



MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, JANUARY 18, 2021

LAND USE HEARING

The Board did not hold a Land Use Hearing on January 18, 2021 due to the Martin Luther King Jr. Holiday.

TUESDAY, JANUARY 19, 2020

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with Linda Hoffmann, County Manager. Chair Kefalas presided. Commissioner Stephens and Commissioner Shadduck-McNally were present. Also present were: Alisha Jeffers, Commissioners' Office; and Deirdre O'Neill, Deputy Clerk.

1. **PUBLIC COMMENT:** Tim Gosav addressed the Board with a request to consider a six-month moratorium for any new oil and gas regulations.
2. **APPROVAL OF THE MINUTES FOR THE WEEK OF JANUARY 11, 2021:**

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the minutes for the week of January 11, 2021.

Motion carried 3-0

3. **REVIEW OF THE SCHEDULE FOR THE WEEK OF JANUARY 25, 2021:** Ms. Jeffers reviewed the upcoming schedule with the Board.
4. **CONSENT AGENDA:**

ABATEMENTS:

1. **RECOMMENDED DENIAL OF PETITION FOR ABATEMENT OR REFUND OF TAXES:** Celestins Menard; MAC, LLC. R1646604

RESOLUTION:

1. **ESTABLISHING COMPENSATION FOR FIRST DISTRICT ATTORNEY: MATTHEW MAILLARO, SALARY REQUEST SET TO \$169,125 ANNUALLY**
2. **ESTABLISHING COMPENSATION FOR SENIOR DEPUTY DISTRICT ATTORNEY: LAURA ROBILOTTA HINOJOS, SALARY REQUEST SET TO \$112,750 ANNUALLY**
3. **ESTABLISHING COMPENSATION FOR DEPUTY DISTRICT ATTORNEY I: MELISSA BRICKEY, SALARY REQUEST SET TO \$75,000 ANNUALLY**
4. **RESOLUTION ESTABLISHING COMPENSATION FOR SENIOR DEPUTY DISTRICT ATTORNEY: PROMOTION OF ROBERT AXMACHER, SALARY REQUEST SET TO \$102,000 ANNUALLY**
5. **RESOLUTION ESTABLISHING COMPENSATION FOR SENIOR DISTRICT ATTORNEY: ROBERT PERCIFIELD, SALARY REQUEST SET TO \$115,000 ANNUALLY**
6. **RESOLUTION ESTABLISHING COMPENSATION FOR DEPUTY DISTRICT ATTORNEY III: TAYLOR CLAPP, SALARY REQUEST SET TO \$85,000 ANUALLY**
7. **RESOLUTION ESTABLISHING COMPENSATION FOR CHIEF DEPUTY DISTRICT ATTORNEY: JOSHUA RITTER, SALARY REQUEST SET TO \$120,000 ANNUALLY**
8. **RESOLUTION ESTABLISHING COMPENSATION FOR CHIEF DEPUTY DISTRICT ATTORNEY: DAWN DOWNS, SALARY REQUEST SET TO \$120,000 ANNUALLY**
9. **RESOLUTION ESTABLISHING COMPENSATION FOR SENIOR DEPUTY DISTRICT ATTORNEY: LUKE BIRKY, SALARY REQUEST SET TO \$102,000 ANNUALLY**
10. **RESOLUTION ESTABLISHING COMPENSATION FOR CHIEF DEPUTY DISTRICT ATTORNEY: AMANDA DUHON, SALARY REQUEST SET TO \$120,000 ANNUALLY**

MISCELLANEOUS:

1. STATEMENT OF AUTHORITY: Authorization for Ken Cooper or Jennifer Johnson to sign closing papers related to Airpark North First Subdivision, Lot 4, Block 2 land purchase.

LIQUOR LICENSES: The following liquor licenses were approved/issued: JJ's Liquor LLC-Retail Liquor Store-Fort Collins.

Chair Kefalas asked Manager Hoffman if the Statement of Authority was related to the new Fleet Services campus.

Manager Hoffmann confirmed that this is correct and that the closing has been delayed so this is an enduring authorization in order to allow them to sign when the papers are ready.

Manager Hoffmann also noted that the resolution titles with possible clerical errors will need to be corrected.

MOTION

Commissioner Stephens moved that the Board of County Commissioners approve the Consent Agenda for Tuesday, January 19, 2021, with clerical errors adjusted.

