LARIMER COUNTY

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, DECEMBER 16, 2024

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m. with Rebecca Everette, Community Development Director. Chair Kefalas presided. Commissioner Shadduck-McNally and Commissioner Stephens were present. Also present were Justin Currie, Christina Scrutchins and Ryane Oswandel, Community Development; David Pringle, Engineering; Frank Haug, County Attorney's Office; and Deirdre O'Neill, Deputy Clerk.

Chair Kefalas opened the meeting with the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING CONSENT ITEMS:

1. FISHER SUBDIVISION PRELIMINARY PLAT, FILE NO.23-LAND: This is a request for Preliminary Plat approval for a land division to divide a 6.35-acre parcel into two lots, one existing and proposed, each in the RR2-Rural Residential zoning district.

The applicant proposes to subdivide a 6.35-acre parcel zoned RR2 into two (2) residential lots, one existing lot at 4-acres and a new residential lot at 2.35-acres. Because the property is under 35-acres and located outside a Growth Management Area, the required land division process is the standard subdivision process.

The property currently contains a single-family home and detached garage with access off Fox Tail Court. According to the application documents, the existing single-family home is served by an on-lot septic system along with an existing water tap issued by the Little Thompson Water District. The proposed lot will also be served by the Little Thompson Water District and by onlot septic.

The property is in the RR2 – Rural Residential zoning district, as are the surrounding properties. The adjacent properties are characterized by 2–6-acre parcels, generally characterized by large-lot single family residential uses and agricultural/open space.

Larimer County mapping indicates that the entire property is an area of low geologic hazards. County mapping also indicates that there are no potential wetlands located on the property.

The application was sent out to both referral agencies and community members. No comments were received from any community members.

REVIEW CRITERIA

In reviewing a proposed preliminary plat application for a subdivision, the review and decision-making bodies shall consider the general approval criteria in Article 6.3.8.D of the Land Use Code, General Review Criteria, and if the proposed subdivision meets the preliminary plat criteria in Article 6.5.5.D.1 of the Land Use Code. The criteria are addressed below:

ARTICLE 6.5.5.D.1 PRELIMINARY PLAT REVIEW CRITERIA

A. Comply with all applicable use, density, development, and design standards set forth in this code that have not otherwise been modified or waived pursuant to this code and that would affect or influence the layout of lots, blocks, and streets.

B. Provides a layout of lots, roads, driveways, utilities, drainage, and other public facilities and services designed to minimize the amount of disturbance to sensitive natural areas or other community resources.

C. Provide evidence to show that all areas of the proposed subdivision that may involve other natural hazards including flood and wildfire have been identified and mitigated to the maximum extent practicable.

D. Provide evidence that provision has been made for a public sewage disposal system or, if other methods of sewage disposal are proposed, adequate evidence that such system shall comply with state and local laws and regulations.

E. As applicable, provides proposed phasing for development of the subdivision that is rational in terms of available infrastructure, capacity, and financing.

F. The subdivision is consistent with the subdivision sketch plan, if applicable, unless detailed engineering studies require specific changes based on site conditions.

DEVELOPMENT SERVICES RECOMMENDATION:

The Development Services Team recommends that the Planning Commission recommend to the Board of County Commissioners' approval of the Fisher Subdivision, File #23-LAND4377, subject to the following conditions:

1. The final plat shall be consistent with the approved preliminary plat and with the information contained in the Fisher Subdivision, File #23-LAND4377, except as modified by the conditions of approval or agreement of the county and applicant. The applicant shall be

subject to all other verbal or written representations and commitments of record for the Fisher subdivision.

2. The property owners address the concerns/requirements of the referral agencies included in this staff report.

MOTION

Commissioner Stephens moved the Board of County Commissioners to approve the one item on the consent agenda subject to the conditions outlined in the staff report and further moved to authorize the Chair to sign the Findings and Resolution.

Motion carried 3-0.

The motion carried 3-0.

With there being no further business, the Board adjourned at 3:05 p.m.

TUESDAY, DECEMBER 17, 2024

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with County Manager Lorenda Volker. Chair Kefalas presided. Commissioner Shadduck-McNally and Commissioner Stephens were present. Also present were Sarah Martin and Tom Clayton, Commissioner's Office, and Deirdre O'Neill, Deputy Clerk.

Commissioner Kefalas opened the meeting with the Pledge of Allegiance.

