MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, MAY 13, 2024

LAND USE HEARING

There was no Land Use Hearing for the week of May 13, 2024.

TUESDAY, MAY 14, 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 Michelle Bird and Thomas Clayton, Commissioner's Office, and Heather Arment, Deputy Clerk.

Commissioner Kefalas opened the meeting with the Pledge of Allegiance.

1. PUBLIC COMMENT:

Matthew Gomez addressed the Board in regard to his time in the foster system – stating the system is flawed. Mr. Gomez described his personal experience as a child and a father. He asked the Board to address the issues within the system.

Rosemary Van Gorder addressed the Board stating, "the government does not make a good parent". Ms. Van Gorder requested the Board to look at the money and where it goes.

Collectively, the Commissioners thanked Mr. Gomez and Ms. Van Gorder for their comments.

Commissioner Stephens stated she does believe there are checks in the system, but also recognized as in any system - there can sometimes be failures. She stated the County does focus on kinship placement, but there are situations when the foster care system is necessary. Commissioner Stephens acknowledged there are not enough resources for foster care children when they come out of foster care – or, for people in poverty but these are issues they are trying to address as Commissioners.

Commissioner Shadduck-McNally expressed that while none of the Commissioners currently on the Board were on the Board at the time Mr. Gomez was in the foster care system, she believes that they have worked to make some changes such as kinship care and peer-to-peer mentoring and support. Commissioner Shadduck-McNally revealed that there is going to be a new shelter for youth experiencing homelessness opening in Larimer County [this fall] to help bridge the gap in the community with our youth.

Chair Kefalas stated that this was not the time or place for dialogue, and that he and Ms. Van Gorder had been in communication and hoped they could find an appropriate setting for this dialogue [in order to respect individuals' confidentiality].

Chair Kefalas closed Public Comment

2. **APPROVAL OF THE MINUTES FOR THE WEEK OF MAY 6, 2024:**

M O T I O N:

Commissioner Stephens moved that the Board of County Commissioners approve the minutes for the week of May 6, 2024.

Motion carried 3-0.

3. **REVIEW OF THE SCHEDULE FOR THE WEEK OF MAY 20, 2024:** Ms. Bird reviewed the upcoming schedule with the Board.

4. **CONSENT AGENDA:**

ABATEMENTS

1. **DAYTON-HUDSON CORP STIPULATION AS TO TAX YEAR 2023 VALUE.**

2. **PETITION FOR ABATEMENT OR REFUND OF TAXES: EXCEEDS THE ALLOTTED REFUND AMOUNT OF $10,000**

3. **PETITION OF ABATEMENT OR REFUND OF TAXES: EXCEEDS THE ALLOTTED REFUND AMOUNT OF $10,000**

AGREEMENTS

1. **2024 GRANT AGREEMENT BETWEEN LARIMER COUNTY, COLORADO ON BEHALF OF LARIMER REGIONAL OPIOID ABATEMENT COUNCIL, REGION 2 (COLLECTIVELY "GRANTOR") AND DENVER RESCUE MISSION, D/B/A FORT COLLINS RESCUE MISSION/HARVEST FARMS, GRANTEE**

2. **2024 GRANT AGREEMENT BETWEEN LARIMER COUNTY, COLORADO ON BEHALF OF LARIMER REGIONAL OPIOID ABATEMENT COUNCIL, REGION 2 (COLLECTIVELY "GRANTOR") AND ABUNDANCE FOUNDATION, GRANTEE**

3. **INTERGOVERNMENTAL AGREEMENT FOR FUNDING OF MOBILITY MANAGEMENT ACTIVITIES IN LARIMER COUNTY OUSIDE OF NORTH**

FRONT RANGE METROPOLITAN PLANNING ORGANIZATION BOUNDARY

4. COLORADO PARKS & WILDLIFE GRANT AMENDMENT – POUDRE RIVER REGIONAL TRAIL – WINDSOR TO TIMNATH FINAL CONNECTION (GRANT #22TD)

5. BUSINESS INVESTMENT AGREEMENT FOR ECONOMIC DEVELOPMENT BETWEEN LARIMER COUNTY AND ANHEUSER-BUSCH

6. CORE SERVICE CONTRACT BETWEEN LARIMER COUNTY DEPARTMENT OF HUMAN SERVICES AND JACOB FAMILY SERVICES, INC. DBA THE JACOB CENTER

APPOINTMENTS

1. RECOMMENDED MIDTERM APPOINTMENT TO THE PLANNING COMMISSION – ADAM EGGLESTEN

2. RECOMMENDED APPOINTMENTS TO THE EXTENSION ADIVSORY COMMITTEE – SCOTT HAPNER, JOANN HERKENHOFF, AND RICHARD CHRISTENSEN

3. RECOMMENDED MIDTERM APPOINTMENTS TO THE EXTENSION ADVISORY COMMITTEE – MARGARET LONG AND DENNIS LAMM
**IT WAS NOTED DURING THE REVIEW OF THE CONSENT AGENDA THAT DENNIS LAMM HAD WITHDRAWN HIS APPLICATION

