



**Date:** Wednesday, May 10, 2023

**Time:** 12:30 PM

**Location:** Hybrid - In-Person: Lake Estes, 3rd Floor, 200 West Oak Street, Fort Collins or Virtual, Zoom Link: [https://larimer-org.zoom.us/webinar/register/WN\\_i8-Z\\_4qCSzGq6j2f\\_6y6eQ](https://larimer-org.zoom.us/webinar/register/WN_i8-Z_4qCSzGq6j2f_6y6eQ)

## AGRICULTURAL ADVISORY BOARD AGENDA

### Call to Order and Introduction of Guests

### Approval of Minutes

- January 11, 2023
- March 8, 2023

### Amendments to the Agenda

### Interaction with Commissioner Kefalas on Agricultural and Community related issues

### Updates

1. Staff Updates
2. Building Permit Info for Web (Attachment A)
3. Farmer Markets Policy
4. Water Plan Project
5. Pollinator Policy

### Discussion Items

1. Cooperative Extension Staffing & Meet New Director Cary Weiner
2. By-Laws (Attachment B – Existing, Attachment C – Proposed Changes in 2020)
3. Right to Farm Policy – Livestock Guarding Dogs (Attachment D)

### Work Plan and Task Groups

1. Climate Action Plan
2. Voluntary AG (George)
3. Local Food Systems (Kristen/Maureen)

### Adjourn

### Future Communication Items

- Economic Development and Local Foods

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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 [planningcirt@larimer.org](mailto:planningcirt@larimer.org), or call (970) 498-7719 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.

# ATTACHMENT A

# Larimer County Building Code Requirements for Agricultural Buildings

Building Use	Risk Category <sup>a</sup>	Bathroom Required in Building <sup>b</sup>	Disabled Accessibility Required	Heat and Insulation Required <sup>c</sup>	Sprinkler (depending on size and # of occupants)	Parking, Drainage and Specific Use Standards
Growing-only greenhouse, barn, shed, etc.	I	N	N	N	N	See Larimer County Land Use Code Articles 2.1, 2.9, 3.2.6, 3.2.7, 3.2.8, and 3.3.2, or contact Planner On Call at (970) 498-7679 or poc@larimer.org
Ag Buildings with, processing, packaging, or shipping	II	N	Y	N	Y	
Private riding arenas	I	N	N	N	N	
Public riding arenas, Equine Therapy, Veterinary Care etc.	II	Y	Y	Y	Y	
Farmstands with no public inside	I	N	N	N	N	
Retail Farmstands/ag buildings with public access inside, Sales, Classes, etc.	II	Y	Y	Y	Y	
Events Centers	II or III (Depending on size)	Y	Y	Y	Y	
Barndominiums (Dwellings)	II	Y	N	Y Single Family N Cabins	N unless Fire Dept. or subdivision requires	
Commercial Repair Garages, Other Businesses	II	Y	Y	Y	Y	

a) Risk Category I = low hazard to human life in case of failure such as agricultural facilities, temporary & minor storage facilities ( i.e no public access)

Risk Category II = ordinary buildings (homes, garages, stores, factories, etc.)

Risk Category III = substantial hazard to human life in case of failure such as assembly buildings with hundreds of occupants (i.e. 4-H Building at county fairgrounds)

b) Employee and public bathrooms may be allowed elsewhere on site with approval of the Building Official. Public bathrooms are not required for buildings and spaces without public access or with less than 300 sq. ft. intended for quick-pickup transactions (takeout, pickup and drop-off) but employee bathrooms are required.

c) If building is heated or cooled for human comfort, insulation requirements apply. Utility buildings are not required to be heated or cooled.

# ATTACHMENT B

# LARIMER COUNTY AGRICULTURAL ADVISORY BOARD BY-LAWS

## I. ROLE

The role of the Agricultural Advisory Board is to advise the Board of County Commissioners, and appropriate county departments on issues that affect production agriculture in Larimer County.

