

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, MAY 1, 2023

LAND USE HEARING

There was no land use hearing for this week.

TUESDAY, MAY 2, 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 and Tom Clayton, Commissioners' Office, and Tessa Beaty, Deputy Clerk.

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

1. **PUBLIC COMMENT:** Larry Sarner addressed the Board about the development of the South Centerra Lot Development. Mr. Sarner urged that the Commissioners do not change their stance and keep in mind the recent senate bill 273.

2. **APPROVAL OF THE MINUTES FOR THE WEEK OF APRIL 24, 2023:**

MOTION

Commissioner Kefalas moved that the Board of County Commissioners approve the minutes for the week of April 24, 2023.

Motion carried 3 – 0.

3. **REVIEW OF THE SCHEDULE FOR THE WEEK OF MAY 8, 2023:** Ms. Martin reviewed the upcoming schedule with the Board.

4. **CONSENT AGENDA:**

ABATEMENTS

1 **PETITION FOR ABATEMENT OR REFUND OF TAXES FOR GARY R. GARWOOD – R0183339**

2 **PETITION FOR ABATEMENT OR REFUND OF TAXES FOR DALE H. AND SHERYL L. JOHNSTON – R1589492**

**3 PETITION FOR ABATEMENT OR REFUND OF TAXES FOR DALE H. AND
SHERYL L. JOHNSTON – R1589493**

**4 P PETITION FOR ABATEMENT OR REFUND OF TAXES FOR LINDA AND
DOUG KEENER – R1591232**

AGREEMENTS:

**1 LARIMER COUNTY WORKFORCE DEVELOPMENT BOARD
MEMORANDUM AND UNDERSTANDING FOR SERVICE DELIVERY
AGREEMENTS**

**2 LARIMER COUNTY WORKFORCE DEVELOPMENT BOARD MEMORADUM
OF UNDERSTANDING FOR SERVICE DELIVERY AGREEMENTS DHS ONE STOP
PARTNER**

**3 ADDENDUM TO AGREEMENT FOR SERVICES BETWEEN CYCA AND THE
CORPS FOR 2018-2023**

**4 AMENDMENT ONE TO THE CONTRACT BETWEEN LARIMER COUNTY
DEPARTMENT OF HUMAN SERVICES AND THE BOARD OF GOVERNORS OF
THE COLORADO STATE UNIVERSITY SYSTEM, ACTING BY AND THROUGH
COLORADO STATE UNIVERSITY**

**5 RECONSTRUCTION OF THE CR 8 & CR 21 INTERSECTION
(CONSTRUCTION SERVICES AGREEMENT – BID NO. B23-07, PN 336)
(\$3,199,762.52)**

6 FIFTH AMENDMENT TO LEASE

**7 ANALYSIS AND DEVELOPMENT OF COMMUNITY MASTER PLAN FOR
BEHAVIORAL HEALTH**

APPOINTMENTS:

**1. RECOMMENDED REAPPOINTMENT TO THE LARIMER COUNTY
INTERAGENCY OVERSIGHT GROUP**

**2. RECOMMENDED APPOINTMENT TO THE BOXELDER BASIN REGIONAL
STORMWATER AUTHORITY**

MISCELLANEOUS:

- 1. REQUEST FOR APPROVAL TO ENTER UPON LANDS – THOMAS CARPENTER**
- 2. REQUEST FOR APPROVAL TO ENTER UPON LANDS – CASSIE GIFFORD**
- 3. REQUEST FOR APPROVAL TO ENTER UPON LANDS – MARTIN LIVING TRUST**

POLICIES:

- 1. FINANCIAL POLICY AND PROCEDURE – 320.2R TRAVEL AND EMPLOYEE REIMBURSEMENT**
- 2. LARIMER COUNTY SECURE TRANSPORTATION POLICY**

MOTION

Commissioner Stephens moved that the Board of County Commissioners approve the Consent Agenda for May 2, 2023.

Motion carried 3 – 0

5. COMMISSIONERS' GUESTS: Commissioner Stephens invited Diane Lapierre, Executive Director, Poudre River Public Library District to address the Board. Ms. Lapierre spoke about how the library is growing after the pandemic. The Poudre River Public Library District has been working on broadening their services to ensure the community is served in proper ways. The library has listened to the community and what the community wants from their local library district. The Commissioners thanked Ms. Lapierre for the hard work and the community services of the public library.

6. DISCUSSION ITEMS:

- 1. TO JOINTLY PROCLAIM, WITH THE BOARD OF HEALTH, MAY 1-5, 2023 NATIONAL AIR QUALITY AWARENESS WEEK IN LARIMER COUNTY** Tom Gonzales, Larimer County Public Health Director, introduced Chris Manley, Environmental Health Service Director, to discuss updated efforts made to help ground level ozone issues. Mr. Manley spoke about the four steps to help reduce ground level ozone that were identified last summer. The Board was appreciative of the work being done. Commissioner Stephens asked about the pollution bill currently in the legislative process and whether this would be beneficial to these efforts.

MOTION

Commissioner Kefalas read the proclamation and moved to approve the proclamation declaring May 1-5, 2023, as National Air Quality Awareness Week.

