



MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, MARCH 29, 2021

LAND USE HEARING

The Board did not hold a Land Use Hearing on March 29, 2021.

TUESDAY, MARCH 30, 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: Alisha Jeffers, Commissioners' Office, and Eliza Brock, Deputy Clerk.

Chair Kefalas opened the meeting with the Pledge of Allegiance.

1. **PUBLIC COMMENT:** Ruth Wallick from the public addressed the Board by teleconference. Robert Havis addressed the Board via email regarding the setback requirements by the zoning district.
2. **APPROVAL OF THE MINUTES FOR THE WEEK OF MARCH 22, 2021.**

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the minutes for the week of March 22, 2021.

Motion carried 3-0

3. **REVIEW OF THE SCHEDULE FOR THE WEEK OF APRIL 5, 2021:** Ms. Jeffers reviewed the upcoming schedule with the Board.
4. **CONSENT AGENDA:**

RECOMMENDED DENIAL OF PETITION FOR ABATEMENT OR REFUND OF TAXES: D & N Houska Family, LLC-R1376357.

AGREEMENTS:

- 1. TOWN OF TIMNATH CONTRACT FOR LAW ENFORCEMENT SERVICES**
- 2. COLORADO DEPARTMENT OF HUMAN SERVICES AND LARIMER COUNTY OFFICE ON AGING – 21 IHEA 167367**
- 3. COLORADO DEPARTMENT OF HUMAN SERVICES AND LARIMER COUNTY OFFICE ON AGING CONTRACT AMENDMENT – 21 IHEA 164654**
- 4. NATURAL RESOURCES AND CPRW PROJECT AGREEMENT**
- 5. EXTENSION OF AN AGREEMENT WITH COLORADO STATE UNIVERSITY FOR COVID-19 TESTING**

APPOINTMENTS:

- 1. RECOMMENDED MID-TERM APPOINTMENT TO THE RED FEATHER LAKES PLANNING ADVISORY COMMITTEE- Lora Mann**

LIQUOR LICENSES: The following liquor licenses were approved/issued: Morin & Morin Inc- Retail Liquor Store-Red Feather

RESOLUTIONS

- 1. RESOLUTION ESTABLISHING COMPENSATION FOR DEPUTY DISTRICT ATTORNEY III**
- 2. RESOLUTION ESTABLISHING COMPENSATION FOR DEPUTY DISTRICT ATTORNEY III**
- 3. RESOLUTION FOR STATUTORY VESTED RIGHTS FOR THE TWO PONDS PLD FINAL PLAT FILE 19-LAND3908**
- 4. RESOLUTION ADOPTING THE LARIMER COUNTY LAND USE CODE & OFFICIAL ZONING MAP DATED DECEMBER 7, 2020, AND REPEALING THE 2000 LARIMER COUNTY LAND USE CODE AND OFFICIAL ZONING MAP**
- 5. RESOLUTION PROVIDING FOR THE DISSOLUTION OF LARIMER COUNTY LOCAL IMPROVEMENT DISTRICT NO. 2017-2 (RUSTIC BRIDGE)**

MOTION

Commissioner Stephens moved that the Board of County Commissioners approve the Consent Agenda for the week of March 29, 2029.

Motion carried 3-0.

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

6. **ROCKY MOUNTAIN NATIONAL PARK VISITOR USE: MANAGEMENT STRATEGY FOR 2021 SEASON AND UPDATE ON LONG-RANGE PLAN:** Rocky Mountain National Park Staff: Darla Sidles, Superintendent; Kyle Patterson, Public Information Officer; John Hannon, Management Specialist, and Visitor Use Planner.

The representatives from the RMNP presented their management strategy for the 2021 season and an update on their long-range plan.

Ms. Sidles thanked the Board for their support of the timed-entry permit system for the entire park. They were the first national park to implement this strategy and other national parks followed suit to improve the visitor experience.