1. PUBLIC COMMENT: No members of the public addressed the Board.

Commissioner Kefalas closed public comment.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF DECEMBER 9, 2024:

M O T I O N:

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the minutes for the week of December 9, 2024.

Motion carried 3-0.

3. **REVIEW OF THE SCHEDULE FOR THE WEEKS OF DECEBMER 23, 2024, DECEMBER 30, 2024, AND JANUARY 6, 2025:** Ms. Martin reviewed the upcoming schedule with the Board. The Board had several updates for Ms. Martin.

4. CONSENT AGENDA:

AGREEMENTS

1. GRANT AGREEMENT BETWEEN LARIMER COUNTY AND L'ARCHE NORTHERN COLORADO

2. AMENDMENT TO MEMORANDUM OF UNDERSTANDING

3. SUBGRANTEE PROJECT AGREEMENT BETWEEN LARIMER COUNTY AND THE BIG THOMPSON WATERSHED COALITION

4. VOA HOME DELIVERED MEALS: AMENDMENT ONE TO THE CONTRACT BETWEEN LARIMER COUNTY DEPARTMENT OF HUMAN SERVICES AND VOLUNTEERS OF AMERICA COLORADO BRANCH

5. INTERGOVERNMENTAL AGREEMENT FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) FUNDS, CR69 AND CR74E GUARDRAIL INSTALLATIONS

6. VOA CONGREGATE AMENDMENT: AMENDMENT ONE TO THE CONTRACT BETWEEN LARIMER COUNTY DEPARTMENT OF HUMAN SERVICES AND VOLUNTEERS OF AMERICA COLORADO BRANCH

7. ORACLE CHANGE ORDER FROM CLOUD TO ON PREMISE SOLUTION

APPOINTMENTS

1. RECOMMENDED REAPPOINTMENT TO THE BEHAVIORAL HEALTH CONSUMER ADVISORY COMMITTEE-SARAH MCKEEN

2. RECOMMENDED REAPPOINTMENT TO THE BEHAVIORAL HEALTH CONSUMER ADVISORY COMMITTEE-KAREN BARRETT

4\. RECOMMENDED MIDTERM APPOINTMENT TO THE BEHAVIORAL HEALTH TECHNICAL ADVISORY COMMITTEE-SARAH MARTIN

4\. RECOMMENDED REAPPOINTMENT TO THE SOLDIER CANYON ESTATES PID-DYLAN METZGAR

5\. RECOMMENDED APPOINTMENTS TO THE LYONS REGIONAL LIBRARY BOARD-SARAH MARTIN

6\. RECOMMENDED APPOINTMENT TO THE BERTHOUD COMMUNITY LIBRARY DISTRICT BOARD OF TRUSTEES-NICOLE BUENDIA

7. **RECOMMENDED REAPPOINTMENT TO THE BERTHOUD COMMUNITY LIBRARY DISTRICT BOARD OF TRUSTEES-JULIE OELMNA**

8. **RECOMMENDED YOUTH APPOINTMENT TO THE ENVIRONMENTAL AND SCIENCE ADVISORY BOARD-TIMOTHY SKOLDS**

9. **RECOMMENDED APPOINTMENT TO THE ENVIRONMENTAL AND SCIENCE ADVISORY BOARD-JARED MCGLOTHLIN**

10. **RECOMMENDED APPOINTMENT TO THE AGRICULTURAL ADVISORY BOARD- ERIC UMBREIT**

DEEDS

1. **DEED OF DEDICATION FOR ADDITIONAL RIGHT-OF-WAY ON WEST TRILBY ROAD**

MISCELLANEOUS

1. **DISPOSITION OF CERTIFICATES HELD BY COUNTIES 39-11-142**

2. **ORDER AND ASSESSMENT FOR 23-CCC0110**

3. **515 DRAKE (FC) LLC STIPULATION AS TO TAX YEAR 2024 VALUE**

RESOLUTIONS

1. **A RESOLUTION CANCELLING 2022 TAXES DETERMINED TO BE UNCOLLECTIBLE**

2. **A RESOLUTION REGARDING DEPOSIT OF 2025 FUNDS BY THE COUNTY TREASURER**

3. **AMENDED FINDINGS AND RESOLUTION APPROVING THE 475 HIGH LONESOME ROAD SPECIAL REVIEW**

4. **2025 RESOLUTION AMENDING COMPENSATION FOR LARIMER COUNTY DEPUTIES AND APPOINTED OFFICIALS (C.R.S 30-2-104) EXCLUDING THE OFFICE OF THE DISTRICT ATTORNEY**

5. **2025 RESOLUTION ESTABLISHING COMPENSATION FOR LARIMER COUNTY DISTRICT ATTORNEY APPOINTED OFFICIALS**

M O T I O N

Commissioner Stephens moved that the Board of County Commissioners approve the Consent Agenda for Tuesday, December 17, 2024.

