



**Date:** Tuesday, April 23, 2024  
**Time:** 9:00 AM  
**Location:** Hearing Room, 1st Floor, 200 West Oak Street, Fort Collins

## ADMINISTRATIVE MATTERS AGENDA

### Pledge of Allegiance

### Public Comment

All who wish to comment must follow the Rules and Procedures for Public Comment as established by the Board of County Commissioners: <https://www.larimer.org/public-comment-rules>

**PLEASE NOTE:** We are taking public comments via email and phone, in addition to in-person comments. If commenting via email, please send your comment to [bcc-admin@larimer.org](mailto:bcc-admin@larimer.org). **You must register by 4:30pm the Monday before the meeting to participate by phone.** If you wish to be called, please email [bcc-admin@larimer.org](mailto:bcc-admin@larimer.org) or call (970) 498-7010 and provide your name, topic for comment and phone number. You will be called at that number when it is your turn.

### Approval of Minutes

1. Draft minutes for the week of April 15, 2024

### Upcoming Schedule Review

1. Schedule review for the week of April 29, 2024

### Consent Agenda

The Consent Agenda consists of items of no perceived controversy and routine administrative actions, such as Abatements, Agreements, Deeds, Final Plats, Liquor Licenses, Resolutions and other matters previously reviewed by the Board of County Commissioners. Staff recommends approval of the Consent Agenda. A Commissioner may request that an item be “pulled” off the agenda and considered separately. Items pulled from the agenda will be considered after the Board takes action on the remainder of the Consent Agenda.

[Please click here for Consent Agenda and related documents](#)

### Comments from Commissioners' Guests

### Discussion Items

Discussion Items enable the Board of County Commissioners to receive information, conduct deliberations and take necessary actions as directing staff or making official decisions. If a hearing to receive testimony from the public is planned for any discussion item, the agenda will list the item as a hearing.

1. **Proclamation declaring April 21-27, 2024 as National Crime Victims' Rights Week**

Submitted by: Kylie Massman, 8<sup>th</sup> Judicial District Attorney's Office

DESCRIPTION: Reaffirming Larimer County's commitment to creating a victim service and criminal justice response that assists all victims of crime; and expressing sincere gratitude and appreciation for those community

members, victims service providers, and criminal justice professionals who are committed to improving response to all victims of crime so that they may find relevant assistance, support, justice, and peace.

### **County Manager Update**

Update to the Board of County Commissioners regarding administrative matters and other items that do not require in-depth discussion or are for informational purposes only.

### **Commissioner Activity Reports**

The Board of County Commissioners represent the County on various committees and task forces and serve as liaisons to the County's boards and commissions. Commissioners report the activities they have been involved in over the past week.

### **Legal Matters**

None requested

Per the Americans with Disabilities Act (ADA), Larimer County will provide a reasonable accommodation to qualified individuals with a disability who need assistance. Services can be arranged with at least seven (7) business days' notice. Please email us at [bcc-admin@larimer.org](mailto:bcc-admin@larimer.org), or call (970) 498-7010 or Relay Colorado 711. "Walk-in" requests for auxiliary aids and services will be honored to the extent possible but may be unavailable if advance notice is not provided.



## **MINUTES OF THE BOARD OF COUNTY COMMISSIONERS**

**MONDAY, APRIL 15, 2024**

### **LAND USE HEARING**

There was no Land Use Hearing for the week of April 15, 2024.

**TUESDAY, APRIL 16, 2024**

### **ADMINISTRATIVE MATTERS MEETING**

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

Chair Kefalas opened the meeting with the Pledge of Allegiance.

#### **PUBLIC COMMENT:**

No public comment offered in person or online.

Chair Kefalas closed public comment.

#### **2. APPROVAL OF THE MINUTES FOR THE WEEK OF APRIL 8, 2024:**

#### **MOTION:**

Commissioner Shaddock-McNally moved that the Board of County Commissioners approve the minutes for the week of April 8, 2024.