Motion carried 3-0.

5. COMMISSIONERS GUESTS: Chair Kefalas introduced Lisa Carlson, Executive Director of Tribal Experience Korner. Ms. Carlson addressed the Board and explained the purpose of Tribal Experience is to assist former incarcerated individuals to help them overcome barriers and successfully reenter society.

Ms. Carlson went over the program and services they provide. They offer virtual and in-person recovery groups, substance abuse support groups, mentoring and resources for jobs, housing, etc. They are peer recovery coaches who also have had a past with substance use and have been involved in the justice system. Ms. Carlson explained the referral process as well as having Spanish speaking programs.

The Commissioners thanked Ms. Carlson for her dedication and also suggested she contact the Director of Criminal Justice Services, Emily Humphrey, as a possible resource.

6. COVID-19 UPDATES AND DECISIONS: Manager Hoffman introduced Tom Gonzalez, Director of Public Health, to update the Board.

Director Gonzales presented the Board with a COVID-19 update stating that he does have some positive news for the case rate per 100,000. It appears we have plateaued and stayed steady. Director Gonzales presented the Board with several slides showing patterns in case rates for post-holidays as well as a graph on loss of life. Hospitalizations are trending down in Colorado. We would like to see this trend continue to decrease. One of the things we need to continue to do is decrease the amount

of social gatherings among different households. Director Gonzales gave the Board a vaccine update and the plan for prioritization. The plan looks at saving lives and ending the pandemic.

The vaccine has a phased approach. Phase 1A- Highest risk health care workers and individuals, people who have direct contact with COVID-19 patients for 15-minutes or more over a 24-hour period and long-term care facility staff and residents. Phase 1B- Coloradans age 70 and older, moderate-risk health care workers, first responders, frontline essential workers, which would also include dental, pharmacy, school nurses, teachers, manufacturing and postal staff. Phase two and three will not begin until spring and summer.

In Larimer County there are 54 long-term care and other facilities that were approved for COVID-19 vaccination through the CVS/Walgreens pharmacy partnership. The first round of vaccines are scheduled to be completed by January 27, 2021.

According to the Colorado Department of Health and Environment (CDPHE) there have been a total of 21,504 COVID-19 immunizations administered in Larimer County. The second dose of Moderna vaccine will be 21-days post initial shot and Pfizer will be 28-days post initial shot. Providers administering the vaccine are being asked to maximize efficiency and ensure that second doses that are not needed for a given week are not held back, but instead are given as first doses.

Director Gonzales introduced Joe Schreurs, Application Services Manager for Information Technology to explain IT's role in the COVID-19 pandemic. They are using the sales force development team and health department to make sure all information is up to date.

Chair Kefalas asked what the communication is for those who have received the first dose and how they are contacted for the second. Mr. Schreurs explained that they are set up for a second round of dosage as soon as the first is administered.

Director Gonzales wanted to give his gratitude to the IT department. Director Gonzales spoke about the goals to increase access stating that the state will add enrolled providers as supply increases, public health will coordinate vaccine distribution. All enrolled providers will meet weekly to discuss planned activities for vaccinating priority groups. Public Health is also working to offer more clinics, including larger, mass clinics as well as addressing transportation issues. Director Gonzales urges folks who are in the Phase 1A or 1B to fill out the COVID-19 Vaccine Planning Survey on the county website so they may be notified or they may call the Joint Information Center at 970-498-5500.

Director Gonzales mentioned that there is a virtual community forum on Wednesday, January 27, 2021, at 6 p.m. in Spanish for those who are interested in gaining more information. The Commissioners also mentioned the Office on Aging would be another resource for those seeking information as well as the United Way.

The Commissioners had some questions on prioritizations as well as concerns for the more contagious strain of COVID-19 and the possibility of numbers increasing. Director Gonzales did mention it is a concern which is why we continue to need everyone to wear face coverings, wash hands and social distance to protect ourselves.

The Commissioners thanked Director Gonzales and his team for their continued hard-work in trying to keep everyone safe.

Manager Hoffmann introduced Jacob Castillo, Director of Larimer County Economic and Workforce Development. Director Castillo spoke about the Level Up program, which represents a creative grass-roots effort to keep Larimer County residents safe and businesses functioning during the ongoing pandemic. We currently have over 300 businesses that have been certified for the Level Up program. Director Castillo spoke about federal funds such as the Small Business Relief Program with its \$2.2 million dollars given to Larimer County which will allow 315-630 businesses to be helped.

