

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, SEPTEMBER 18, 2023

HORSETOOTH STORE AND GAS LLC LIQUOR LICENSE HEARING

The Board of County Commissioners met at 8:30 a.m. with David Ayraud, County Attorney. Chair Shadduck-McNally presided. Commissioner Stephens and Kefalas were present. Also present were Elizabeth Carter and Deirdre O'Neill, Clerk and Recording Department, and Tessa Beaty, Deputy Clerk.

Chair Shadduck-McNally opened the hearing, and Blayne Brown, the applicant, was sworn in.

Mr. Ayraud introduced the applicant and the application that was entered before the Board. Mr. Ayraud asked several clarifying questions to the applicant. Mr. Brown explained that he was seeking a Retail liquor store license and gave the store's exact location. Mr. Ayraud asked the applicant to explain the layout of the premises. Mr. Brown gave a brief explanation of the location and explained the exact location of where the license would apply.

Mr. Ayraud asked about the public notice, how it was posted, and for how long it was posted. Mr. Brown explained that he posted the notice of the hearing on July 18, 2023, in the front window of the premises. Mr. Ayraud asked about the petition that was sent out. Mr. Brown explained that every signature he received was in support of the application. Mr. Ayraud asked about if there was a desire of the adult inhabitants of the neighborhood to have a retail liquor store. Mr. Brown explained the high level of support for this license.

Mr. Ayraud asked about other liquor establishments in the area. Mr. Brown described the other locations that serve alcohol within proximity of the requested establishment. Mr. Ayraud asked about non-alcoholic beverage retail service. Mr. Brown explained that there will be non-alcoholic beverages sold at the store but that they will not be the majority of the sales.

Mr. Ayraud asked about training for holding a liquor license. Mr. Brown explained that he has had a fermented malt liquor license for three years and had no issues. Mr. Brown explained he did not plan on receiving official training unless it was deemed necessary by the Board.

Mr. Ayraud asked about the hours of operation. Mr. Brown explained that the establishment would close around 9 p.m. during the summer and earlier in the winter.

Mr. Ayraud explained an additional item of evidence about a previous citation of the applicant's record for selling to a minor. Mr. Brown explained the history of the citations and explained that he had had

no issues with the majority of the time in which he has held a liquor licence. Mr. Brown explained that after the citations, he had sent his staff to receive Training for Intervention Procedures (TIPS) training.

Mr. Brown explained that this liquor license would help serve a need as another liquor store recently closed in the area and would help his store receive more traffic.

Commissioner Stephens asked about the TIPs training that was previously received. Commissioner Stephens asked if there is specific training for retail liquor licenses. Mr. Ayraud explained that there is no specific training for retail alcohol providers.

Commissioner Stephens asked about service intoxicated individuals. Mr. Brown explained that he would not sell to intoxicated individuals and would close early to help prevent intoxicated individuals from coming to his store.

Commissioner Kefalas asked a clarifying question about the application. Mr. Ayraud explained that this license would replace the old license and would be considered a new application.

Commissioner Kefalas asked the applicant about how to prevent selling to intoxicated or underage individuals. Mr. Brown explained that he holds staff meetings to go over requirements and that the establishment checks the identification cards of everyone who walks into the establishment.

Commissioner Kefalas asked about what the license would allow the store to sell. Mr. Brown explained that his current license allows for the sale of malted beverages. The new license would allow for the sale of harder alcohol.

Commissioner Shadduck-McNally asked about the logistics of the point of sale and the area that the license would pertain to. Mr. Ayraud explained that it is recommended to license the entire store under the license. Commissioner Shadduck-McNally asked about the locations of the license. Mr. Brown explained the locations where individuals can obtain alcohol. Commissioner Shadduck-McNally asked about how to amend the application to include the entire premise. Mr. Ayraud gave the applicant a diagram of the store premises, and Mr. Brown confirmed the license should pertain to the entire premises.