**Motion carried 2-0.**

**3. REVIEW OF THE SCHEDULE FOR THE WEEKS OF APRIL 22, 2024:** Ms. Martin reviewed the upcoming schedule with the Board.

#### **4. CONSENT AGENDA:**

## **AGREEMENTS**

- 1. SECOND AMENDMENT TO PROFESSIONAL SERVICES & OPERATIONAL AGREEMENT (P19-18-BEHAVIORAL HEALTH FACILITY)**
- 2. STREET OVERSIZING AGREEMENT FOR PHASE I IMPROVEMENTS TO FAIRGROUNDS AVENUE**

## **APPOINTMENTS**

- 1. RECOMMENDED REAPPOINTMENT TO THE PARKS ADVISORY BOARD – KATHY MAHER**

## **LIQUOR LICENSES**

- 1. LIQUOR LICENSE RENEWAL – SEVEN KEYS LODGE LLC DBA SEVEN KEYS LODGE – ESTES PARK, COLORADO**
- 2. LIQUOR LICENSE RENEWAL – MORIN & MORIN INC DBA SUNDANCE TRAIL GUEST RANCH – RED FEATHER LAKES, COLORADO**
- 3. LIQUOR LICENSE RENEWAL – VILLA TATRA INC DBA VILLA TATRA – LYONS, COLORADO**

## **MISCELLANEOUS**

- 1. UPDATED BEHAVIORAL HEALTH POLICY COUNCIL BYLAWS**

## **M O T I O N**

Commissioner Shadduck-McNally moved the Board of County Commissioners to approve the Consent Agenda for April 16, 2024, minus the item, Miscellaneous Updated Behavioral Health Policy Council Bylaws.

**Motion carried 2-0.**

Commissioner Shadduck-McNally asked Laura Walker, Human & Economic Health Director, if revisions to the language in the Behavioral Health Policy Council Bylaws had been made per a previous discussion – and if the revisions are reflected in this Updated Behavioral Health Policy Council Bylaws. Ms. Walker confirmed that the language has been revised and should be more simplified and streamlined.

## **M O T I O N**

Commissioner Shadduck-McNally moved the Board of County Commissioners to approve the Updated Behavioral Health Policy Council Bylaws as submitted in the Consent Agenda.

**Motion carried 2-0.**

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

**6. DISCUSSION ITEMS:**

**1. COLORADO SECURE TRANSPORTATION, LLC, BEHAVIORAL HEALTH SECURE TRANSPORTATION LICENSE & VEHICLE PERMIT:**

Laura Walker, Human & Economic Health Director and Interim Director of the Behavioral Health Services Department, addressed the Board. Ms. Walker began by reminding the Board of a 2022 state law that had passed giving counties the responsibility of licensing and permitting transportation services to persons experiencing a mental health crisis. This is the third application for such a license and permit for Colorado Secure Transportation, LLC. They are requesting a single vehicle to be licensed and a single permit to go along with the license. All requirements have been complied with and all safety considerations have been vetted. The permit will last one year, the license for the vehicle will last three years.

Commissioner Shadduck-McNally asked Ms. Walker if Colorado Secure Transportation, LLC operates in other counties or only in Larimer County. Ms. Walker stated they operate in multiple counties. She went on to say that their home offices are based out of Aurora and Pueblo but serve multiple counties. Commissioner Shadduck-McNally asked the age of this organization. Ms. Walker deferred to Ryan Barstow, Business Operations Coordinator, for the answer to this question. Mr. Barstow advised that this question is not part of the application and unknown at the time of the question. Commissioner Shadduck-McNally then asked if this licensure allows for transporting across county lines. Mr. Barstow clarified that the licensure is based off of where the service picks up an individual.