Per Governor Polis, all businesses can operate in Level Orange which took effect on January 4, 2021. Businesses that have been certified for the Level Up program will need to wait to operate at Level Yellow until the state determines we are eligible based on local metrics.

The Commissioners asked Director Castillo to speak about the Larimer County Business Services weekly newsletter. Director Castillo mentioned that there is an outreach campaign and the public can sign up for the newsletter on the county website.

Manager Hoffman asked where a business can apply for small business relief. Director Castillo stated that they can apply at Larimer.org/sbr and this will connect to the application page which is offered in both English and Spanish. Businesses can also find information on the main Larimer.org website for COVID-19 Level Up information.

7. COUNTY MANAGER UPDATE: 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.

10. EXECUTIVE SESSION: Executive Session pursuant to C.R.S. 24-6-402(4)(b): conferences with an attorney for the purpose of receiving legal advice regarding Taylor v. Armor Correctional Health Services, Inc., Sheriff Justin Smith, et al.

Executive Session pursuant to C.R.S. 24-6-402(4)(b) for conference with the County Attorney for legal advice on specific legal questions regarding the Ranch/ECD Option Agreement-status of agreement on Site Plan and Development Agreement.

MOTION

Commissioner Stephens 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 on specific legal questions regarding Taylor v. Armor Correctional Health Services, Inc., Sheriff Justin Smith, et al. and further move 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 on specific legal questions regarding the Ranch/ECD Option Agreement-status of agreement on Site Plan and Development Agreement.

Motion Carried 3-0

MOTION

Commissioner Shadduck-McNally moved to authorize the Chair to sign the Verification of the Board's Responses to Plaintiff's Interrogatories within Plaintiff's Third Set of Discovery Requests to Larimer County.

Motion 3-0

Commissioner Stephens moved that pursuant to the March 21, 2019 Option Agreement and two subsequent amendments, the deadline for the County and Eagle Crossing Development to reach agreement on a site plan and development was January 13, 2021. The parties were unable to reach agreement by this deadline, therefore, I move that the Option Agreement be terminated and direct the County Attorney to provide the required 3-day written notice of the termination to Eagle Crossing Development.

Motion carried 3-0

No Decision Expected

Executive Session pursuant to C.R.S. 24-6-402(4)(b): Conference with an attorney for the purpose of receiving legal advice on specific legal questions and status reports on two pending court cases involving the Northern Integrated Supply Project (NISP).

Executive Session pursuant to C.R.S. 24-6-402(4)(b): Conference with an attorney for the purpose of receiving legal advice about case law changes relating to sign code and regulation of commercial signage in the County.

MOTION

Commissioner Shadduck-McNally moved that the Board enter into Executive Session pursuant to C.R.S. 24-6-402(4)(b): Conference with an attorney for the purpose of receiving legal advice on specific legal questions and status reports on two pending court cases involving the Northern Integrated Supply Project (NISP) and further move to enter into Executive Session pursuant to C.R.S. 24-6-402(4)(b): Conference with an attorney for the purpose of receiving legal advice about case law changes relating to sign code and regulation of commercial signage in the County.

Motion carried 3-0

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

EXECUTIVE SESSION

The Board of County Commissioners met at 1:00 p.m. with County Manager, Linda Hoffmann. Chair Kefalas presided. Commissioner Stephens and Commissioner Shadduck-McNally were present. Also present were: Bill Ressue, County Attorney and Deirdre O'Neill, Deputy Clerk.

No Decision Expected

Executive Session pursuant to C.R.S. 24-6-402(4)(b): Conference with an attorney for the purpose of receiving legal advice on specific legal questions to Apprise of the Status of Existing Civil Rights Cases filed against Larimer County.

MOTION

Commissioner Shadduck-McNally moved that the Board enter into Executive Session pursuant to C.R.S. 24-6-402(4)(b), Conference with an attorney for the purpose of receiving legal advice on specific legal questions to Apprise of the Status of Existing Civil Rights Cases filed against Larimer County.

Motion carried 3-0


JOHN KEFALAS

BOARD OF COUNTY COMMISSIONERS

ANGELA MYERS
CLERK AND RECORDER

ATTEST:


Deirdre O'Neill, Deputy Clerk