Motion carried 3-0.

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

6. **DISCUSSION ITEMS:**

1. BEHAVIORAL HEALTH SERVICES IS REQUESTING APPROVAL AND ISSUANCE OF A BEHAVIORAL HEALTH SECURE TRANSPORTATION LICENSE AND FOUR VEHICLE PERMITS FOR SUMMITSTONE HEALTH PARTNERS: Amy Martonis, Behavioral Health Director, Brian Ferrans, Deputy Executive Director SummitStone Health and Dr. Lesley Brooks, Longview Executive Director/SummitStone Chief Medical Officer. Behavioral Health is requesting approval and issuance from the Board of County Commissioners for a secure transportation license and four vehicle permits for SummitStone Health Partners.

Ms. Margolis illustrated that SummitStone Health Partners is now the largest provider of behavioral healthcare services for Medicaid clients in Larimer County. SummitStone provides services at Larimer County's Longview Acute Care facility, which opened in December 2023. The acute care behavioral health center provides services to individuals in crisis with mental health and/or substance use issues.

Ms. Margolis stated that this request is for a Class A License, which includes the use of physical restraints if necessary during secure transport. This initiative hopes to alleviate the burden of emergency vehicles such as ambulances and law enforcement units and helps reduce the stigma associated with persons who need transportation during a behavioral health crisis . These vehicles are designed to transport folks to facilities where they can receive the care they need with the appropriate training and equipment to provide non-emergency transportation when needed.

Mr. Ferrans announced that in its first year of operations, Longview completed 6,500 urgent care visits and for those visits the mobile transport team brought 1,000 of those individuals to the Longview facility. With this approved license, it will bring additional revenue to the facility and help with long term sustainability of the facility and its services.

The Board thanked everyone for bringing this to their attention and letting them know the magnitude of the issue and how important it is to remember that not everyone has the means to get a loved one to a facility to get the help they need. The Board asked why there is a need for the use of a Class A vehicle with physical restraints? Mr. Ferrans explained that a Class A vehicle allows the staff to safely transport someone who may be in crisis and may display an aggressive behavior. Mr. Ferrans also went over the training the crisis team receives.

The Commissioners thanked everyone for their hard work and dedication to help these individuals who may be experiencing a crisis.

MOTION

Commissioner Shadduck-McNally moved that the Board approves the Behavioral Health Secure Transportation license, and four vehicle permits for SummitStone Health Partners.

Motion carried 3-0

2. DISCUSS THE AMENDED AND RESTATED LONGVIEW PROFESSIONAL SERVICE AND OPERATIONAL AGREEMENT AND REQUEST THE BOARD OF COUNTY COMMISSIONERS OF LARIMER COUNTY APPROVAL AND SIGNATURE: Amy Martonis, Behavioral Health Services. Ms. Martonis stated that Behavioral Health Services is seeking approval and signature on the Amended and Restated Longview Professional Service and Operational Agreement between the Board of County Commissioners of Larimer County and SummitStone Health Partners.

Ms. Martonis highlighted the significant impact that Long View Acute Care Facility has had on the community during its first year of operation. Long View is not just a facility, and it has been made possible by everyone in the community.

Cindy Dobbs, Interim CEO at SummitStone Health Partners, stated that they have just celebrated one year of operating 24/7 services and learned valuable lessons in investing in leadership and process improvements for shared accountability. She is excited to announce the addition of adolescent services and the expansion of beds at the Long View facility over the next year. She thanked the Board for partnering with SummitStone in providing these critical health services to our community.

Dr. Leslie Brooks, Longview Executive Director/SummitStone Chief Medical Officer, disclosed that in the first 12 months of operations they had planned for approximately 2,500 admissions but have seen over 6,500. The sixteen beds were full within the first 36 hours of operation. They are now at 32 beds. Dr. Brooks thanked the Board for allowing them to present this agreement.

