



MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, MAY 31, 2021

LAND USE HEARING

The Board did not hold a Land Use Hearing due to the Memorial Day Holiday.

TUESDAY, JUNE 1, 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: Brenda Gimeson, Commissioners' Office, and Deirdre O'Neill, Deputy Clerk.

Chair Kefalas opened the meeting with the Pledge of Allegiance.

1. PUBLIC COMMENT: The following members of the public addressed the Board: Greg Schreiner is asking the Board for a recommendation to the appointed position of the National Organic Standards Board. Bob Overbeck, Larimer County Assessor, gave a brief update to the Board. Assessor Overbeck stated that today, June 1st, 2021, is the last day for property owners to file an appeal. We have received approximately 8500 requests for appeal with that number expected to increase. They may walk in, use the drop-off box by 11:59 p.m. this evening, or mail by USPS. As long as it is postmarked by today, it will be accepted. Chris Eikenberg spoke to the Commissioners by phone. She has concerns over the Loveland Housing Authority and her Landlord entering units during a pandemic with fire technicians. She is asking for the Commissioners to intervene.

Chair Kefalas closed public comment.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF MAY 24, 2021.

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the minutes for the week of May 24, 2021.

Motion carried 3-0

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF JUNE 7, 2021: Ms. Gimeson reviewed the upcoming schedule with the Board. Commissioner Shadduck-McNally mentioned that

even though she will be traveling on Monday, June 7, 2021, she still intends on calling into the Behavioral Health meeting at 8:00 a.m.

4. CONSENT AGENDA:

ABATEMENTS:

RECOMMENDED DENIAL OF PETITION FOR ABATEMENT OR REFUND OF TAXES: Pearl Street Trust, R1607377, Tax Year 2018/2019; Pearl Street Trust, R0551414, Tax Year 2018/2019; LA Land LLC, R 1631293, Tax Year 2018; Brian and Katie Hambright, R0705934, Tax Year 2020

AGREEMENTS:

1. NATURAL RESOURCE CONSERVATION SERVICE NOTICE OF GRANT AND AGREEMENT AWARD.

2. FIBER USE LICENSE AGREEMENT.

3. DEPARTMENT OF HEALTH CARE POLICY FINANCING AND LARIMER COUNTY OFFICE ON AGING CONTRACT AMENDMENT.

4. PARTICIPATING AGREEMENT WITH THE US DEPARTMENT OF AGRICULTURE, FOREST SERVICE, ARAPAHO AND ROOSEVELT NATIONAL FORESTS AND PAWNEE NATIONAL GRASSLAND.

5. AMENDMENT TO LEASE AGREEMENT.

APPOINTMENTS:

1. RECOMMENDED APPOINTMENTS TO THE CITIZEN REVIEW PANEL: Dan Wellman, Christina Larson, and Tracy Kelley.

2. RECOMMENDED APPOINTMENT TO THE WORKFORCE DEVELOPMENT BOARD: Nancy Patton.

DEEDS:

1. SPECIAL WARRANTY DEED (LOTS 69, 70 AND 126, GLACIER VIEW MEADOWS 12TH FILING).

LETTERS OF SUPPORT:

1. RECOMMENDED APPOINTMENT TO THE NATIONAL ORGANIC STANDARDS BOARD.

LIQUOR LICENSES: The following liquor licenses were approved/issued: Play Pointe LLC, Fort Fun -Fort Collins; DBLD Liquor, Glen Echo Liquor -Tavern-Bellvue; 3DT Inc, Glen Echo Resort-Hotel and Restaurant -Bellvue; REV Enterprises Inc, Sandy's Convenience Store-Fermented Malt Beverage off premise-Loveland; Mini Mart Inc, Loaf N Jug #750825-Fermented Malt Beverage Off Premise-Fort Collins

MISCELLANEOUS: Solid Waste Assurance Letter, Request for Approval to Enter Upon Lands; Statement of Authority; Q1 2021 Public Trustee Report.

POLICIES

1. HUMAN RESOURCES POLICY AND PROCEDURE 331.7.03D REGARDING WORKFORCE RESTRUCTURING.

RESOLUTIONS:

1. RESOLUTION REGARDING RELEASE OF WARRANTY COLLATERAL, VELAROSA PLANNED LAND DIVISION/PLANNED DEVELOPMENT.

MOTION

Commissioner Stephens moved that the Board of County Commissioners approve the Consent Agenda for June 1, 2021.

