



MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, FEBRUARY 24, 2025

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m. with Jenny Axmacher, Planning Manager. Chair Stephens presided. Commissioner Kefalas was present. Commissioner Shadduck-McNally was excused. Also present were Kassidee Fior, Principal Planner, Ryane Oswandel, Planning Administrator; Justin Currie and Jared Seay, Planners, Samantha Mott, Senior Planner, Community Development; Leah Schneider and Ashton Brodahl, Health and Environment; Casey Cisneros, Weed District-Department of Natural Resources; Christine Lukasen, Assistant County Attorney; and Deirdre O'Neill, Deputy Clerk.

Chair Stephens opened the meeting with the Pledge of Allegiance.

TABLED ITEM TO UNKNOWN DATE

- 1. THE RIDGE AT LEGACY FARM APPEAL, FILE NO. 25-GNRL0563**

TABLED DISCUSSION ITEM FROM JANUARY 27, 2025

- 1. ASKELAND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE APPEAL, FILE NO. 24-ZONE3601:** This is an appeal to section 4.6.7.H.1 of the Larimer County Land Use Code to deviate from the requirement of the installation of Electric Vehicle (EV) Parking Spaces and associated EV charging station infrastructure.

Jenny Axmacher, Planning Manager, re-iterated that during the January 27, 2025, hearing, the staff presentation was heard, public hearing and the Board entered into deliberation. Since that time, staff have received some new information and will give a brief overview of that information at today's hearing. The Board can re-open public comments if they wish. Chair Stephens asked if anyone present or online wished to make public comments. No members of the public expressed interest in making public comments.

Chair Stephens closed public comment.

Justin Currie, Planner, gave a brief presentation of the appeal and offered some background information about the subject property. The applicant has submitted an Administrative Special Review application that involves a change of use of a vacant building to a microbrewery and tasting room with the addition of an outdoor patio. The Administrative Special Review prompted compliance with

certain requirements of the Land Use Code including but not limited to the County's Electric Vehicle (EV) Infrastructure requirements.

Mr. Currie stated that the number of EV spaces required is a percentage of the total amount of parking provided. The applicant is proposing 44 parking spaces. Based on that number, the required amount of EV parking infrastructure is as follows:

EV Capable = 4 Spaces

EV Ready = 4 Spaces

EV Installed = 2 Spaces

The applicant is appealing the number of required EV spaces and is proposing 1 EV-Installed space and 4 EV Capable spaces. The proposed appeal will not comply with all the regulatory requirements of the Land Use Code and does not meet all the applicable criteria if the appeal is approved.

DEVELOPMENT SERVICES TEAM RECOMMENDATION

The Development Services Team has changed from a denial recommendation to no recommendation of the Askeland Electric Vehicle Charging Infrastructure appeal, File NO. 24-ZONE3601.

The applicant, John Askeland, stated that they did not have anything to add to Mr. Currie's presentation but are available for any questions the Board might ask.

The Board did have questions on the current capacity of the retired water treatment plant and if one EV charger installed and 4 EV capable parking spaces would be sufficient utilization. Mr. Askeland stated that he has thought about monitoring the utilization to see when they will need to activate the next station once it hits 50% capacity. Mr. Askeland informed the Board that currently the capacity will allow for one installed charger. To have it at full compliance it will cost an estimated \$50,000 due to the transformers at the sight not being large enough and could take up to 18 months.

Ms. Axmacher informed the Board that given the unique location and the conversion of the former water treatment facility and providing at least one installed charging space, staff have deemed this reasonable and therefore have changed their recommendation from denial to no recommendation.

The Board stated that they are in favor of supporting this appeal and thanked the applicant for doing some further analysis and looking at electrical capacity issues. Also, based on the current scenario and the adding of additional parking spaces, the Board feels like the criteria have been met.

MOTION

Commissioner Kefalas moved to approve the Askeland Electric Vehicle Charging Infrastructure Appeal, File NO. 24-ZONE3601.