LIQUOR LICENSES

1. LIQUOR LICENSE CORPORATE AND TRADE NAME CHANGE-BLAM LLC – THE THIRSTY MOOSE – RED FEATHER LAKES, COLORADO

MISCELLANEOUS

1. HUMAN SERVICES EXPENSE REPORT QUARTER ENDING 3-31-24

2. 4674 LLC STIPULATION AS TO TAX YEAR 2023 VALUE

3. PRIME STORAGE FORT COLLINS LLC STIPULATION AS TO TAX YEAR 2023 VALUE

4. DAYTON HUDSON CORP STIPUALATION AS TO TAX YEAR 2023 VALUE

5. TARGET CORPORATION STIPULATION AS TO TAX YEAR 2023 VALUE

6. 110 EAST OAK LLC STIPULATION AS TO TAX YEAR 2023 VALUE

7. **200 JEFFERSON LLC STIPULATION AS TO TAX YEAR 2023 VALUE**

8. **ALTEO LTD STIPULATION AS TO TAX YEAR 2023 VALUE**

9. **MBR INVESTMENTS LLC STIPULATION AS TO TAX YEAR 2023 VALUE**

RESOLUTIONS

1. **FINDINGS AND RESOLUTION DENYING THE CROWN CASTLE APPEAL, 24-GNRL0551**

2. **BOARD OF COUNTY COMMISSIONERS, LARIMER OCUNTY RESOLUTION SETTING RV DUMP STATION RATES**

M O T I O N

Commissioner Shadduck-McNally moved the Board of County Commissioners to approve the Consent Agenda for May 14, 2024.

Motion carried 3-0.

5. **COMMISSIONERS' GUESTS:** There were no Commissioners' Guests present.

6. **DISCUSSION ITEMS:** There were no Discussion Items for the week of May 13, 2024

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: EXECUTIVE SESSION**

Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(e) to determine positions, develop strategy, and instruct negotiators relative to a public private partnership agreement in furtherance of Proposal P23-33, Development and Operations of an event arena and youth sports training center (Ranch Events Complex).

Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(b) & (e): Conferences with an attorney for the purpose of receiving legal advice on a specific legal question, and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiations regarding Estate of Brent Thompson vs Lorenzo Lujan, 2024 CV 30299.

Bill Ressue, Larimer County Attorney, addressed the Board to clarify there are two items to be discussed and separate motions for each could be made – having one Executive Session, split between the two items. The first item in regard to negotiations requires recording. The recording would then be turned off for the second item in regard to legal advice.

MOTION

Commissioner Stephens moved that the Board of County Commissioners move into Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(e) to determine positions, develop strategy, and instruct negotiators relative to a public private partnership agreement in furtherance of Proposal P23-33, Development and Operations of an event arena and youth sports training center (Ranch Events Complex).

Motion carried 3-0.

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners move into Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(b) & (e): Conferences with an attorney for the purpose of receiving legal advice on a specific legal question, and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiations regarding Estate of Brent Thompson vs Lorenzo Lujan, 2024 CV 30299.

Motion carried 3-0.

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

TUESDAY MAY 14, 2024

HORSETOOTH STORE GAS AND LIQUOR, LLC
TRANSFER OF OWNERSHIP LIQUOR LICENSE HEARING

The Board of County Commissioners reconvened at 3:30 p.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 Heather Arment, Deputy Clerk.

Chair Kefalas opened the hearing and Diane Ramaglia, the applicant, was sworn-in.

Mr. Ayraud began by confirming the applicant's name and the address of the business. Ms. Ramaglia confirmed each.

Mr. Ayraud then went through a review of exhibits A, B, C, and D with Ms. Ramaglia and the Board asking Ms. Ramaglia questions throughout the review regarding the exhibits. Ms. Ramaglia answered each question asked of her – giving additional details when requested.

Mr. Ayraud then inquired with Ms. Ramaglia why co-applicant/co-owner, Jason Kelly, was not present. Ms. Ramaglia advised that Mr. Kelly was out of state due to a family emergency.

Mr. Ayraud asked Ms. Ramaglia about a personal history acknowledgement that each Ms. Ramaglia and Mr. Kelly had disclosed in their application(s). Ms. Ramaglia answered each question asked of her – giving additional details when requested.

Under discussion, the Board asked questions of the applicant.

Commissioner Stephens asked Mr. Ayraud – based on the application, do the applicants have legal possession of the business. Mr. Ayraud confirmed, referencing the application materials (purchase/commercial lease agreement).

Commissioner Shadduck-McNally confirmed whether the license along with all assets had transferred to the new LLC. Mr. Ayraud confirmed this was the case.

Chair Kefalas asked Ms. Ramaglia about her service to the Country (per previous comments Ms. Ramaglia had made). Chair Kefalas asked for clarification of Exhibit D (Wholesaler Affidavit of Compliance). Mr. Ayraud advised this affidavit affirms that all alcohol beverages delivered to the transferor retailer are paid in full – and confirmed the required affidavits had been received.

Each of the Commissioners collectively agreed that the purpose of the hearing was to determine legal possession and moral character, which they each believe had been established by the applicants during the application and hearing process.

MOTION

Commissioner Stephens moved that the Board of County Commissioners approve the liquor license for Diane Ramaglia and Jason Kelly / Horsetooth Store Gas and Liquor, LLC located at 4737 Shoreline Drive, Fort Collins, Colorado, 80526, for a retail liquor store license.

Motion carried 3-0.

With there being no further business, the Board recessed at 3:52 p.m.

John Kefalas

JOHN KEFALAS
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK AND RECORDER

ATTEST:

Heather Arment, Deputy Clerk

LARIMER COUNTY CLERK
SEAL
COLORADO