**MOTION**

Commissioner Shadduck-McNally moved the Board of County Commissioners to approve the Behavioral Health Secure Transport License and one Vehicle Permit for Colorado Secure Transportation, LLC.

**Motion carried 2-0.**

**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:**

Executive Session pursuant to C.R.S 24-6-402(4)(b): Conference with an attorney for the purpose of receiving legal advice about court case number 23-CV-258, John Coy Deming vs. Staci Shaffer, et al.

**MOTION**

Commissioner Shadduck-McNally moved the Board of County Commissioners to enter Executive Session pursuant to C.R.S 24-6-402(4)(b): Conference with an attorney for the purpose of receiving legal advice about court case number 23-CV-258, John Coy Deming vs. Staci Shaffer, et al.

**Motion carried 2-0.**

David Ayraud, Deputy County Attorney, summarized that during Executive Session, he communicated to the Board background information on a new complaint and lawsuit filed against Larimer County – in particular, Captain Staci Shaffer. Mr. Ayraud stated that the Board has been asked to approve their office to defend and for the County to indemnify Staci Schaffer in this matter and authorize them to seek co-counsel if appropriate.

**M O T I O N**

Commissioner Shadduck-McNally moved the Board of County Commissioners to authorize the County Attorney to defend Staci Shaffer in her individual and official capacities and provide full indemnity to her including punitive damages in the John Coy Deming case U.S. District Court Case Number 23-CV-258 and further move that Bruno, Colin, Goddard & Lowe be retained as co-counsel.

**Motion carried 2-0.**

With there being no further business, the Board adjourned at 9:50 a.m.

**WEDNESDAY, APRIL 17, 2024**

**WEED MANAGEMENT ENTERPRISE RATE HEARING**

The Board of County Commissioners met at 10:30 a.m. with County Manager, Lorenda Volker. Chair Kefalas presided. Commissioner Shadduck-McNally and Commissioner Stephens were present. Also present were Casey Cisneros, Land Stewardship Manager and Heather Arment, Deputy Clerk.

County Manager Lorenda Volker began by explaining that because the department has requested a rate increase, a public hearing is required.

Mr. Cisneros addressed the Board stating that he manages the Weed Management Enterprise Program. He explained that Enterprise works strategically with several partners to manage weeds on a strategic and science-based approach throughout the two major water sheds. He went on to say that Enterprise was established in 1998 by resolution and is a county service that performs noxious weed control. Service is charged on a per-hour basis. To ensure financial sustainability, they are asking for a rate increase to cover expenses that have inflated over the past few years - requesting a 10% increase at this time plus the discretion for the director to increase rates based on the Consumer Price Index and an additional 3%. In regard to community outreach, Mr. Cisneros disclosed meeting with each partnering organization to discuss a potential rate increase of 10% and advised that there were no issues displayed by any of the partners. He noted that this request was conveyed to the Land Stewardship Advisory Board who recommended it for adoption. Mr. Cisneros advised that he attended a work session in regard to this request – and the Rate Hearing was advertised in the local newspaper for the two weeks prior to this Hearing.

The Commissioners collectively expressed their gratitude and thanked Mr. Cisneros and team for a job well done.

Commissioner Stephens asked Mr. Cisneros if increases like the current request are expected going forward. Mr. Cisneros advised that they are hopeful they will not have to come back repeatedly to request rate increases, but some costs are out of their control.

Chair Kefalas opened the hearing for public comment.

There was no public comment in person, online or received in written material.

## **M O T I O N**

Commissioner Stephens moved that the Board of County Commissioners increase the Larimer County Weed Management Enterprise rates, as allowed by C.R.S. 35-5.5, by 10% in 2024 and give the Department of Natural Resources Director discretion to increase rates by annual Consumer Price Index inflation in the Denver/Lakewood/Aurora area plus an additional 3% in future years.

**Motion carried 3-0.**

With there being no further business, the Board recessed at 10:40 a.m.