## II. MEETINGS

- A. *Regular Meetings* shall be held at least every other month, with the precise date and time of the meeting to be determined by the Board and with at least twenty days advance notice of the meeting provided to members of the Board. Any item on the agenda which cannot be heard and considered by the conclusion of the meeting may be continued until and heard at the next regularly scheduled meeting or a specially scheduled meeting and shall have priority over any other matters to be heard and considered.
- B. *Special Meetings* may be held at any time upon call by the Chairperson. The Chairperson shall call a special meeting upon request by the Board of County Commissioners of Larimer County, or upon request by three of the members of the Agricultural Advisory Board. Each member of the Agricultural Advisory Board shall be given at least seven days notice of any special meetings. Notice of any special meeting shall specify the time and the place of such special meeting.
- C. *Cancellation of Meetings* Regularly scheduled meetings of the Agricultural Advisory Board may be canceled or rescheduled upon approval by two-thirds of the members of the Board.
- D. *Meeting Procedures* for matters requiring action by the Board, parliamentary procedure shall be followed in moving, discussion, and acting on such matters.
- E. *Open Meetings* All meetings and action of the Board shall be in full compliance with State Statutes governing open meetings, as amended and incorporated herein by reference. It is the responsibility of the Staff Liaison to be familiar with these statutes and regulations
- F. *Attendance by Non-members* Meetings may be attended by persons who are not members of the Agricultural Advisory Board. At the discretion of the Chairperson, nonmembers may be allowed to speak at meetings. However, in no event shall non-members be allowed to vote on matters for which a vote is required.

## III. MEMBERS AND QUORUM

- A. *Membership* The Agricultural Advisory Board shall consist of eleven to fifteen members, to be appointed by the Board of County Commissioners of Larimer County.

- B. *Terms* Members shall be appointed to a three (3) year term. The terms of the members shall be staggered so that the terms of one-third of the members expire each year.
- C. *Vacancies* shall be filled by appointment by the Board of County Commissioners for the unexpired portion of the term of the position to be filled.
- D. *Recommendations for Appointment* Upon request by the County Commissioners, the Agricultural Advisory Board shall make recommendations for appointments to the Board.
- E. *Ex-officio members* of the Board shall not vote on matters requiring a vote by the Board.
1. Ex-officio members shall receive copies of all notices documents, and records of proceedings of the Board
  2. Ex-officio members shall not be entitled to vote on motions before the Board
- F. *Representation*
1. At least two-thirds of the Board shall be involved in the production of agricultural products, e.g., crops, livestock, dairy products, equine industry.
  2. Appointments to the Board shall also reflect a diversity of agricultural producers from different segments of the agricultural economy in Larimer County, e.g., livestock production on rangelands, dairy, traditional crops such as beans, corn and alfalfa, and high value crops such as vegetables.
  3. To the extent possible, the Agricultural Advisory Board shall have members from different areas of Larimer County.
- G. *Quorum* A quorum for transaction of business at any regular or special meeting shall be greater than fifty percent of the board members. Neither attendance nor voting by proxy is allowed.
- H. *Action* Action by the Agricultural Advisory Board shall be by majority vote of the members attending any regular or special meeting at which a quorum is present, unless otherwise provided in these By-laws

#### IV. OFFICERS

- A. *Officers* The Officers of the Agricultural Advisory Board shall be a Chairperson, a Vice-Chairperson, and a Secretary.
- B. *Elections* Officers shall be elected by the members annually, at the first regularly scheduled meeting of each year. Officers shall be members of the Board. Notification of who is elected Chair will be sent to the Board of County Commissioners
- C. *Chairperson responsibilities:*
1. preside at all meetings of the Agricultural Advisory Board
  2. insure that all meetings are conducted with decorum and efficiency
  3. call special meetings in accordance with the by-laws

4. sign any documents prepared by the Board for submission to the Board of County Commissioners or county departments
5. see that decisions of the Board are implemented
6. represent the Board in dealings with the Board of County Commissioners or other organizations.
7. The Chairperson has the same right as any other member of the Board to vote on matters before the Board and to speak for or against proposals, provided, however, that if the Chairperson desires to speak for or against a proposal which has been formally moved and seconded at a public meeting, the Chairperson shall relinquish the chair to the Vice-Chairperson while he or she is speaking.

D. *Vice-Chairperson responsibilities:*

1. assist the Chairperson as requested
2. accept and undertake duties delegated by the Chairperson
3. preside over meetings or perform other duties of the Chairperson in the event the Chairperson is absent or unable to act.

E. *Secretary responsibilities:*

1. be responsible for making a record of the proceedings of the Agricultural Advisory Board
2. provide Notices of special meetings
3. prepare the agenda for meetings in consultation with the Chairperson
4. serve as custodian of the Board's minutes and records
5. receive and inform the Board of correspondence or directives concerning the business of the Board
6. attest to the signature of the Chairperson on documents as needed

F. *Removal from Office* Any officer may be removed from office by a majority vote of the members of the Agricultural Advisory Board in attendance at a meeting provided that at least thirty days notice has been given to all members that removal of the officer will be considered at such meeting.