Motion carried 3-0.

5. COMMISSIONERS GUESTS: Commissioner Shadduck-McNally introduced Barbara Lambert, Chairwoman of the Martin Luther King Jr Loveland Events Committee to present details about the upcoming Juneteenth event at the Foote Lagoon in Loveland.

Miss Lambert went over the upcoming Juneteenth event and explained that they are partnering with Heart and Sol. The event will take place on Saturday, June 19, 2021, at the Foote Lagoon-500 E. 3rd Street in Loveland, Colorado. There will be live music, presentations, community resources, and booths to highlight Black-owned businesses. Juneteenth is the commemoration of the ending of slavery in the United States. This is a free event and all are welcome and encouraged to attend.

DISCUSSION ITEMS:

6. PROCLAMATION DECLARING JUNE 2021 FAMILY REUNIFICATION MONTH IN LARIMER COUNTY: National Family Reunification Month is celebrated in June of each year to recognize the people and efforts around the country that help families stay together. Angela Mead, Human Services, addressed the Board on the importance of reunification. Larimer County believes that all children and youth deserve to be safe, and are best served when raised with families. The family is the primary source of love, identity, self-esteem, and support for children and adults, and provides the foundation of our communities.

Miss Mead explained that parents work through the court process to improve and grow, and hundreds of children are successfully reunified with their families. The reunification process takes work and

investment by extended family members, social workers, foster parents, service providers, and the community.

Celebrating Family Reunification Month is an opportunity to recognize and celebrate families who have overcome adversity, healed from trauma, and successfully reunified with their children.

One of the families had hoped to be in person today but could not make it as their children were home ill. Sabrina Rodriguez, Larimer County Caseworker, spoke about the family. She mentioned how proud she was of this family and all the work they had to go through in order to reunite with their children. This is not an easy process but this family has remained resilient and now have been reunited with their children and committed to their family.

The Commissioners and County Manager Hoffmann each expressed their gratitude for all the hard work that Child and Family Services provides and the support they give these families as well as their tireless efforts under stressful circumstances as they continue to reach their goal of keeping families together.

Commissioner Shadduck-McNally read the proclamation.

M O T I O N

Commissioner Shadduck-McNally moved to proclaim June 2021 Family Reunification Month in Larimer County.

Motion carried 3-0

The Board took a brief recess.

The Board returned to session.

7. REQUEST FOR CONSIDERATION OF FORMAL POSITION ON COLORADO STATE BALLOT INITIATIVE 16: Zach Thode, Chair of the Agricultural Advisory Board, presented a letter for the Commissioners consideration regarding State Ballot Initiative 16, The Colorado Treatment of Animals Initiative. Mr. Thode has concerns regarding this initiative, a citizen-led initiative referred to as ("Protect Animals from Unnecessary Suffering and Exploitation") PAUSE.

This will expand the statute language to include companion animals; not limited to dogs, cats, horses, and fish. It will change statute language to define common animal care practices as "cruelty to animals," thereby criminalizing farmers, ranchers, and veterinarians who use accepted animal husbandry practices to care for animals.

Mr. Thode and Jon Slutsky, Dairy Farmer, went over the implications of Initiative #16 believing that this will cause suffering of certain livestock animals by forcing them to live past traditional harvest date (the longer an animal that is selectively bred to meet consumer demand lives beyond harvest dates, the lower its quality of life due to aging effects). This initiative will affect the rise in food costs resulting from imported food products. It will also jeopardize the important work animal rescues and rehabilitation centers are doing for companion and livestock animals in the state of Colorado.

Mr. Thode and Mr. Slutsky stated this will irreparably damage Colorado's rural and agricultural communities by forcing farmers and ranchers out of business; killing the job market not only in agriculture but also in the supporting industries. They are asking the Commissioners to stand in solidarity with other County Boards of Commissioners by signing a resolution to oppose Initiative #16 as it would be detrimental to companion and livestock animals in Colorado, citizens of Colorado, and the future of the state.

The Commissioners and County Manager had questions on Farm-to-table efforts and organic foods. Mr. Thode explained that this initiative will make any food production very difficult. The Board mentioned that they are concerned with the harsh language in the initiative as well as the increase in food costs which will occur if this were to pass. The Commissioners mentioned that agriculture is an important part of our heritage and history.