Ms. Martonis announced that a key component to highlight is the external data analysis and evaluation of services at the Long View Acute Care Facility that is conducted by the Butler Institute at the University of Denver. They provide quarterly reports and in addition there will be monthly joint financial reviews to maintain transparency.

The Board thanked everyone and stated that this is a great partnership with everyone coming together for future success. This has been a long and arduous journey, but the numbers certainly speak to these kinds of services needed. The Board did have some questions on the insecurity of state funding to those who lost Medicaid benefits. Ms. Dobbs mentioned that Long View has the ability to help those facilitate the process and get them help in the re-enrollment process.

Ms. Martonis also spoke about the structure of the contract with a transparent shared bank account with provisions of how these funds will be reinvested into the behavioral health continuum in the community.

MOTION

Commissioner Stephens moved to approve the Amended and Restated Professional Services and Operational Agreement (P19-18-Behavioral Health Facility).

Motion carried 3-0

3. TO OBTAIN THE BOARD OF COUNTY COMMISSIONERS APPROVAL OF THE 2025 ANIMAL CONTROL & SHELTERING SERVICES AGREEMENT: Amy White, Code Compliance Supervisor, came to request the Board of County Commissioners' approval of the

2025 Animal Control & Sheltering Services Agreement. NOCO CEO, Judy Calhoun, gave a presentation intended to provide transparency and information to the public regarding the services provided to the county by NOCO Humane.

Ms. Calhoun presented a brief PowerPoint explaining that NOCO Humane is a non-profit corporation dedicated to the safe and humane treatment of animals. The county authorizes the personnel of NOCO Humane to enforce ordinances and resolutions relating to animal control. Some of the services that are provided are:

Attempt to give emergency treatment to all injured domestic animals
Rabies vaccination database
Dead animal pick up and disposal
Licensing
Lost and found
Dispatch
Veterinary Services

Additional Services -Not Contract Related

Adoptions
Humane Education
Foster Care
Transfer Program
Community dog park

The 2025 contract is based on 2023 actuals both animal intake numbers and service, driver costs and expenses. Larimer County does receive revenue credited back based on licenses sold, impound and board fees, and Sheriff's office dispatch fees. The net cost for 2025 is $518,700. Ms. Calhoun thanked the Commissioners.

The Commissioners thanked both Amy White and Judy Calhoun for explaining the costs of the contract and had questions on those who are eligible for free licenses. Ms. Calhoun disclosed that the free licenses are for those 62 and older who qualify based on income. The Board believes this is another example of great collaboration and one that benefits the community.

MOTION

Commissioner Shadduck-McNally moved to approve the 2025 Animal Control and Sheltering Services Agreement.

Motion carried 3-0

4. APPROVAL OF THE PURCHASE OF ARROWHEAD RED TAIL PROPERTY, AS RECOMMENDED BY THE OPEN LANDS ADVISORY BOARD AT ITS OCTOBER 24, 2024, MEETING; Meegan Flenniken, Natural Resources and Alex Swartz, Land Agent Natural Resources and Engineering. This land acquisition project includes Larimer County's purchase fee for the 196-acre Arrowhead Red Tail Property. The property possesses significant conservation values including diverse wildlife habitats, buffers to conserved lands, and future public nature-based recreation opportunities.

Initial Review of the project by the Open Lands Advisory Board occurred on April 25, 2024; the Board of County Commissioners' initial review occurred on June 4, 2024. The project received a final review at the October 24, 2024, meeting of the Open Lands Advisory Board and is recommended to the Board of County Commissioners for final review and approval.

Mr. Swartz explained that they are seeking approval for the purchase of the Red Tail Ridge addition property. The property is within the Little Thompson River and Blue Mountain Conservation priority area that were identified in the 2015 Master Plan. With this property, there is a connection to open space and consists of native foothill grass interspersed with shrubs throughout and adjacent to a mosaic of conserved lands spanning Larimer and Boulder counties.

Mr. Swartz went over the fee title acquisition costs and broke down the $1.8 million which includes a $50,000 private individual donation.

The Board wished to thank the private individual for their donation as well as all the hard work of the Natural Resources team and their dedication to conservation.

MOTION

Commissioner Stephens moved that the Larimer County Board of Commissioners approve and adopt the Resolution approving the Acquisition of Arrowhead Redtail Property (195.67 acres) in Larimer County and accept the donation offered by Scott James in relation to this property.