Motion carried 2-0

PUBLIC HEARING CONSENT ITEMS:

1. **PETERSON ACCESSORY LIVING AREA APPEAL, 24-ZONE3622:** This is an appeal to Article 3.4.5.A of the Larimer County Land Use Code to allow an attached Accessory Living Area to have its entrance located on the same facade as the main dwelling.

This request is for an appeal to Article 3.4.5.A to allow an attached Accessory Living Area (ALA) to have its entrance located on the same facade as the main dwelling.

The property is located at 620 Gregory Road, Fort Collins, Colorado. The property is known as Parcel Number 9825413093, is 0.58 acres in size and includes one existing single-unit residence that is a total of 3,944 square feet as well as an existing attached ALA that is 466 square feet in size. The applicant's project description indicates that the attached ALA is to be used as general living quarters for a family member and was constructed prior to their purchase of the property. The applicant is seeking to legalize the existing ALA and has requested this appeal to facilitate the permitting process.

The applicant originally submitted a request for Administrative Special Review approval for an ALA in February 2024. The application was subsequently amended to withdraw the Administrative Special Review application as ALAs became a use by right (i.e., no planning process required, with approval through a Building Permit) on August 12, 2024, through a Land Use Code update. However, during review, it was discovered that an appeal to Article 3.4.5.A would be required, and an appeal request was subsequently submitted in December 2024, retaining the same case number as the form Administrative Special Review.

The appeal being requested to Article 3.4.5.A is specifically to Article 3.4.5.A.4.D, which requires that "If the accessory living area is attached to the primary residence, the accessory living unit entrance must be located on another façade leaving only one entry visible on the front façade of the primary residence." In this case, the applicant has sought an appeal to allow entrance to the ALA to be located on the same façade as that of the primary dwelling, as the entrance to the existing ALA is on the same façade and there would be challenges in relocating this entrance.

REVIEW CRITERIA FOR APPEALS TO DEVIATE FROM STANDARDS OR REQUIREMENTS OTHER THAN MINIMUM LOT SIZE:

- A. Approval of the appeal will not subvert the purpose of the standard or requirement.
- B. Approval of the appeal will not be detrimental to the public health, safety, or property values in the neighborhood.
- C. Approval of appeal is the minimum action necessary.
- D. Approval of the appeal will not result in increased costs for the general public.
- E. Approval of the appeal is consistent with the intent and purpose of the Code.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the Peterson Accessory Living Area Appeal, File No. 24-ZONE3622, subject to the following conditions:

1. The applicant must obtain building permits for the change of occupancy as well as any alteration to the dwelling.
 2. The Accessory Living Area shall be located as shown on the approved site plan.
 3. The Accessory Living Area must not be rented or leased for 30 days or less (i.e., as a Short-Term Rental) separately from the single-unit dwelling.
 4. The owner is responsible for paying all applicable fees which may include building permit fees, impact fees, and Transportation Capital Expansion Fees applicable to an Accessory Living Area.
 5. Failure to comply with any conditions of the Administrative Special Review approval may result in reconsideration of the use and possible revocation of the approval by the Board of Commissioners
 6. This approval shall automatically expire in three years if the use has not commenced and/ or a building permit is not issued.
 7. One off-street parking space shall be provided for the Accessory Living Area
 8. The Site shall be developed consistent with plans approved by the Larimer County Building Division upon the proposed structure's permitting, as well as the supplemental regulations listed above, except as modified by the conditions of approval or agreement of the County and owner.
 9. The owner shall be subject to all other verbal or written representations and commitments of record for the Peterson Accessory Living Area Appeal.
 10. The Accessory Living Area must be used solely for guests of the occupants of the single-family dwelling, long-term tenant occupants (greater than 30 days), or those providing a service on site in exchange for their residency.
 11. The applicant will comply with requests identified from the Larimer County Building Division, Cherry Hills Sanitation District, Poudre Fire Authority and other referral agencies including, but not limited to Fire Code requirements as well as acquiring all necessary permits for the structure from both Larimer County Building Division and Cherry Hills Sanitation District.
2. **STARK 4TH APPEAL, FILE NO. 24-GNRL0562:** This is an appeal to Article 6.5.5.C.8.a of the Larimer County Land Use Code for an extension to the final plat submittal requirement of one year from the preliminary plat approval.