**WEDNESDAY, APRIL 17, 2024**

### **HORSETOOTH TAVERN LLC LIQUOR LICENSE HEARING**

The Board of County Commissioners reconvened at 11:00 a.m., with David Ayraud, Deputy County Attorney. Chair Kefalas presided. Commissioner Shaddock-McNally and Commissioner Stephens were present. Also present were: Alison Cofer and Elizabeth Carter, Clerk and Recording Department; and Heather Arment, Deputy Clerk.

Chair Kefalas opened the hearing and Dawn Isaacs, applicant, was 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 Ms. Isaacs regarding the exhibits, and then questioned whether or not Ms. Isaacs felt the needs and desires of the surrounding neighborhood support a hotel and restaurant license. Ms. Isaacs replied in the affirmative, based upon the results of her petitioning process. When questioned whether or not Ms. Isaacs was familiar with the liquor laws and if she had any alcohol server training, she advised she was familiar with the liquor laws – operating a liquor store, previously – and, will be taking the TIPS training.

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

Under discussion, the Board asked questions of the applicant. Commissioner Shadduck-McNally asked Mr. Ayraud for clarification in regard to the licensing process. Does the business have to get the restaurant approval (license) first, or does it matter. Mr. Ayraud detailed the process of obtaining the bar and restaurant licenses so the business operates in accordance with the laws and statutes. Commissioner Shadduck-McNally then asked Mr. Ayraud if the Board is allowed, as part of issuing the liquor license, to require additional training for a specific number of employees (in management or supervisor roles). Mr. Ayraud answered the Commissioner's question, providing details in regard to training.

Commissioner Stephens asked Mr. Ayraud for clarification of the restrictions for employees under 21 years of age serving alcohol. Mr. Ayraud explained that the underage employee must be supervised by someone who is at least 21 years of age.

In a follow up to Commissioner Shadduck-McNally's question, Chair Kefalas requested clarification from Mr. Ayraud – because the state statute already requires employees get proper training, is it necessary to add a condition stipulating a specific number of employees get training? Mr. Ayraud explained that adding a condition would not particularly add to anything the business is already required to do. Chair Kefalas then asked Ms. Isaacs to further detail the layout of the premises including the entrance(s)/exit(s), which she did. He went on to ask Ms. Isaacs – you're charging yourself rent, but in the lease agreement you're listed as the owner and the tenant – why? Ms. Isaacs explained this is due to business and tax purposes.

In regard to the premises entrances and exits, Commissioner Shadduck-McNally asked Ms. Isaacs how the business plans to monitor customers from walking off of the premises with alcohol. Ms. Isaacs detailed that signs would be posted, and employees would monitor customers.

## **M O T I O N**

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the liquor license for Dawn Isaacs dba Horsetooth Tavern LLC, located at 4791 West County Road 38E Fort Collins, Colorado 80526, for a hotel and restaurant license.

**Motion carried 3-0.**

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

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**JOHN KEFALAS**  
**BOARD OF COUNTY COMMISSIONERS**

**TINA HARRIS**  
**CLERK AND RECORDER**



**ATTEST:**

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**Heather Arment, Deputy Clerk**



**DRAFT COMMISSIONERS' SCHEDULE**

**APRIL 29 – MAY 4, 2024**




Current and detailed information for all Work sessions, Administrative Matters meetings (discussion items and the Consent Agenda) and Land Use Hearings is viewable in the Commissioners' Office or at

<https://www.larimer.gov/bocc/commissioners-meetings#/uws/>

**Monday, April 29, 2024**

- 10:00am – 12:00pm Convene as the Board of Social Services, Hearing Room, 1<sup>st</sup> Floor
- 12:00pm – 1:30pm Elected Officials Lunch, Steak-Out Saloon, 152 West Mountain Avenue, Fort Collins
- 1:30pm – 2:30pm   Work Session with Lesli Ellis, Director of Community Planning, Infrastructure & Resources, Hearing Room, 1<sup>st</sup> Floor
- 3:30pm – 4:30pm Commissioners Stephens and Shadduck-McNally may participate in the virtual Counties and Commissioners Acting Together Property Tax Legislation meeting
- 5:30pm – 8:00pm Regional Elected meeting, HomeRun Bar & Grill, Blue Arena, 5290 Arena Circle, Loveland