Commissioner Shadduck-McNally asked how confident the applicant was of the distance between liquor establishments. Mr. Brown expressed confidence that there would be at least 1,500 feet between establishments.

Commissioner Shadduck-McNally asked the applicant if he would be open to requiring official training for not selling to intoxicated or underage individuals. Commissioner Shadduck-McNally asked if they could make it a condition of approval. The applicant confirmed that he would be willing to have this as a condition of approval.

Mr. Ayraud explained that if the premises were closer to the other liquor store than was previously understood, the state could deny the license.

Commissioner Kefalas asked about the process after the county approved this liquor license. Mr. Ayraud explained that after the county approves the license, the license goes to the state for further approval.

Commissioner Stephens explained the distance between the liquor-selling establishments to her understanding.

Commissioner Shadduck-McNally asked whether it would be a formal condition of approval to require official training for the license. Mr. Ayraud explained that as long as the Board was clear, it would be a condition of approval.

The Board expressed their inclination to support this application.

M O T I O N

Commissioner Stephens moved that the Board of County Commissioners approve a retail liquor license for The Horsetooth Store and Gas LLC with the condition that Mr. Brown and his staff receive official TIPs training.

Motion carried 3-0.

With there being no further business, the Board adjourned at 9:05 a.m.

LAND USE HEARING

There was no Land Use Hearing for this week.

TUESDAY, SEPTEMBER 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 Sarah Martin, Commissioners' Office, and Tessa Beaty, Deputy Clerk.

Chair Shadduck-McNally opened the meeting with the Pledge of Allegiance.

1. **PUBLIC COMMENT:** Gary Linquist, Loveland, addressed the board. Mr. Linquist expressed concern for the Loveland Centerra South project. Mr. Linquist expressed the belief that this project is unfair and unjust for the taxpayers. Mr. Linquist spoke about citizen initiatives against this subsidy for development.

Paul Gessler, Fort Collins, addressed the Board. Mr. Gessler wanted to tell the commissioners about a nuclear weapons treaty and wanted the commissioners to endorse the treaty as a show of good government.

Greg Leveritt addressed the Board. Mr. Leveritt expressed concern about competence in the Larimer County services.

Larry Sarnier, Loveland, addressed the Board. Mr. Sarnier expressed belief that the county will be receiving “windfall” from the property tax income. Mr. Sarnier recommended setting a mile levy to stop from taxing people unnecessarily.

Commissioner Shaddock-McNally closed public comment.

Commissioner Stephens explained that the county’s engagement in the Centerra South Project is due to statute and the county did not participate because of a want to prioritize certain properties over others.

Commissioner Stephens expressed a commitment to peace and finding peace within our county.

Commissioner Stephens explained that many departments have worked to make cuts and how the county is currently trying to find many different options for tax revenue. Commissioner Stephens expressed a want to be good stewards of public resources and be transparent with the process.

Commissioner Kefalas echoed Commissioner Stephens’ sentiment about the budget and the Centerra South project. Commissioner Kefalas thanked those who spoke and expressed a want to create peace within the county. Commissioner Kefalas wished Mr. Leverette additional wellbeing.

Commissioner Shaddock-McNally echoed the other Commissioner’s sentiments to those making public comment. Commissioner Shaddock-McNally expressed a want to achieve justice in the county’s system. Commissioner Shaddock-McNally explained the county’s concern about property tax and the plan to make it as transparent as possible.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF SEPTEMBER 11, 2023:

M O T I O N:

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

Motion carried 3 – 0.

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF SEPTEMBER 25, 2023: Ms. Martin reviewed the upcoming schedule with the Board.