They are expecting the visitors to dramatically increase this year due to several factors including covid-fatigue and individuals receiving their vaccines. The park has seen a 45% increase over the last five years. Last year RMNP was the fourth most visited park in the country even with the wildfires, Covid-19, and timed-entry. They have been restricting visitor use since 2016 at the most popular places in the park which are Bear Lake, Wild Basin, and Alpine Visitor Center. Last year, the park was closed for approximately two months, March through the end of May, and then reopened with the timed-entry system. To maintain Covid-19 restrictions, they settled on 20% of shuttle capacity and 60% of the park's capacity. The strategy was successful to spread the park use throughout the day. November and December of 2020 park visitors were up 28% and 30% respectively. The park is currently under a federal lands mask mandate and must stay socially distant, even when outside. These mandates have impacted staffing and the park must reduce staffing again this year. Not all trails in the park will be open this year due to the East Troublesome and Cameron Peak fires.

Ms. Sidles explained they have established a team to look at strategies for this year to establish a temporary pilot program and have come up with a variation on last year's theme. They recognize that Bear Lake is the most popular and crowded area in the park. They will implement two types of reservation systems. The first will be for the Bear Lake corridor and be based on approximately 80% of the parking capacity. Reservations for the Bear Lake corridor will allow access to anywhere in the park and will be required between 5:00 a.m. to 6:00 p.m. The second system would be for the rest of the park including Trail Ridge Road and Wild Basin. Reservations will be required between 9:00 a.m. and 3:00 p.m. These two systems will maximize their flexibility and gives more flexibility to those who do not plan their visit because they are in closer proximity to the park. They plan to begin these two systems on Friday, May 28, 2021, and end on October 11, 2021.

There was a discussion with the Board and the team on the shuttles and staffing in the park. The shuttles will start at 6:30 a.m. and times will be adjusted if necessary if they find the lots fill earlier. Staff reduction is happening across all seasonal staff with no departments being impacted greater than another.

There was a discussion with the Board on the reservation systems. The park will be using the same reservation system as last year on recreation.gov. Each reservation includes a \$2.00 fee to Recreation.gov for the administering of the system. The reservations will go on sale on May 1, 2021, to reserve times for Memorial Day through the month of June. On June 1, 2021, the month of July

will be available for purchase, and July 1, 2021, will include the month of August. The system will be month-to-month rolling reservations. Front country campground reservations are on a different system. They are on a six-month rolling reservation system through recreation.gov and visitors can reserve spots six months before their stay. The wilderness backcountry permit reservation system is through a random drawing that closed a few weeks ago. This was due to the very high demand for these permits.

Mr. Hannon spoke regarding demographic data for visitors to the park. The park visitation is highly regional with 35% to 40% within an hour and a half of the park on the Colorado front range. The next highest percentage is from visitors in the states of Nebraska, Kansas, and Texas. International visitation data is reported at 4%. They see a lot of day use due to the large regional visitation. Long-range planning is a day-use visitor access strategy for those regional guests. Many of the regional visitors come multiple times a year. What they have implemented tailors to their day-use visitors which continually increases as the population increases. The park is slated for new comprehensive visitor data in 2020 and will be available for next year.

There will be volunteer opportunities to help with restoration and recovery efforts. They are determining the volunteer workload now and the volunteer coordinator is collecting the information needed to compile training for applicable jobs.

The Board expressed appreciation for their report and their hard work in the park.

7. COVID-19 UPDATE AND DECISIONS: Linda Hoffmann, County Manager. Manager Hoffmann introduced Tom Gonzales, Public Health Director.

Director Gonzales updated the Board on issues related to COVID-19 recovery. All the county metrics are going up except for hospitalizations. The seven-day case rate is going up and currently at 173 per 100,000. We need to continue face covering and no large indoor gatherings. Our case-rate for 25- to 30-year-old populations has significantly increased as well as our 11- to 17-year-old population. The 60 and older population has plateaued due to vaccinations.

