

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, APRIL 17, 2023

LAND USE HEARING

There was no land use hearing for this week.

GORDON CREEK TAVERN LLC LIQUOR LICENSE HEARING

The Board of County Commissioners met at 3:00p.m. with David Ayraud, Assistant County Attorney. Chair Shadduck-McNally presided, and Commissioner Stephens and Commissioner Kefalas was present. Also present were Jared Jaques, Elizabeth Carter, and Deirdre O'Neil, Clerk and Recording Department; and Tessa Beaty, Deputy Clerk.

Chair Shadduck-McNally opened the hearing and Tiffany and Tom Bustinduy, applicant, were sworn-in.

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. Bustinduy regarding the exhibits, and then questioned whether Mr. Bustinduy felt the needs and desires of the surrounding neighborhood support a hotel and restaurant license. Mr. Bustinduy replied in the affirmative, based upon the results of his petitioning process. When questioned whether or not Mr. Bustinduy was familiar with the liquor laws and if he had any alcohol server training, Mr. Bustinduy replied that he had taken a TIPS course and had experience working in the hospitality industry before.

Mr. Ayraud noted for the record that there was nobody present to speak for or against this license.

Under discussion, the Board asked Mr. Bustinduy about the exact location of the premises and whether signage will be posted, telling people they are not allowed to remove alcohol from the premises. Commissioner Stephens explained the fact that it might be harder for intoxicated patrons to get a cab ride home. Mr. Bustinduy stated the fact that the community of the restaurant would likely protect intoxicated drivers. Commissioner Shadduck-McNally sought clarification for who will be receiving alcohol training in this establishment. Ms. Bustinduy replied that she is seeking TIPS training and all servers will also receive said training.

M O T I O N

Commissioner Stephens moved that the Board of County Commissioners approve the hotel and restaurant liquor license for the Gordon Creek Tavern LLC at The Inn at Gordon Creek at 98 Eiger Rd, Livermore, Colorado 80536.

Motion carried 3-0.

With there being no further business, the Board recessed at 3:30 a.m.

TUESDAY, APRIL 18, 2023

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with Lorenda Volker, County Manager. Chair Shadduck-McNally presided. Commissioner Kefalas and Commissioner Stephens were present.

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

1. PUBLIC COMMENT: No one from the public addressed the Board. Chair Shadduck-McNally closed public comment.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF APRIL 10, 2023:

M O T I O N

Commissioner Stephens moved that the Board of County Commissioners approve the minutes for the week of April 10, 2023.

Motion passes 3 – 0.

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF APRIL 24, 2023: Ms. Martin reviewed the upcoming schedule with the Board.

4. CONSENT AGENDA:

AGREEMENTS:

1. CONTRACT BETWEEN LARIMER COUNTY DEPARTMENT OF HUMAN SERVICES AND LIVE THE VICTORY, INC. DBA THE MATTHEWS HOUSE

2. 2023 GRANT AGREEMENT BETWEEN LARIMER COUNTY, COLORADO ON BEHALF OF LARIMER REGIONAL OPIOID ABATEMENT COUNCIL, REGION 2 (COLLECTIVELY “GRANTOR”) AND LARIMER COUNTY SHERIFF’S OFFICE (LCSO), GRANTEE

**3. LARIMER COUNTY AND CSU PROJECT AGREEMENT – THE PHEMISTER
SAFE ACCESS BRIDGE & TRAIL PROJECT**

LETTERS OF SUPPORT

**1. LETTER OF SUPPORT FOR HB23-1287, COUNTY REGULATION RELATED
TO SHORT-TERM RENTAL**

LIQUOR LICENSES:

**1. LIQUOR LICENSE RENEWAL-SHIV LLC DBA CHILL – TAVERN – FORT
COLLINS, COLORADO**

**2. LIQUORE LICENSE RENEWAL-THE HORSETOOTH CANYON GRILL LLC
DBA THE HORSETOOTH CANYON GRILL – HOTEL & RESTAURANT – FORT
COLLINS, CO**

**3. LIGQUOR LICENSE RENEWAL-MOUNTAIN WHITEWATER INC DBA
MOUNTAIN WHITEWATER – BEER AND WINE – FORT COLLINS, COLORADO**

**4. LIQUOR LICENSE RENEWAL-SYLVAN DALE RANCH LLLP DBA SYLVAN
DALE RANCH – HOTEL & RESTAURANT WITH OPTIONAL PREMISE – LOVELAND,
COLORADO**

POLICIES

**1. LARIMER COUNTY POLICIES AND PROCEDURES 100.13.G: FLEET
SERVICES OPERATIONS**

RESOLUTIONS

**1. RESOLUTION ESTABLISHING COMPENSATION FOR DEPUTY DISTRICT
ATTORNEY III**

M O T I O N

Commissioner Kefalas moved that the Board of County Commissioners approve the Consent Agenda for April 18, 2023.