4. CONSENT AGENDA:

ABATEMENTS

1. PETITION FOR ABATEMENT OR REFUND OF TAXES ACCOUNT NUMBER P8286482

AGREEMENTS

1. COLORADO WORKS SUBSIDIZED TRAINING AND EMPLOYMENT PROGRAM SLFRPO126 GRANT AWARD
2. RESTATED AND AMENDED MANAGEMENT AGREEMENT
3. BEVERAGE SALES AND SPONSORSHIP AGREEMENT
4. VARIANCE AGREEMENT FOR PIPELINE EASEMENT ENCROACHMENT
5. BUREAU OF JUSTICE ASSISTANCE (BJA)FY 2022 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM

APPOINTMENTS

1. RECOMMENDED REAPPOINTMENT TO THE WORKFORCE DEVELOPMENT BOARD – JACKIE SINDELAR

LETTERS OF SUPPORT

1. NO PINGREE TASK FORCE LETTER OF SUPPORT
2. CAPITAL PROJECT FUND GRANT LETTERS OF SUPPORT

LIQUOR LICENSES

1. LIQUOR LICENSE RENEWAL – CHARCO BROILER LNC DBA CHARCO BROILER – FORT COLLINS, COLORADO
2. LIQUOR LICENSE RENEWAL – FOCO VENTURES LLC DBA LITTLE BIG'S – FORT COLLIN, COLORADO
3. LIQUOR LICENSE RENEWAL – THE WINDJAMMER LLC DBA WINDJAMMER ROADHOUSE – LOVELAND, COLORADO
4. LIQUOR LICENSE SPECIAL EVENT LIQUOR PERMIT 6% - YOSEMITE CLIMBING ASSOCIATION – ROCKY MOUNTAIN FACELIFT – ESTES PARK, COLORADO

MISCELLANEOUS

1. STEVEN AND NANCY BOLANDER AMENDED STIPULATION AS TO TAX YEAR 2023 VALUE

2. REQUEST FOR APPROVAL TO ENTER UPON LANDS – DALE WARD

3. ACCEPTANCE BY THE BOARD OF COUNTY COMMISSIONERS OF AN ANNEXATION DENIAL FROM THE CITY OF FORT COLLINS

POLICIES

1. HUMAN RESOURCES POLICY AND PROCEDURES 331.6S

Commissioner Stephens explained the efforts to remove the “Pingree” name from local nomenclature.

MOTION

Commissioner Kefalas moved the Board to approve the Consent Agenda for September 19, 2023.

Motion carried 3 – 0.

5. COMMISSIONERS’ GUESTS: The commissioners did not have any guests.

6. DISCUSSION ITEMS:

1. PROCLAMATION HONORING LARIMER COUNTY CO-RESPONDERS AND BEHAVIORAL HEALTH CRISIS CLINICIANS: Robert Cook, Sergeant, addressed the Board. Sergeant Cook gave a history of the co-responder program. The co-responder program paired a sheriff’s deputy and a crisis management counselor to respond to calls. The goal of the program was to get the people the help they need and to prevent them from going to jail. Sergeant Cook also highlighted the expansion of this program to five teams. One of these teams specialized in teen mental health and partnered with the school districts in Larimer County. Sergeant Cook introduced Dr. Leslie Brooks, Medical Director Summit Stone, Cassie Damato, Director of Acute Services, Libby Nelsen, Direct Supervisor of Clinicians at Summit Stone, Cheryl Jacobs, Deputy at the Sheriff’s Office, Clinician Nicole Caline, Brendan Solano, Deputy at the Sheriff’s Office, Clinician Michele Sendelser, and Joe Shellhammer, Undersheriff.

Ms. Damato addressed the Board. Ms. Damato explained the importance of responding in the field with the right intervention at the right time. Ms. Damato expressed gratitude for the partnerships that have been cultivated in this program.

MOTION

Commissioner Stephens read the proclamation and moved that the Board of County Commissioners approve the Proclamation Honoring Larimer County Co-Responders and Behavioral Health Crisis Clinicians September 18-24, 2023.

Commissioner Stephens thanked those working on this project. Commissioner Stephens commended the Sheriff’s department for working with this idea and changing the idea of what policing means. Commissioner Stephens further thanked the co-responders for all their hard work as it was not an easy task.