Motion carried 3-0.

2. MENTAL HEALTH MONTH PROCLAMATION 2023 Laurie Stolen, Behavioral Health Services, introduced the team and partners that work together in helping mental health within our community. The Board thanked the partners and the hard work that has gone into making this proclamation. Commissioner Shadduck-McNally thanked the public for approving the tax that helps to fund behavioral health services. Lorenda Volker spoke about breaking the stigma and thanked the people who are working for this proclamation.

MOTION

Commissioner Stephens read the proclamation and moved to approve the Proclamation declaring May 2023 as Mental Health Awareness Month.

Motion carried 3-0.

3. PROCLAMATION RECOGNIZED MAY 2023 AS ASIAN PACIFIC ISLANDER DESI AMERICAN HERITAGE MONTH The board discussed the importance and impact of this proclamation.

MOTION

Commissioner Kefalas read the proclamation and moved to approve the Proclamation declaring May 2023 as Asian Pacific Islander Desi American Heritage Month.

Motion carried 3-0.

4. APPROVAL OF THE “NON-EXCLUSIVE TRAIL EASEMENT AGREEMENT” ASSOCIATED WITH THE TRUST FOR PUBLIC LAND’S “LEWIS FARM CONSERVATION EASEMENT & IMMERSIVE AGRICULTURAL EXPERIENCE” PROJECT, AS RECOMMENDED BY THE OPEN LANDS ADVISORY BOARD AT IS APRIL 27, 2023, Daylan Figgs, Natural Resources, Justin Core, Engineering, and Meegan Flenniken, Natural Resources addressed the Board. Mr. Core spoke about the details of the project providing public access to a trail easement. He noted there are many partners working for this project. One partner is Future Farmers of America. Commissioner Kefalas appreciated the educational aspect of this project. Commissioner Stephens asked about the history of this project and this land.

MOTION

Commissioner Stephens moved to approve the Resolution Approving the Acquisition of Trail Easement in Larimer County – Lewis Farm Conservation Easement and Immersive Agricultural Experience, the Non-Exclusive Trail Easement Agreement, and all other supporting documents.

Motion carried 3-0.

5. **AMEND ORDINANCES** David Ayraud, County Attorney's Office, told the board about the reason to amend these ordinances. The Board was concerned about the language of possession as it seems to penalize young people and does not penalize retailers. Mr. Ayraud spoke about the details of this ordinance regarding possession and penalties. Mr. Ayraud spoke of specifics about how this ordinance relates to the municipality's statutes. The Board decided to remove the ordinance about possession of tobacco products.

Matt Lafferty, Planning Division, read the changes that will go into effect for Code Ordinance 1989-2 relating to nude entertainment.

Amy White, Code Compliance Supervisor, read the changes that will go into effect for Code Ordinance 11122002O001 relating to animal control.

Amy White, Code Compliance Supervisor, read the changes that will go into effect for Code Ordinance 97-03 relating to noise levels. Mr. Ayraud makes a correction to this code reading.

A recording of Ordinance 02172015O001 was played relating to traffic control and regulations.

A recording of Ordinance R93-116G was played relating to parking regulations.

A recording of Ordinance No. 10062015O001 was played relating to the general assistance program.

Mr. Ayraud explained the repeal of the Sheriff Department Ordinance of Security Alarm system.

MOTION

Commissioner Kefalas moved to publish the amended Ordinances of parking, animal, general assistance, noise, nude entertainment, traffic, and repeal of security alarm, excluding the amended ordinance of minor tobacco possession.

Motion carried 3-0.

8. **COUNTY MANAGER UPDATE:** County Manager Volker did not have any updates.

9. **COMMISSIONER ACTIVITY REPORTS:** The Board deferred talking about their activities until next week.

10. **LEGAL MATTERS:**

Executive Session pursuant to Colorado Revised Statutes 2406-402(4)(a): Purchase Acquisition, lease, transfer, or sale of any real or personal property interest.

Executive Session pursuant to Colorado Revised Statutes 24-6-402(4)(b) Conference with an attorney for the purpose of receiving legal advice about Senate Bill 23-272 concerning the inclusion of agricultural land in urban renewal areas, and negotiations with the Loveland Urban Renewal Authority regarding the proposed Centerra South urban renewal plan.

MOTION

Commissioner Stephens moved that the Board enter Executive Session pursuant to Colorado Revised Statutes 2406-402(4)(a): Purchase Acquisition, lease, transfer, or sale of any real or personal property interest and further moves the Board of County Commissioners move into Executive Session pursuant to Colorado Revised Statutes 24-6-402(4)(b) Conference with an attorney for the purpose of receiving legal advice about Senate Bill 23-272 concerning the inclusion of agricultural land in urban renewal areas, and negotiations with the Loveland Urban Renewal Authority regarding the proposed Centerra South urban renewal plan.

Motion carried 3-0

With there being no further business, the Board adjourned at 11:40 a.m.


JODY SHADDUCK-MCNALLY
BOARD OF COUNTY COMMISSIONERS

ANGELA MYERS
CLERK AND RECORDER

ATTEST:


Tessa Beaty, Deputy Clerk