Chair Kefalas declared that they will prepare a resolution and it will be considered at the next Administrative Matters meeting to be held on June 15, 2021.

MOTION

Commissioner Stephens moved to direct the County Manager to prepare a resolution in opposition of initiative 16 to be considered at a future Administrative Matters meeting.

Motion carried 3-0

8. RESOLUTION EXPRESSING INTENT TO PROVIDE FUNDING TO ASSIST WITH THE RESIDENT PURCHASE OF HICKORY VILLAGE MOBILE HOME PARK AND DIRECTION DEVELOPMENT OF STRATEGIES AND PROCESSES FOR SUPPORTING AFFORDING HOUSING: Laura Walker, Health and Economic Development Director and Claire Bouchard, Program Manager, presented the resolution to the Board.

Miss Walker explained that Hickory Village Mobile Home Park will be up for sale. Hickory Village is one of approximately twenty-eight home parks in Larimer County and contains approximately 200 manufactured housing units, a majority of which is owned by the residents of the park. The Board of County Commissioners recognized manufactured housing communities as some of the most affordable and unsubsidized housing in Larimer County.

The residents of Hickory Park are working with Thistle, a non-profit affordable housing organization that provides technical assistance and helps arrange financing for residents of mobile home parks who wish to purchase their parks. This resolution intends a show of support for the resident's bid to secure private financing and will commit \$150,000 of county funds to assist with the down payment or rent stabilization should the residents offer to purchase the property and be accepted by the current owner.

Having support for manufactured homes and availability for lower-income families is a top priority of the Board including diversity and housing resources for special interest populations. This will also mitigate the growth of homelessness in our community.

The Commissioners are committed to preserving affordable housing and supporting these families. This is part of Strategic Goal 2. Chair Kefalas explained that the residents own the manufactured

home but not the land and this ownership would give them a greater say in their community for rules and regulations and keeping it affordable.

MOTION

Commissioner Shadduck-McNally moved to approve the Resolution expressing intent to provide funding to assist with the resident purchase of Hickory Village Mobile Home Park and directing development of strategies and processes for supporting affordable housing.

Motion carried 3-0

9. COVID-19 UPDATE AND DECISIONS: Linda Hoffmann, County Manager. Manager Hoffmann stated there is no update today and both the Public Health Director and Recovery Director will be in attendance for the Administrative Matters meeting on June 15, 2021, and will discuss whether these updates need to continue on a weekly matter.

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

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

12. LEGAL MATTERS: Executive Session Pursuant to C.R.S. 24-6-402(4)(B): Conference with an Attorney for The Purpose of Receiving Legal Advice on Specific Legal Questions Regarding Bulow V. Gibson and Jackson.

MOTION

Commissioner Stephens moved that the Board enter into Executive Session pursuant to C.R.S. 24-6-402(4)(b) for the purpose of conference with an attorney to receive legal advice on specific legal questions regarding Bulow v. Gibson and Jackson.

Motion carried 3-0

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners authorize the Larimer County Attorney's Office and outside co-counsel to represent Steve Gibson and Jonathan Jackson in District Court case 2021CV30317. I further move that the Board of County Commissioners indemnify Steve Gibson and Jonathan Jackson consistent with C.R.S 13-21-131(4).

Motion carried 3-0

WEDNESDAY, JUNE 2, 2021

ABATEMENT HEARING

The Board of County Commissioners met at 3:30 p.m. with Jake Melicher, Appraiser. Chair Kefalas presided and Commissioner Stephens and Commissioner Shadduck-McNally were both present. Also, present was: Deirdre O'Neill, Deputy Clerk

1. PETITION FOR ABATEMENT OF TAXES FOR 2019 AND 2020 TAX YEARS (SCHEDULE #R1653532): Mr. Melicher addressed the Board and presented a packet of information detailing the method in which the Assessor's Office arrived at their current valuation of \$495,000 for 2019 and 2020, the subject property located at parcel #86013-31-053 in Fort Collins.

The property is located at 6409 Tuxedo Park Road in the town of Timnath. The residence was constructed in 2016 by Village Homes and has 2,673 square-feet of above-grade living area. The Assessor has classified the structure as a two-story home of average-plus quality. The lot size of the property is 8,557 square-feet, which is typical for this area. This property was purchased new from the builder, for \$464,796 on 09/19/2013.

Mr. Melicher presented comparable sales in the area with similar square footage. He did mention that the subject property is a three-car garage and the comparable sales are all two-car garages and that is adjusted in the valuation.