Commissioner Kefalas echoed the gratitude as expressed by Commissioner Stephens.

Commissioner Shadduck-McNally explained why this program is so important and was grateful for all the work being done. Commissioner Shadduck-McNally thanked every co-responder working for this cause. Commissioner Shadduck-McNally explained that this program protects everyone which is excellent.

Motion carried 3-0.

Commissioner Stephens was excused to attend another meeting.

2. UPDATES FROM THE LARIMER COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT PUBLIC HEALTH DIRECTOR TOM GONZALES: Tom Gonzales addressed the Board. Mr. Gonzales explained that the department's mission was to provide everyone in Larimer County the opportunity for a healthy life. Mr. Gonzales explained that the Health Department of Larimer County was here to serve everyone. Mr. Gonzales spoke about the history of public health in the county. Health strategies of the Health Department include looking at critical data and working to find solutions to modern-day challenges. Issues of public health compound on other issues and are compounded by issues such as poverty, housing insecurity, mental health, etc.

Mr. Gonzales explained that the Health Department's goal is to connect with civil leaders to find solutions to the problems facing our communities. Mr. Gonzales highlighted partnerships within the community and how communication with the community was important. Mr. Gonzales highlighted the available services to the public and where they can find resources. Many different programs are focused on improving public health. Programs including Safe Sleep Campaign and Health, Well-being, and Resilience Data Dashboard.

A video featuring youth mental health and the Youth Activity Center played. Mr. Gonzales explained that collaboration, communication, and partnership were vital aspects of community health.

Commissioner Kefalas thanked Mr. Gonzales and the whole Larimer Health Department. Commissioner Kefalas asked about the Poudre Food Partnership and the Food Equity Advisory Council and wanted the Larimer County Department of Public Health to be aware of these efforts. Commissioner Kefalas asked if the department knew of "Blue Zones" where people live longer. Commissioner Kefalas asked the department to consider these health measures.

Commissioner Shadduck-McNally echoed the gratitude for the department for all the work being done. Commissioner Shadduck-McNally highlighted the Youth Activity Center and the amazing partnerships involved in that project. Commissioner Shadduck-McNally also spoke about social isolation and how a community is vital, especially intergenerational connections.

Commissioner Shadduck-McNally asked how the Health Department partners with other groups to help with systematic issues within the community. Mr. Gonzales spoke about how the department looks at health data trends and works to find possible solutions. Mr. Gonzales explained an example of data trends of eating disorder hospital visits among the Larimer County youth. The department then went to the school district and created a partnership within the community.

Commissioner Shadduck-McNally also highlighted the youth homelessness issue and how the Health Department works for everyone within the community.

Manager Volker expressed excitement for this project and thanked everyone participating in this program.

3. SECOND READING AND ADOPTION OF TOBACCO ORDINANCE REPEAL: Andrew Lewis, County Attorney's Office, addressed the Board and explained the history of this ordinance.

MOTION

Commissioner Kefalas moved the Board of County Commissioners to approve the adoption amending ordinance #98-01, an ordinance prohibiting the possession of cigarettes and tobacco products by minors, repealing the ordinance on September 19, 2023.

Motion carried 2-0.

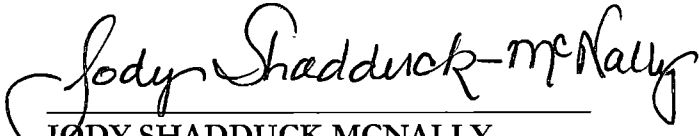
7. COUNTY MANAGER UPDATE: County Manager Volker briefly detailed the events from the previous week.

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

9. LEGAL MATTERS:

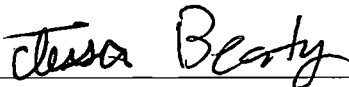
None requested.

With there being no further business, the Board adjourned at 11:15 a.m.


JODY SHADDUCK-MCNALLY
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK AND RECORDER

ATTEST:


Tessa Beaty, Deputy Clerk

