE BERTHOUD LIBRARY BOARD – BOB LATCHAW AND MELISSA ROBINSON**

3. **RECOMMENDED REAPPOINTMENT TO THE MOUNTAIN RANGE SHADOWS PUBLIC IMPROVEMENT DISTRICT – RICHARD MORTENSON**

4. RECOMMENDED REAPPOINTMENT TO THE VISIT ESTES PARK BOARD – PAT MURPHY

5. RECOMMENDED APPOINTMENT TO THE VISIT ESTES BOARD – NICHOLAS SMITH

LIQUOR LICENSES

1. LIQUOR LICENSE MANAGER REGISTRATION – AMERICAN LEGION POST NO 4 – GEORGE BEACH POST NO 4 – FORT COLLINS, CO

2. LIQUOR LICENSE SPECIAL EVENT 6% - GREEN EVENTS INC – POLAR BEAR PLUNGE – FORT COLLINS, CO

3. LIQUOR LICENSE RENEWAL – ODELL GOLF DBA MOUNTAIN VISTA GREENS – FORT COLLINS, CO

MISCELLANEOUS

1. COUNTY-HELD LIENS ACQUIRED THROUGH ANNUAL TAX LIEN SALE

2. CORRECTION TO STIPULATION TO ARBITRATION ORDER AS TO TAX YEAR 2023 VALUE FOR JOHN/MICHELLE L BOWERFIND FOR ACCOUNT #R1624541

3. LEVICK WILLIAMS/JOAN STIPULATION AS TO TAX YEAR 2023 VALUE

4. ROSEMARY BLACK STIPULATION AS TO TAX YEAR 2023 VALUE

5. BRUCE N JAMES/ DEBRA JO JAMES STIPULATION AS TO TAX YEAR 2023 VALUE

6. KEVIN MARTIN STIPULATION AS TO TAX YEAR 2023 VALUE

7. PHILLIPS DAVID J LIVING TRUST (.615) & WESTPARK MANAGEMENT LLC (.385) STIPULATION AS TO TAX YEAR 2023 VALUE

8. VILLAGES LTD STIPULATION AS TO TAX YEAR 2023 VALUE

9. ELEVEN-TWENTY LLC STIPULATION AS TO TAX YEAR 2023 VALUE

10. FORT WALNUT LLC STIPULATION AS TO TAX YEAR 2023 VALUE

11. 301 S COLLEGE LLC STIPULATION AS TO TAX YEAR 2023 VALUE

12. BARWINSKI SARA L/DANIEL L STIPULATION AS TO TAX YEAR 2023 VALUE

13. IZEN JOSEPH M STIPULATION AS TO TAX YEAR 2023 VALUE

14. **REVISED BUILDING PERMIT FEE TABLES FOR CODE COMPLIANCE, WILDFIRE INSPECTION**
15. **2024 SOLID WASTE FEE SCHEDULE**
16. **PLANNING AND ENGINEERING DEVELOPMENT REVIEW FEE IMPLEMENTATION (JANUARY 2, 2024)**
17. **LARIMER COUNTY WEED MANAGEMENT PLAN (2023 UPDATES)**
18. **RICHARD AND KARIN SEARLES STIPULATION AS TO TAX YEAR 2023 VALUE**
19. **ACCEPTANCE BY THE BOARD OF COUNTY COMMISSIONERS OF AN ANNEXATION DENIAL FROM THE CITY OF LOVELAND**
20. **BUREAU OF JUSTICE ASSISTANCE (BJA) FY 2023 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM**

RESOLUTIONS

1. **A RESOLUTION CANCELING 2021 TAXES DETERMINED TO BE UNCOLLECTIBLE**
2. **A RESOLUTION REGARDING DEPOSIT OF 2024 FUNDS BY THE COUNTY TREASURER**
3. **REVISED RESOLUTION DECLARING EQUITY FEE REDUCTION FOR PLANNING AND ENGINEERING DEVELOPMENT REVIEW FEES FOR CERTAIN APPLICATION TYPES THAT ACHIEVE COMMUNITY BENEFITS**
4. **2024 RESOLUTION AMENDING COMPENSATION FOR LARIMER COUNTY – DISTRICT ATTORNEY’S OFFICE**

MOTION

Commissioner Stephens moved the Board to approve the Consent Agenda for December 19, 2023.

Commissioner Stephens explained that there was not currently any transit between Loveland and Greeley on Highway 34. The Intergovernmental Agreement for Funding of the US34 Transportation Management Organization in Larimer County is working to help with this issue.

Motion carried 3 – 0.