Hernan Gonzales, homeowner joined via telephone and gave a brief presentation on why he is suggesting the valuation for 2019 should be \$465,000 and 2020 should be set at \$480,000. Mr. Gomez explained that his home is a spec home and therefore does not have any upgrades as some of the others in the neighborhood do and his home backs to a busy road and feels this should be considered. He is also concerned about a future daycare being built within the neighborhood which will increase traffic.

Mr. Gomez provided addresses and sales prices for other homes in the area that sold in 2019 and 2020 between \$457,366 and \$478,100.

Mr. Melicher mentioned that they do look at all factors and the busy road was taken into consideration but that it is not a clear indication that the busy road has a negative impact. The comps that Mr. Gonzales provided are not in the subject's subdivision and are outside the date range.

There was some discussion by the Commissioners and staff about spec homes as well as adjusting for the three-car garage.

MOTION

Commissioner Stephens moved that the Board accept the Assessor's indicated value for parcel number 86013-31-053 for \$495,000 for tax years 2019 and 2020.

Motion carried 3-0

ABATEMENT HEARING

The Board of County Commissioners met at 4:00 p.m. with Dianne Ahart, Senior Appraiser. Chair Kefalas presided and Commissioner Stephens and Commissioner Shadduck-McNally were both present. Also, present was: Deirdre O'Neill, Deputy Clerk

1. PETITION FOR ABATEMENT OF TAXES FOR 2018, 2019, AND 2020 TAX YEARS (SCHEDULE #R1654886): Miss Ahart addressed the Board and presented a packet of information detailing the method in which the Assessor's Office arrived at their current valuation of \$2,400,000 for tax year 2018. \$2,800,000 for both 2019 and 2020. The subject property is in the Colorado State University student rental area of Fort Collins. The subject's neighborhood lies in an area where there are single and multiple family rentals, mostly rented by the bedroom along with retail shopping and restaurants close to the property. It is approximately one to two blocks from Colorado State University and one mile from Old-Town Fort Collins. It is surrounded by other student rentals.

The subject property is located at 711 Remington Street in the town of Fort Collins, Colorado, and consists of three buildings. Buildings one and three are identical two- and one-half story buildings built in 2014 and each room in a pod has its own lock. There are no living areas in these units, therefore they are called "Pods". Each unit/pod has a shared kitchen and the complex consists of 10,964 square-feet for all three buildings. The Assessor has classified the structures as frame dwellings of average quality. There is surface parking and washer and dryers in each pod.

Miss Ahert presented comparable rentals for student housing. The median rental is \$667 per room with an adjusted 10% taken into consideration for the lack of living area in the subject property for an adjusted value of \$600 per room. The gross rent multiplier for the 11-pods which contain 28 bedrooms for the \$600 a month is a total market rent of \$16,800 per month or \$201,600 per year.

Michael Kaufman, acting agent, addressed the Board through teleconference and presented several comparable properties similar in location and size.

Miss Ahert explained that those comparables were much older and not all are student housing or were rented by unit and not per room. The proximity to Colorado State University is also taken into consideration. Miss Ahert stated that the Assessor's office does support the \$2,400,000 valuation and believes this is fair and equitable to the taxpayer.

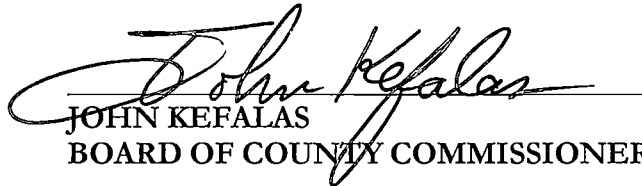
There was some discussion between the Board and staff on the definition of Pod and per-unit pricing and the age of the apartment complexes.

MOTION

Commissioner Shadduck-McNally moved to set the value of the property located at 711 Remington Street in Fort Collins, Colorado parcel number 97132-49-001 at a value of \$2,400,000.

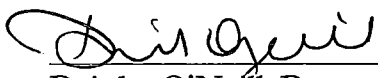
Motion carried 3-0

With there being no further business, the Board adjourned at 4:35 p.m.


JOHN KEFALAS
BOARD OF COUNTY COMMISSIONERS

ANGELA MYERS
CLERK AND RECORDER

ATTEST:


Deirdre O'Neill, Deputy Clerk