The Stark Subdivision and Appeals Preliminary Plat, File # 18-LAND3746, was approved by the Board of County Commissioners in September of 2020. The Stark Subdivision approved a land division to create 1 new residential lot.

This request is for an appeal to the timeframe to submit a final plat after preliminary plat approval. The Land Use Code (Article 6.5.5.C.8.a) specifies that preliminary plat approvals are effective for one year. If a complete final plat application is not submitted to the Community Development Department within one year of preliminary plat approval, the preliminary plat approval will automatically expire. The Land Use Code does allow the Board of County Commissioners to extend the effective period of a preliminary plat for good cause. The applicant must request the extension in writing prior to expiration of the preliminary plat.

A request for an appeal was submitted to Larimer County in early September of 2021, and met this requirement. That appeal was approved on December 3, 2021, Stark 2nd Appeal, File #21-GNRL0513. The Findings & Resolution is attached for reference. An additional request for an appeal was submitted to Larimer County in early September of 2022, and met this requirement. That appeal was approved on December 19, 2022, Stark 3rd Appeal, File #22-GNRL0536.

This is an additional request for an appeal to the timeframe to submit a final plat after preliminary plat approval as the previous appeals have expired and the conditions for the request remain unchanged. The Stark 2nd Appeal approval gave a 1-year extension, and the Stark 3rd Appeal gave an additional 2-year extension.

REVIEW CRITERIA

The Board of County Commissioners will consider the following criteria when reviewing a preliminary plat extension request (6.5.5.C.8.a.iv):

1. Conditions in the neighborhood have not changed significantly since the original approval; there have not been any significant changes in the immediate area since the preliminary plat approval.
2. The approved preliminary plat is consistent with any amendments to this Code adopted since the original approval; and while the Code has been recently amended, there are no significant changes that would impact this proposed subdivision. When the final plat is submitted it will be reviewed as to compliance with applicable requirements and standards.
3. The applicant demonstrates that the extension is necessary because there have been factors beyond his or her control that prevented the submittal of the final plat for this project.

DEVELOPMENT SERVICES TEAM RECOMMENDATION

The Development Services Team recommends approval of the Stark 4th Appeal, File# 24-GNRL0562, subject to the following condition:

1. The final plat process must be submitted within one year from the date that the Findings and Resolution is recorded for this Appeal.

3 GRIFFIN LOT CONSOLIDATION AND EASEMENT VACATION, FILE NO. 24-LAND4456: PLANNING COMMISSION AND DEVELOPMENT SERVICES TEAM RECOMMENDATION: This is a request to consolidate lots 30 and 31 in the Crystal Lakes 13th Filing PUD and to vacate the 20-foot-wide utility easement along the common lot line.

The subject properties are lots 30 and 31 of the Crystal Lakes 13th Filing subdivision. Both lots are zoned Rural Residential (RR2) and are surrounded by single-unit residential and HOA common area. Lot 30 is 1.48 acres (64,469 sq. ft.) and lot 31 is 1.92 acres (83,635 sq. ft.) in size, 3.4 acres in total. Both lots are currently vacant and used only for temporary vacation and recreational uses.

The applicants are requesting to consolidate lots 30 and 31 in the Crystal Lakes 13th Filing subdivision and to vacate the 20-foot-wide utility easement along the common lot line. They determined that the most usable area, with the flattest terrain and least tree cover, is located over the common lot line of lots 30 and 31.