MOTION CARRIED 3 – 0

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

6. DISCUSSION ITEMS:

1. DECLARE APRIL 23-29, 2023 CRIME VICTIMS' RIGHTS WEEK: The Larimer County Sheriff's Department Victim Response Team came before the Board of County Commissioners. Kate Perrill, the Victim Witness Division Manager from the District Attorney's office spoke to the Board. Ms. Perrill spoke about the importance of recognizing crime victims and the difference between victim and survivor language. Ms. Perrill also spoke about a crime victim event that will be held at the Lincoln Center in Fort Collins later in April. The Board asked questions about where the public would be able to find more resources and if having a therapy dog in court has helped crime victims testify. Commissioner Shadduck-McNally thanked the team for their work and spoke about the Ashley Doolittle Foundation as another organization working in the community.

Commissioner Stephens read the proclamation.

M O T I O N

Commissioner Stephens moved that the Board of County Commissioners approve the Proclamation Acknowledging April 23-29, 2023 Crime Victims' Rights Week.

MOTION PASSED 3 – 0

2. COLORADO STATE UNIVERSITY APPRECIATIVE TO DEPARTMENT OF NATURAL RESOURCES FOR FISCAL SPONSORSHIP FOR THE PHEMISTER SAFE ACCESS BRIDGE AND TRAIL PROJECT: Jenn Almstead from the Natural Resource Department gave some background on the Phemister Access Bridge and Trail Project. Ms. Almstead spoke about the fact that Larimer County applied for fiscal sponsorship because Colorado State University was unable to apply directly. Then Arron Hodge from Colorado State University spoke about the safety features of the proposed trail and thanked everyone who was involved in this project for their work and effort. Commissioner Kefalas asked specifics about the intended trail. Mr. Hodge told the Board about the origins of the project and how the trail is intended to create a safe path for students to travel to Colorado State University. The Board commented on the importance of collaboration between the county and Colorado State University and how this is a great opportunity for both entities.

3. HUMAN SERVICES WOULD LIKE TO REQUEST AN OFFICIAL POSITION FROM THE BOARD REGARDING HB23-1249 REDUCED JUSTICE-INVOLVEMENT FOR YOUNG CHILDREN: Heather OHayre, Human Services Director, spoke to the Board about the issues with House Bill 23-1249. Ms. OHayre spoke to how the bill would create issues for children, ages ten to twelve, who have been accused of a crime and specifically recommends the Board take a formal opposed stance to the bill. Commissioner Stephens spoke to the nuanced position of the bill and asked if there were any amendments to the bill that could help the unintended consequences. Ms. OHayre addressed the need of time to fully understand how the bill might be changed but still recommends opposition to how the bill stands now. The Board discussed taking a stance of opposition.

MOTION

Commissioner Kefalas moved that the Board of County Commissioners support for an Official Opposed Position from the Board Regarding HB23-1249 Reduced Justice-Involvement for Young Children.

MOTION CARRIED 3 – 0

4. RESOLUTION AND NOTICE OF APPOINTING LARIMER COUNTY CLERK

William Ressue, County Attorney, told the Board about the Colorado Law for filling vacancies for Elected Officials, specifically the Clerk and Recorder. Mr. Ressue outlined the timeline of the appointment, and the office would be up for election at the next general election. Angela Myers, current Clerk and Recorder, spoke to the Board about her gratitude for being able to serve Larimer County for ten years as the Clerk and Recorder. The Board then spoke about how well Clerk Myers has conducted herself and her office throughout the years. County Manager Volker also congratulated Clerk Myers on her retirement. The Board spoke about the importance of this position and the weight of appointing an official. Tina Harris, Chief Deputy Clerk and Clerk and Recorder applicant, came forward to speak to how honored she feels to be appointed and her confidence that she will continue Clerk Myers legacy.

Commissioner Stephens reads the resolution.

MOTION

Commissioner Stephens moved that the Board of County Commissioners support for the Resolution and Notice of Appointing Larimer County Clerk.

MOTION CARRIED 3 – 0

8. **COUNTY MANAGER UPDATE:** County Manager Volker provided a brief overview of her activities this past week and her schedule for next week.

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

10. **LEGAL MATTERS:** None Requested

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

WEDNESDAY, APRIL 19, 2023

EXECUTIVE SESSION

The Board of County Commissioners met at 3:05 p.m., with Lorenda Volker, County Manager; William Ressue, County Attorney; and Joshua Fudge, Performance, Budget, and Strategy Director.

MOTION

Commissioner Stephens moved that the Board of County Commissioners enter into an Executive Session pursuant to C.R.S 24-6-402(4)(e) to determine positions, develop strategy and instruct negotiations relative to an Intergovernmental Agreement with the Loveland Urban Renewal Authority and future tax increment financing revenue for the proposed Centerra South Development.

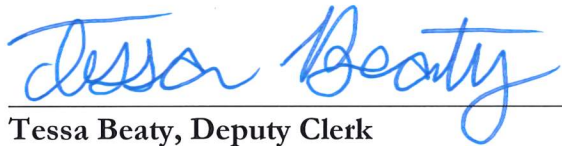
Motion carried 3-0.

The Board adjourned at 4:30 p.m.


JODY SHADDUCK-MCNALLY
BOARD OF COUNTY COMMISSIONERS

ANGELA MYERS
CLERK AND RECORDER

ATTEST:


Tessa Beaty, Deputy Clerk