**Tuesday, April 30, 2024**

- 9:00am – 12:00pm    Administrative Matters meeting, Hearing Room, 1st Floor  
  
**PLEASE NOTE:** In addition to in-person comments, we are taking comments via email and by phone. **You must register by 4:30pm the Monday before the meeting to participate by phone.** Either email [bcc-admin@larimer.org](mailto:bcc-admin@larimer.org) or call 970-498-7010 and provide your name, topic for comment and phone number. You will be called at that number when it is your turn. Please submit your email comment to [bcc-admin@larimer.org](mailto:bcc-admin@larimer.org).  
  
 Legal Matters with William Ressue, County Attorney
- 1:30pm – 3:00pm Administrative Direction to County Management, Sprague Lake Conference Room, 2<sup>nd</sup> Floor
- 4:30pm – 7:00pm Commissioner Shadduck-McNally will attend the Loveland Urban Renewal Authority Board meeting, Loveland City Council Chambers, 500 East 3<sup>rd</sup> Street, Loveland

**Wednesday, May 1, 2024**

- 8:00am – 10:30am Commissioners Stephens and Shadduck-McNally may attend a tour of the Larimer County Health Services, Longview Campus, 2260 West Trilby Road, Fort Collins
- 12:15pm – 1:15pm Commissioner Shadduck-McNally may participate in the virtual Colorado Communities for Climate Action Legislative Group meeting

12:30pm – 2:30pm Commissioner Shadduck-McNally may attend the Larimer County Office on Aging Community Fair, The Ranch, 5280 Arena Circle, Loveland

3:00pm – 4:00pm Commissioner Kefalas may attend the Larimer County Office on Aging Community Fair, The Ranch, 5280 Arena Circle, Loveland

4:15pm – 5:00pm Commissioners will attend the Larimer County Office on Aging Older Americans Month Awards, The Ranch 5280 Arena Circle, Loveland

4:30pm – 8:00pm Commissioner Kefalas will attend the TEDx Mountain Ave – Flourish: Ideas Worth Spreading event, Poudre High School, 201 South Impala Drive, Fort Collins

6:30pm – 8:00pm Commissioner Stephens may participate in the virtual North Interstate 25 Coalition meeting

**Thursday, May 2, 2024**

7:30am – 9:00am Commissioner Kefalas will host a Community Conversation for the Wellington and Waverly communities, Guest and topic will be announced prior to the meeting, Avuncular Bob's T-Bar Inn, 3803 West Cleveland Avenue, Wellington

12:00pm – 1:00pm Commissioner Stephens may participate in the virtual National Association of Counties Transportation Committee meeting

12:00pm – 1:30pm Commissioner Stephens may participate in the virtual Counties and Commissioners Acting Together Governing Board meeting

4:30pm – 5:30pm Commissioners Stephens may attend the Highway 34 Coalition meeting, Hybrid: In person, Riverside Library and Cultural, 3700 Golden Street, Evan or virtually via Microsoft Teams

5:30pm – 7:00pm Commissioners will attend the Breaking Walls, Building Opportunities: Launching Northern Colorado's Regional Youth Shelter event, 814 East 16<sup>th</sup> Street, Loveland

6:00pm – 8:00pm Commissioner Stephens may attend the North Front Range Metropolitan Planning Council meeting, Riverside Library and Cultural, 3700 Golden Street, Evans or virtually via Microsoft Teams

7:00pm – 8:00pm Commissioner Kefalas will attend the Family Leadership Training Institute Graduation Ceremony, First Presbyterian Church, 531 South College Avenue, Fort Collins