The easement that is the subject of this request was established through dedication on the plat map for the Crystal Lakes 13th Filing subdivision, which was approved by the Board of County Commissioners in 1979. The dedication statement reads, "All easements shown hereon are hereby reserved as perpetual easements for the installation and maintenance of utilities and irrigation and drainage facilities."

REVIEW CRITERIA

The Larimer County Land Use Code (Section 6.5.7.D.3) allows for the approval of an amended plat if the following review criteria are met in addition to the General Review Criteria, found in Section 6.3.8.D:

- A. No additional lots will be created by the amended plat
- B. The resultant lots will meet the required minimum lot size of the applicable zoning district. If any of the lots are nonconforming with regards to the minimum lot size, the amended plat must not increase the nonconformity
- C. The amended plat will not create a nonconforming setback for any existing building.
- D. The amended plat will not adversely affect access, drainage or utility easements or rights-of-way serving the property or other properties in the area
- E. Any covenants, deed restrictions or other conditions of approval that apply to the original lots must also apply to the resultant lots and be noted on the final plat, except those changes to a condition or note on a plat that are approved with this application. The Board of County Commissioners shall consider the original reason or circumstance for a condition or note on a plat when approving a change.

EASEMENT VACATION

The Larimer County Land Use Code (Section 6.5.8.D.1) allows for the approval of a plat modification, specific to Easement Vacations, if the following review criteria are met:

- A. Approval of the vacation request will not leave any land adjoining the right-of-way without an established public road or private access easement connecting the land with another established public road, or without utility or drainage services
- B. The recommendations of referral agencies have been considered.
- C. Any right-of-way that is vacated will be divided equally between the lots on each side, unless it can be demonstrated that all of the right-of-way was originally taken from one parcel. In that case, the right-of-way will be returned to that parcel. Property owners on each side of the right-of-way may agree to divide the vacated right-of-way differently but must sign deeds to transfer ownership after the Board of County Commissioners approve the vacation
- D. Right-of-way vacations must also meet requirements of C.R.S. 43-2-303

DEVELOPMENT SERVICES TEAM RECOMMENDATION

The Development Services Team recommends approval of the request to vacate a 20-foot wide and 405.7 -foot-long utility easement along the common lot line between lots 30 and 31 the Crystal Lakes 13th Filing subdivision, File No. 24-LAND4456.

The Development Services Team recommends approval of the Griffin Lot Consolidation, File No. 24- LAND4456, subject to the following conditions:

- 1. The property will be subject to all restrictions, covenants, and conditions set forth in the plat of record for the Crystal Lakes 13th Filing Subdivision.
- 2. Any future uses on this lot shall obtain approval through the applicable review procedure as established in the Larimer County Land Use Code prior to 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 that the Board of County Commissioners approve the items on the Consent Agenda for Tuesday, February 24, 2025, subject to the conditions in the staff report and further authorizes the Chair to sign the Findings and Resolutions.

Motion carried 2-0

PUBLIC HEARING DISCUSSION ITEMS

- 1. **ADD MEADOW HAWKWEED (HIERACIUM CAESPITOSUM) TO LARIMER NOXIOUS WEED LIST:** Casey Cisneros, Land Stewardship Manager for the Weed District is requesting the Board of County Commissioners to add Meadow Hawkweed to the Noxious weed list.

Noxious weed is a legal designation making management of a plant required. Meadow Hawkweed is currently on the state watch list. It is found on only four parcels in Larimer County. It is a highly invasive perennial species and threatens biodiversity. The Land Stewardship Advisory Board is recommending the Board of County Commissioners to add Meadow Hawkweed to the County Noxious weed list with the management of eradication.

Mr. Cisneros educated the Board and the public on the methods of eradication. Because this is a deep-rooted plant, herbicide- chemicals used to manipulate or control undesirable vegetation, will be the best method used to eradicate this plant.