Motion carried 3-0

5. **APPROVAL OF THE PURCHASE OF THE QUARTER LAZY H CONSERVATION EASEMENT, AS RECOMMENDED BY THE OPEN LANDS ADVISORY BOARD AT ITS DECEMBER 11, 2024, MEETING:** Meegan Flenniken, Natural Resources, presented this project which includes Larimer County's acquisition of a conservation easement on 1,866 acres of the Quarter Circle Lazy H Ranch property in the Livermore Priority Area.

Ms. Flenniken stated that the project will confer a variety of public benefits by protecting the following conservation values:

Scenic values: conserved viewshed of the W County Road 74E / Red Feather Lakes Road corridor; Buffer values: the conservation easement buffers existing public lands and privately conserved lands in the immediate vicinity; Agricultural values: protection of grazing land and irrigated lands; water rights tied to the conservation easement protect viability of agricultural use into the future; Wildlife habitat: the property is primarily comprised of intact foothills grasslands and provides high-quality habitat for a variety of wildlife.

The project will receive funding support from Great Outdoors Colorado (GOCO), The Nature Conservancy, and a private donor with other grant funding pending. In addition to GOCO funding, an Intergovernmental Agreement will formalize additional partnership funding support from the City of Fort Collins.

Initial Reviews of the project by the Open Lands Advisory Board occurred on July 25, 2024; the Board of County Commissioners' initial review occurred on July 30, 2024. The project received a final review at the December 11, 2024, meeting of the Open Lands Advisory Board and is recommended to the Board of County Commissioners for final review and approval.

The Board thanked the landowners for partnering with the county and spoke of the cultural asset to the community and the protecting of agricultural heritage. They also wished to thank Great Outdoors Colorado, the Gates Family Foundation and the private individual donor.

MOTION

Commissioner Shadduck-McNally moved that the Larimer County Board of Commissioners approve and adopt the Resolution approving the Acquisition of Quarter Circle Lazy H Ranch II Conservation Easement and Deed of Conservation Easement.

Motion carried 3-0.

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.

WEDNESDAY, DECEMBER 18, 2024
LIQUOR LICENSE HEARING
FUNKWERKS LLC

The Board of County Commissioners met at 11:00 a.m. with David Ayraud, Deputy County Attorney. Chair Kefalas presided. Commissioner Shadduck-McNally and Commissioner Stephens were present. Also present were Dianne Cheney and Elizabeth Carter, Clerk and Recording Department, and Deirdre O'Neill, Deputy Clerk.

Chair Kefalas opened the hearing and Brad Lincoln, applicant, and Laura Lunn, Alcohol Petitioning Services were sworn in.

Mr. Ayraud explained that this is a hearing for a Brew Pub License for Funkwerks LLC dba Funkwerks located at 1900 East Lincoln Avenue in Fort Collins, Colorado.

Mr. Ayraud noted for the record that there was nobody present to speak in opposition to the application.

Mr. Ayraud reviewed the following exhibits with the Board: Exhibit A – publishing of the notice in the newspaper; Exhibit B – diagram of the premises; Exhibit C – photos of Notice of Public Hearing posting on the premises; and Exhibit D – petition of the surrounding neighborhood.

Mr. Ayraud asked a series of questions of Mr. Lincoln regarding the exhibits, including describing where alcohol would be served, the percentage of food sales and type of food that will be available at the location. Ms. Lunn was asked questions on the petition and whether she felt the needs and desires of the surrounding neighborhood support a Brewpub license. Ms. Lunn replied in the affirmative, based upon the results of her petitioning process. When questioned whether or not Mr. Lincoln was familiar with the liquor laws and if he and his staff have had any alcohol server training, he responded affirmatively. They have previously been in business since December of 2010 with a manufacturing license and wished to have a brewpub license to serve those members of the public who have allergies including gluten free allergies.

Under discussion, the Board thanked Mr. Lincoln for his thoroughness and preparedness of this application and stated that they would be in support of the Brewpub License.

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve a Brew Pub license for Funkwerks LLC dba Funkwerks located at 1900 East Lincoln Ave in Fort Collins, Colorado

Motion carried 3-0.

With there being no further business, the Board adjourned at 11:30 a.m.

Kristin Stephens

KRISTIN STEPHENS
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK AND RECORDER

ATTEST:

Deirdre O'Neill, Deputy Clerk

LARIMER COUNTY CLERK SEAL COLORADO