7:30pm – 8:30pm Commissioner Shadduck-McNally will speak at the Larimer County 101 class, Behavioral Health Services, 2260 West Trilby Road, Fort Collins

**Friday, May 3, 2024**

8:30am – 9:30am Commissioner Shadduck-McNally will participate in the virtual Colorado Forest Health Council Legislative Committee meeting

8:30am – 2:30pm Commissioner Kefalas will attend the State Board of Human Services meeting, Hybrid: In person, 1575 Sherman Street, Denver or virtually via Zoom

9:30am – 12:00pm Commissioner Stephens will attend the Regional Air Quality Council Board meeting, Hybrid: In person, 1445 Market Street, Denver or virtually via Zoom

1:00pm – 2:30pm Commissioners may participate in the virtual Counties and Commissioners Policy Committee meeting

**Saturday, May 4, 2024**

9:00am – 10:00am

Common Grounds with Commissioner Shaddock-McNally, Guest will be Shane Atkinson, Legislative Coordinator who will give an update on legislative impacts on Larimer County, Loveland Library, Gertrude Scott Room, 300 North Adams Avenue, Loveland

2:00pm – 6:00pm

Commissioner Shaddock-McNally may attend the 2024 Down & Derby with Northern Colorado Unify, The Grainhouse at Raindance, 1781-B RainDance National Drive, Windsor

5:30pm – 9:30pm

Commissioner Stephens may attend the Animal Friends Alliance Fundraiser, Hilton Fort Collins, 425 West Prospect Road, Fort Collins

Unless otherwise noted, all meetings are held at the Larimer County Administrative Services Building, 200 West Oak, Fort Collins, Colorado

Meetings and agendas are subject to change.



Decision may be made at this meeting



Televised meeting on Comcast Fort Collins Cable Channel 14 and 881 (HD) and Connexion Channel 14



Meeting will be broadcast on the internet: <https://www.youtube.com/user/LarimerCounty>

Meetings of Boards and Commissions can now be found online at [www.larimer.gov/boards](http://www.larimer.gov/boards)

Per the Americans with Disabilities Act (ADA), Larimer County will provide a reasonable accommodation to qualified individuals with a disability who need assistance. Services can be arranged with at least seven (7) business days' notice. Please email us at [bcc-admin@larimer.org](mailto:bcc-admin@larimer.org), or call (970) 498-7010 or Relay Colorado 711. "Walk-in" requests for auxiliary aids and services will be honored to the extent possible but may be unavailable if advance notice is not provided.



Whereas, surviving a crime can have a myriad of lasting effects on victims, including physical, psychological, social, and financial issues;

Whereas, we know that countless survivors never tell anyone about what happened to them;

Whereas, it is necessary to create safe environments for survivors of crime, providing not only support but also access to critical services and above all, hope;

Whereas, victim service providers, community members, businesses, places of worship, colleagues, neighbors, and family members are capable of providing victim-centered, trauma-informed, and culturally responsive support;

Whereas, we must listen to survivors and be willing to create new options for support to ensure that all victims of crime can receive help and seek justice;

Whereas, we must do everything we can to show survivors that hope is no just tangible but within their reach;

Whereas, National Crime Victims' Rights Week encourages all people to ask themselves the question, "How would you help a victim of crime?"

Whereas, Larimer County is hereby dedicated to raising awareness of options, services, and hope for crime survivors.

Now, therefore, we do hereby proclaim the week of April 21-27, 2024, as Crime Victims' Rights Week reaffirming Larimer County's commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year; and expressing our sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant assistance, support, justice, and peace.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2024

THE BOARD OF COMMISSIONERS  
OF LARIMER COUNTY

\_\_\_\_\_  
John Kefalas, Chair

ATTEST:

\_\_\_\_\_  
Clerk to the Board