PUBLIC COMMENT

No members of the public in person or online wished to make public comments.

Chair Stephens closed public comment.

The Board stated that they are in support of adding Meadow Hawkweed to the Larimer County Noxious Weed list, enabling staff to enforce its management and eradication.

MOTION

Commissioner Kefalas moved to add Meadow Hawkweed to the Larimer County Noxious Weed List with the management goal of eradication, as allowed by C.R.S. 35-5.5.

Motion carried 2-0

2. **EHRLICH APPEAL, FILE NO. 24-GNRL0561:** This is a request for an appeal to 3.3.3.G.3 of the Land Use Code to store commercial fireworks in a storage building on a vacant lot.

Kassidee Fior, Principal Planner presented the appeal to the Board. The subject property is a 4.07-acre parcel located at 2163 Bee Lake Road, which is located immediately northeast of the intersection of North County Road 11 and East County Road 62. The property is currently developed with a 2,004 square-foot pole barn, which contains a Type IV Low Explosive Outdoor Magazine for the storage of fireworks. The applicants/owners reside at the adjacent property immediately to the northwest, at 2151 Bee Lake Road.

The owner's business (Bee Lake Productions) provides turn-key pyrotechnic (firework) displays for the Town of Wellington, as well as 1-2 other customers each year.

§3.3.3.G.3 of the Land Use Code states, "No residential, business, or commercial activities are permitted in a storage building or garage unless approved by the Board of County Commissioners through the special review, or administrative special review processes."

This code standard ensures storage buildings and garages are used appropriately and align with zoning regulations by restricting residential, business, or commercial activities without the Board of County

Commissioners approval. It promotes safety by preventing unauthorized modifications, ensures compatibility with surrounding land uses, and mitigates potential impacts such as increased traffic, noise, or visual disruption. Requiring approval through special review processes allows for case-by-case assessment to maintain orderly development, community character, and compliance with building codes.

In this case, staff made the determination that an appeal is a more appropriate process than rezoning the property in combination with a Special Review or an Administrative Special Review because the proposed use is limited in scope, low-impact, and already regulated under strict federal and local safety standards. The applicant has successfully obtained all required permits from the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) and the Wellington Fire Protection District, ensuring compliance with all necessary regulations. Rezoning the property would be excessive, as it would unnecessarily alter the land's designation and potentially invite incompatible future uses. Similarly, requiring a Special Review or Administrative Special Review would impose an undue burden on the applicant without providing significant additional benefits to the County or public. The appeal process allows for a streamlined solution that addresses the specific needs of this case while maintaining the integrity of the current zone and surrounding area.

If the Board of County Commissioners approves this appeal, staff will classify the proposed use (fireworks storage) as a commercial activity within a residential building, similar to a home occupation.

The applicant has provided research identifying two primary standards governing magazine construction: ASTM (American Society for Testing and Materials) and ICC (International Code Council). Additionally, the safety and security of magazines are regulated by the BATFE (Bureau of Alcohol, Tobacco, Firearms and Explosives) and the NFPA (National Fire Protection Association).

The applicant's submission also clarifies that Type IV and Type V magazines, designed for low explosives, are not required to have on-site fire suppression. This is consistent with the rural nature of the site, which lacks nearby fire hydrants. Furthermore, setbacks inside the building are not required, while setbacks from inhabited buildings, public roads, and railways are regulated by the BATFE.

The Type IV magazine on this property is constructed from Corten steel with a marine-grade, spark resistant waterproof coating and meets Florida Building Code standards, including resistance to high winds (180 MPH), live and roof loads, and seismic requirements. It features 1/16" steel walls, 1.5" corrugated sidewalls, 1/8" steel floors and roofs, and a 1/2" wood floor liner to prevent static buildup. The magazine's dimensions are 20' x 8' x 8'6" (exterior), with a capacity of 33.2 cubic meters and a tare weight of 4,982 lbs. It is equipped with BATFE-approved stainless-steel puck locks and meets BATFE's construction standards and setback requirements, being located 128 feet from the nearest inhabited building. The magazine is suitable for both indoor and outdoor use and complies with all regulations regarding signage and warning placards for explosives.