We are seeing two primary variant or mutant strains in Larimer county. The UK variant, known as B.1.1.7, and the California variant, known as B.1.427 are 30% to 50% more transmissible. There is concern that the B.1.1.7 is taking over. Hospitalizations are primarily in our 55-year-old age group range most likely because the 60 and older group has been vaccinated. Our goal is to have 70% of our population with at least one dose of the vaccine by the end of May.

Director Gonzales reminded the population to wear a mask, stay six-feet apart, avoid crowds, and get a vaccine. He encouraged everyone to get outside and plan their large gatherings outdoors. Friday, April 2, 2021 vaccines are open to anyone 16 and older. Those 16 and 17 will need to have the Pfizer vaccine. The Moderna and Johnson & Johnson are only approved for those 18 and older. We are receiving 21,000 doses per week and next week we will begin receiving 23,000 doses per week.

As of last week, we have given 166,755 doses given with 102,051 having at least one dose and 64,704 are fully vaccinated. Our 50–59-year-old population is currently at 30% vaccinated. 70% of those ages 70 and older have been fully vaccinated. The Department of Health and Environment is continuing

to work on plans to make sure the vaccine is being distributed more equitably. County-wide approximately 20,000 shots last week and set a record for the most doses administered in a week.

They held a clinic every day last week in Larimer County along with the Federal Emergency Management Agency site at the Ranch where they give up to 6,000 shots per day.

Residents can ask vaccine questions by phone 970-498-5500, text 970-999-1770, and email publichealth@larimer.org They can log onto the site <https://larimerhealth.secure.force.com/vaccine>

There was a discussion with the Board on variants and the vaccine effectiveness. The Pfizer and Johnson and Johnson vaccines have proven to be effective against B.1.1.7 and they are still getting data on the Moderna effectiveness.

Kori Wilford, Communications Specialist, explained that each vaccine provider has a registration system, for example UC Health, King Soopers, and Walgreens. If residents cannot get a slot and they have registered, they will need to try again each week. Slots are updated each week as they get the vaccine in. FEMA is using the Larimer site for registration with the county as a provider. Slots are filling in about two hours once slots are released. The best process is to check back and can sign up on multiple lists to see what comes up first. She offered apologies for the frustrations but making appointments will require patience and keep checking back.

There was a discussion with the Board on those under 16 receiving the vaccine and the Level Up Program. Trails on children should be completed early to the middle of summer and are hoping to hear the FDA approval on children. Typically, children with the virus are experiencing mild fever and cold symptoms. The Level Up program has just under 400 businesses participating. Indoor dining can be at full capacity, but they have to maintain the six-foot space which limits building capacity. Currently, county staff meets with business owners weekly. Last week the first 500 doses of the Johnson and Johnson vaccine were for restaurant workers.

Manager Hoffman introduced Shayle Sabo, Recovery Manager. Ms. Sabo updated the Board on working towards the implementation of recovery strategies. They are moving to weekly meetings and as the American Rescue Plan is rolling out, which is allocated for long-term recovery strategies. The civic capacity index looks at how we move forward with projects in a community-driven way. The Small Business Assistance Grant was a great example of how the index works to hear from all community members. A silver lining of the pandemic has forced us, as a community, into a situation where we had to be collaborative with other teams and groups. They will continue that culture going forward on recovery strategies.

There was a discussion with the Board on the Civic Capacity Index and listening to those pockets of the community. They are looking forward to discussions on how we spend the American Rescue Plan dollars to make the biggest impact. The Board will plan to have Colorado State University staff as guests in an upcoming meeting to present information on the Civic Capacity Index.

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

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

10. LEGAL MATTERS:

NO DECISION EXPECTED

Executive Session pursuant to C.R.S. 24-6-402(4)(b): conference with attorneys for legal advice regarding court case: City of Thornton v. Board of County Commissioners of Larimer County, 19CV30339.