5. COMMISSIONERS’ GUESTS: Gary Ingram, Rocky Mountain National Park Supervisor, addressed the Board. Mr. Ingram thanked the Board for the invitation to come and speak. Mr. Ingram explained that he had worked with the National Park Service for around thirty years. Mr. Ingram gave

a brief explanation of his life and how he got to the Rocky Mountain National Park Supervisor position. Mr. Ingram explained that it is an honor to work for Rocky Mountain National Park.

Mr. Ingram highlighted the importance of fire management and collaborating with neighbors to mitigate issues in the future. Mr. Ingram gave a brief history of the timed entry plan within the structure of the park. Additionally, Mr. Ingram spoke about the need for affordable housing for employees.

The Board thanked Mr. Ingram for coming to speak.

Commissioner Stephens asked about workforce housing within the park. Mr. Ingram explained that there is room to build housing, but there is a lack of funds. Additionally, the cities surrounding the park have housing that is too expensive for the average worker. Mr. Ingram explained the nuances of needing housing for workers.

Commissioner Stephens asked about funding for affordable housing. Mr. Ingram explained that money for housing has not been a priority as infrastructure has been a more significant issue. Mr. Ingram highlighted the problems with interest rates and how society has shifted away from affordable housing.

Commissioner Stephens requested that Mr. Ingram stay in touch to continue the conversation about affordable housing.

Commissioner Kefalas told a brief story about his experience with Rocky Mountain National Park and how that trip pushed him to live in Colorado. Commissioner Kefalas asked about the time entry system that has been put into place and what the park is looking at for sustainability, specifically the Noco2050 program. Mr. Ingram explained that he has pushed for timed entry and how others within the industry use the timed entry model. The population of the Front Range has increased within the past decade. Mr. Ingram highlighted the proactive steps that will help in the future.

Commissioner Kefalas asked Mr. Ingram about Summit County and how the Forest Service built workforce housing for the employees. There was also a story about workforce housing being made for Colorado State employees. Mr. Ingram expressed interest in learning more about both of these stories. Mr. Ingram explained the importance of thinking outside the box regarding workforce housing. Mr. Ingram expressed gratitude for how the Commissioners have been thinking and asking questions, as it will lead to solutions.

Commissioner Shadduck-McNally asked about the housing that was burned down in a past fire and whether that housing would be rebuilt. Mr. Ingram explained that housing would be rebuilt and would help employees on the west side of Rocky Mountain National Park.

Commissioner Shadduck-McNally highlighted the county's work with the Town of Estes for the creation of workforce housing and the county's commitment to working towards a solution for this issue. Mr. Ingram explained how he had heard of the work in Estes Park and expressed gratitude for it.

Commissioner Shadduck-McNally asked about the rules around paddleboards within the park. Mr. Ingram explained that he had not heard of paddleboards being brought into the park but would investigate it.

Commissioner Shadduck-McNally asked about social trails and how to educate people to stay on the path. Mr. Ingram highlighted the ability to use social media to help raise awareness. Additionally, individual people can ask those who use social trails to stay on the path. Mr. Ingram explained that he wants to keep an open mind to reinventing paths.

Manager Volker expressed a want to continue the conversation within the new year.

6. DISCUSSION ITEMS:

1. TO INFORM THE BOARD AND LEADERSHIP OF RANCH STAFF ACCOMPLISHMENTS: Conor McGrath, The Ranch Director, addressed the Board. Mr. McGrath gave a brief history of his work with the Ranch. The Ranch won the “Best of NoCo Award” and the “Best Medium-Sized Rodeo” this year. Mr. McGrath highlighted the changes and accomplishments of the Ranch. Katie Buttermore, sales representative, explained that the NoCo Style Newspaper gave them that award and how the award is a gem for the Ranch. Louise Romero, Events Manager, expressed gratitude for the staff that helped with this achievement.

Commissioner Kefalas expressed excitement for the achievements of the Ranch and the events that will take place in 2024.

Commissioner Stephens highlighted the variety of events that The Ranch has held and asked what events are coming up. Ms. Buttermore highlighted Brick Fest, which is a Lego building competition that is coming up in February. Mr. McGrath also spoke about the upcoming football events that will start in March.

Commissioner Shadduck-McNally expressed how positive her experience with The Ranch has been. Commissioner Shadduck-McNally expressed gratitude for all of the excellent work that the team has been doing.

Manager Volker explained that The Ranch is not just a fairground area now but so much more.

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.

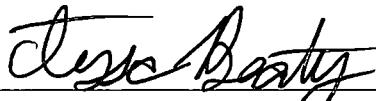
9. LEGAL MATTERS: None requested

With there being no further business, the Board adjourned at 10:35 a.m.


~~JODY SHADDUCK-MONALLY~~ JOHN KEFALAS
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK AND RECORDER

ATTEST:


Tessa Beaty, Deputy Clerk