REVIEW CRITERIA

When considering whether to approve an appeal to deviate from standards or requirements of the Code, other than minimum lot size requirements, the Board of County Commissioners may grant the appeal subject to safeguards and conditions with their findings concerning the following factors. The Board of County Commissioners will consider each of the following factors and make findings pertaining to each one which, in their discretion, applies to the appeal:

- A. Approval of the appeal will not subvert the purpose of the standard or requirement.
- B. Approval of the appeal will not be detrimental to the public health, safety, or property values in the neighborhood.
- C. Approval of the appeal is the minimum action necessary.
- D. Approval of the appeal will not result in increased costs for the public.
- E. Approval of the appeal is consistent with the intent and purpose of the Code.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the Ehrlich Appeal, File No. 24-GNRL0561 subject to the following conditions:

1. Failure to comply with any conditions of the appeal approval may result in reconsideration of the use and possible revocation of the approval by the Board of County Commissioners.
2. This approval applies only to the fireworks storage business at its current level of operation. Any expansion of use, which would include the construction of new structures or significant increases in storage capacity, must be reviewed and approved by the County prior to implementation.
3. The storage of all fireworks shall be confined to the Type IV magazine at all times, and no fireworks shall be stored outside of this designated facility.
4. The applicant shall maintain valid permits from the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) and the Wellington Fire Protection District for the duration of fireworks storage use on the property and shall provide proof of such permits upon request from the County.

The Board had questions for staff about the permits that have been obtained by the applicant and if they are they annually renewed? Staff stated that they believe permits are renewed annually.

The Board had several questions on the magazine storage. Staff explained the type of magazine storage including the explosive material that will be contained within the magazine and the pole barn will provide additional protection. The magazine was originally outside on the property, but the applicants built the pole barn for aesthetics as well as safety and security.

Chair Stephens invited the applicants to address the Board.

Bryan and Mary Ehrlich informed the Board that they have provided the fireworks show for the Town of Wellington for the past 10 years. They built the pole barn to house the magazine instead of having it outside as they had in the past. It has been approved by ATF as well as the local Fire Chief. With this addition, it adds more security and safety. The magazine has a dual three-latch and hapless padlock. The access is virtually impenetrable. The pole barn also has deadbolts for security. The

fireworks do get removed from the magazine and placed on a trailer and then driven to Wellington for the fireworks show.

Mr. Ehrlich did elaborate on the permit process. The Town of Wellington does an inspection every year in order for the permit to be renewed. The ATF is a 3-year renewal process with an inspection.

The Board asked for clarification on the distance from the pole barn to adjacent homes. Mr. Ehrlich let the Board know that the closest neighbor is 580 feet away. Mr. Ehrlich also stated that Bee Lake Road is only public for emergency vehicles, it is not publicly maintained. It is considered a private road.

PUBLIC COMMENT

Curtis Bridges is a neighbor of the Ehrlich family and brought a large picture of an aerial view of the property. When he was alerted about the pole barn, he checked the declaration of covenants which stated it needed architectural approval from the architectural committee. Allowing firework storage could have a negative impact on property values and future sales.

Jeff McCutcheon and Gary Bragdon are both in support of the Ehrlich with this appeal. They feel that the pole barn is aesthetically pleasing and look forward to the fireworks show every year.

Chair Stephens closed public comment.

The applicants did speak about the declaration of covenants and that Mr. Bridges is not part of the HOA. If this appeal is not approved, the fireworks celebration will need to be cancelled. This is a service for the community that they look forward to every year. The Town of Wellington does not have any other applicants who wish to put on the fireworks show as of the date of this hearing.