MOTION

Commissioner Stephens moved that the Board of County Commissioners enter into executive session pursuant to C.R.S. 24-6-402(4)(b): conference with attorneys for legal advice regarding court case: City of Thornton v. Board of County Commissioners of Larimer County, 19CV30339.

Motion carried 3-0

With there being no further business, the Board recessed at 11:00 a.m.

SENIOR TAX EXEMPTION HEARING

The Board of County Commissioners met at 3:00 p.m. with Bob Overbeck, Larimer County Treasurer. Chair Kefalas presided. Commissioner Shadduck-McNally and Commissioner Stephens were present. Also present were: Lisa Thieme, Assessor's Office, Alisha Jeffers, Commissioners' Office, and Eliza Brock, Deputy Clerk.

1. PETITION FOR SENIOR HOMESTEAD EXEMPTION OF TAXES FOR 2021 TAX YEAR (SCHEDULE #R1641756 & R1641757): Bob Overbeck, Assessor, and Lisa Thieme, Director of Assessment administration, addressed the Board and presented a packet of information detailing the method in which the Assessor's Office arrived at their current decision to deny senior homestead exemption of taxes for the subject property located at parcel #24074-07-002 and #24074-07-003 in Estes Park, Colorado.

Linda Moak addressed the Board as the property owner to explain the addresses as related to the property. In January 1995 they purchased 3960 Little Valley Road and adjacent 3 acres. In 2008 they separated the properties to build a smaller home at 3870 Little Valley Road. They moved into this new home in 2010. 3960 has been a vacation rental since 2010 that they pay sales and local marketing taxes on. They did not change the address as they believed the properties were the same as they are adjoined. They were advised by both the Drug Enforcement Agency and the State of Colorado to not change their address as it can be problematic for her husband's medication. They are on the same 6 acres they have been on since 1995. They sustained severe damage to both homes during the floods in 2013 at which time FEMA declared their primary residence to be 3960. In 2019 they decided to apply for the homestead exemption as they lived at 3870 for 10 years. The property owners are paying \$20,000 a year for the properties combined. Mrs. Moak also mentioned a declaration from 1996 that declared the properties would be combined in perpetuity.

There was a discussion with the Board and Mrs. Moak on why they listed their primary address as 3960 Little Valley Road in 2015. Mrs. Moak advised that the State of Colorado and FEMA declared that as their primary residence. The Moak's have not yet started the paperwork to update their primary residence to 3870 Little Valley Road as Mr. Moak just retired in December and they have been at their ranch in Strausberg for the winter. Mrs. Moak will be renewing her Concealed Carry Permit next month when they are back in Larimer County. Ms. Theime reported that the assessor's office uses the address the property owner reports on the application as they are under penalty of perjury when they do not report the information correctly. She further reported that the parcel is also identified in the 2015 application and there was no evidence presented that the properties are linked.

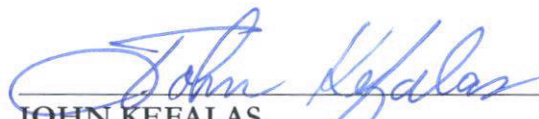
The Board deliberated that the Senior Homestead Exemption is in the Colorado constitution for individuals who have lived in a primary residence for 10 years. Documentation required for this exemption is on the county website. Oversight is also at the state level and ultimately the state will review this if it is approved. The Board appreciates the confusing situation but is bound by statute. Because their documentation determines another address, the property owner does not have the correct records.

MOTION

Commissioner Stephens moved that the Board of County Commissioners deny the appeal for the 2021 Senior Homestead tax exemption for 3870 Little Valley Road that was made by Robert Moak and Linda Moak.

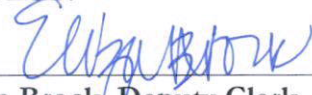
Motion carried 3-0

With there being no further business, the Board adjourned at 3:30 p.m.


JOHN KEFALAS
BOARD OF COUNTY COMMISSIONERS

ANGELA MYERS
CLERK AND RECORDER

ATTEST:


Eliza Brock, Deputy Clerk