The Board asked staff about hazardous materials. Staff informed the Board that it is not considered hazardous if the materials are held within a magazine.

The Board thanked everyone in attendance and announced they will be in support of this appeal because the safety standards have been addressed and met, and the permits have been approved.

MOTION

Commissioner Kefalas moved to approve the Ehrlich APPEAL, FILE NO. 24-GNRL0561 subject to the conditions in the staff report.

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

TUESDAY, FEBRUARY 25, 2025

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 10:30 a.m. with County Manager Lorenda Volker. Chair Stephens presided. Commissioner Kefalas and Commissioner Shadduck-McNally were present. Also present were Sarah Martin and Tom Clayton, Commissioners' Office, and Deirdre O'Neill, Deputy Clerk.

Chair Stephens opened the meeting with the Pledge of Allegiance.

1. PUBLIC COMMENT: Zach Thode thanked the Board of County Commissioners for the opportunity that he has had in serving on the Agriculture Advisory Board these past 12 years. Mr. Thode spoke of some of the work that he has been a part of including but not limited to: Immigration, hemp and manure, water project coordination, and private lands, to name a few. He is asking the Board for any feedback or advice on future positions for himself in how he can help to continue to improve relationships between the Open Land Advisory Board and the agricultural community. He is also asking if the public are allowed to have any input into future Larimer County Planning Department Manager positions.

Chair Stephens closed public comment.

The Board thanked Mr. Thode for his commitment and years of service in elevating the importance of preserving working farms and ranches. The Commissioners did inform Mr. Thode that the Planning Manager is not an appointed position but an internal hiring process. They urged him when board positions open up in the spring, to certainly consider applying for one of these positions.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF FEBRUARY 17, 2025:

M O T I O N:

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the minutes for the week of February 17, 2025.

Motion carried 3-0.

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF March 3 and March 10, 2025:

Ms. Martin reviewed the upcoming schedule with the Board. The Board made several additions to the upcoming schedules.

4. CONSENT AGENDA:

AGREEMENTS

1. AMENDMENT #4 TO AGREEMENT FOR JAIL SERVICES

LETTERS OF SUPPORT

1. **LOVELAND PULSE BEAD ROUND TWO LETTER OF CASH MATCH COMMITMENT**
2. **COMCAST BEAD ROUND TWO LETTER OF SUPPORT**
3. **NUNN TELEPHONE BEAD ROUND TWO LETTER OF SUPPORT**

LIQUOR LICENSES

1. **LIQUOR LICENSE CHANGE OF MANAGER – HCT PTARMINGAN LLC – DBA – PTARMIGAN COUNTRY CLUB - FORT COLLINS, COLORADO**
2. **LIQUOR LICENSE SPECIAL EVENT PERMIT 6% -ATHLETES IN TANDEM INC – LOVELAND, COLORADO**

RESOLUTIONS

1. **BOARD OF COUNTY COMMISSIONERS, LARIMER COUNTY, COLORADO RESOLUTION DESIGNATING ADDITIONAL NOXIOUS WEEDS (MEADOW HAWKWEED)**

MISCELLANEOUS

1. **6766 PARTNERS LLC STIPULATION AS TO TAX YEAR 2023 VALUE**
2. **MDC COAST 4 LLC STIPULATION AS TO TAX YEAR 2024**
3. **TREASURERS SIX MONTH REPORT**
4. **LARIMER COUNTY LEGISLATIVE POSITIONS**
5. **LARIMER COUNTY FAIR BOARD BYLAWS**

MOTION

Commissioner Kefalas moved that the Board of County Commissioners approve the Consent Agenda for February 25, 2025.

Motion carried 3-0.

5. COMMISSIONERS' GUESTS: The Commissioners did not have any guests.

6. DISCUSSION ITEMS:

1. PROCLAMATION RECOGNIZING MARCH 2025 AS WOMEN'S HISTORY MONTH: Commissioner Shadduck-McNally read the Proclamation stating that throughout our history, women have fought tirelessly to further our democracy's reach and help with progress towards a more perfect union. Through protest and activism, generations of women have advocated for the values and character of our nation.

Women of every race, class, socioeconomic, and ethnic background have served as early leaders in the forefront of every major progressive social and legislative change movement. Women have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways, including as trailblazers in science, the arts, education, business, social services, nonprofits and government at all levels.

Women have played and continue to play critical economic, cultural, and social roles in every sphere of the life of the nation by constituting a significant portion of the workforce working inside and outside the home.

Women have served our country courageously in military conflicts and have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the industrial labor movement, the civil rights movement, the sustainable future movement, the peace movement, and other social movements which create a more fair and just society for all.

Commissioner Shadduck-McNally informed the Board that Wanda Marker is present in the audience today. Ms. Marker raises scholarships for women and has served on the Women's National Suffrage Foundation. She is a proud grandmother and role model for young women.

Chair Stephens introduced Rosemary Rader, member of the National Organization for Women. Ms. Rader thanked the Board for recognizing National and International Women's Day and thanked the Board for joining in the Peoples March in January.

The Board each thanked the guests for coming and spoke of the importance of advocating equality for everyone. They are proud to recognize the contributions and achievements that women have made throughout history. This is a great time to reflect on the women who have come before us and have paved the way so we can continue to accomplish bigger and better things.

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the Proclamation of declaring March 2025 as Women's History Month.

Motion carried 3-0.

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

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

Commissioner Shadduck-McNally briefly left the meeting.

9. **LEGAL MATTERS:**

Decision Expected

Executive Session pursuant to Colorado Revised Statute, sections 24-6-402(4)(e) and (4)(b), to determine positions, develop strategy, and instruct negotiators related to the acquisition of public road right of way for the Taft Hill Road Improvements Project; and for conferences with an attorney for legal advice about eminent domain authority and process and to potentially initiate condemnation proceedings for portions of parcels: 9734208007, 9734208006, 9734208005, 9734208002, 9734208001, 9734205005, 9734205004.

MOTION

Commissioner Kefalas moved that the Board of County Commissioners enter into Executive Session pursuant to Colorado Revised Statute, sections 24-6-402(4)(e) and (4)(b), to determine positions, develop strategy, and instruct negotiators related to the acquisition of public road right of way for the Taft Hill Road Improvements Project; and for conferences with an attorney for legal advice about eminent domain authority and process and to potentially initiate condemnation proceedings for portions of parcels: 9734208007, 9734208006, 9734208005, 9734208002, 9734208001, 9734205005, 9734205004.

Motion carried 2-0.

Commissioner Shadduck-McNally returned to the meeting.

Rusty McDaniel, Assistant County Engineer and County Attorney William Ressue, gave a brief overview of the request. The county has a road Improvement project in partnership with the City of Fort Collins that will relieve congestion along Taft Hill Road with the widening of the road and will further add sidewalks for pedestrians and bike lanes on the east side with safety improvements. The temporary construction and Right of Way will affect 21 parcels. The county has been unable to reach an agreement with seven of those parcels/property owners and are requesting the Board authorize the County Attorney to initiate and pursue condemnation proceedings.

MOTION

Commissioner Kefalas moved that the Board of County Commissioners authorize the County Attorney to initiate and pursue condemnation proceedings as authorized in Colorado Revised Statutes Section 43-2-204 for portions of parcels 9734208007, 9734208006, 9734208005, 9734208002, 9734208001, 9734205005, 9734205004 as necessary for the Taft Hill Road Improvements Project.

Motion carried 3-0

With there being no further business, the Board adjourned at 10:05 a.m.

Kristen Stephens

KRISTEN STEPHENS, CHAIR
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK & RECORDER

ATTEST:

D. O'Neill

Deirdre O'Neill, Deputy Clerk