G. *Officer Vacancies* If any office is vacant, the members of the Board shall elect a member to fill the office for the remainder of the year.

## V. ATTENDANCE

A. Regular attendance by the members of the Board is expected.

B. *Removal from Board* Upon recommendation of the Agricultural Advisory Board the Board of County Commissioners may replace Board members having three or more unexcused absences in a calendar year. Recommendation for dismissal and replacement shall be made only upon the majority vote of the members (not including the member(s) whose attendance is being considered) in attendance at the meeting at which such consideration takes place. The secretary shall send notice of any recommendations for removal from the Board to the Board of County Commissioners.

## VI. GENERAL PROVISIONS

- A. These by-laws may be amended at any regular or special meeting of the Agricultural Advisory Board by a majority of the membership of the Board provided that notice of such possible amendments is given to all members at least 20 days prior to the meeting at which action is to be taken: Any amendments shall be subject to review by the Board of County Commissioners.
- B. The Agricultural Advisory Board, if invited to do so by other boards; or committees of the County, may designate from its membership individuals to serve as liaisons to or ex-officio members of such boards or committees
- C. The Agricultural Advisory Board shall operate under the provisions of the Larimer County Operating Procedure 100.1 regarding Larimer County boards, commissions, councils, committees and task forces, as amended, and incorporated herein by reference.

Adopted this 22<sup>nd</sup> day of October 2002.

BOARD OF LARIMER COUNTY COMMISSIONERS

By: Glenn W. Gibson  
Chair



# ATTACHMENT C

# LARIMER COUNTY AGRICULTURAL ADVISORY BOARD BY-LAWS

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- C. *Vacancies* Shall be filled by appointment by the Board of County Commissioners for the unexpired portion of the term of the position to be filled.
- D. *Recommendations for Appointment* Upon request by the County Commissioners, the Agricultural Advisory Board shall make recommendations for appointments to the Board.
- E. *Ex-officio members* of the board: ~~shall not vote on matters requiring a vote by the Board.~~
1. ~~Ex-officio members~~ shall receive copies of all notices, documents, and records of the proceedings of the Board, and
  2. Ex-officio members shall not be entitled to vote on motions before the Board
- F. *Representation*
1. At least two-thirds of the Board shall be involved in the production of agricultural products, e.g., crops, livestock, dairy products, equine industry, apiaries, and silviculture.
  2. Appointments to the Board shall also reflect a diversity of agricultural producers from different segments of the agricultural economy in Larimer County, including but not limited to e.g., livestock production on rangelands, dairy, ~~traditional~~ crops such as beans, corn and alfalfa, and high value crops such as vegetables.
  3. To the extent possible, the Agricultural Advisory Board shall have members from different areas of Larimer County
- G. *Quorum* A quorum for transaction of business at any regular or special meeting shall be greater than fifty percent of the board members. ~~Neither Attendance nor or~~ voting by proxy is not allowed.
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#### IV. OFFICERS

- A. *Officers* The officers of the Agricultural Advisory Board shall be a Chairperson, a Vice-Chairperson, and a Secretary.
- B. *Elections* Officers shall be elected by members annually, at the first regularly scheduled meeting of the year. Officers shall be members of the Board. Notification of who is elected Chairperson will be sent to the Board of County Commissioners by the staff liaison.

- C. Chairperson responsibilities:
1. preside at all meeting of the Agricultural Advisory Board
  2. ensure that all meetings are conducted with decorum and efficiency
  3. call special meetings in accordance with the by-laws
  4. sign any documents prepared by the Board for submission to the Board of County Commissioners or county departments
  5. see that decisions of the Board are implemented
  6. represent the Board in dealings with the Board of County Commissioners or other organizations
  7. The Chairperson has the same right as any other member of the Board to vote on matters before the Board and to speak for or against proposals, provided, however, that is the Chairperson desires to speak for or against a proposal which has been formally moved and seconded at a public meeting, the Chairperson shall relinquish the chair to the Vice-Chairperson while he or she is speaking.
- D. Vice-Chairperson responsibilities:
1. Assist the Chairperson as requested
  2. Accept and undertake duties delegated by the Chairperson
  3. Preside over meetings or perform other duties of the Chairperson in the event the Chairperson is absent or unable to act.
- E. Secretary responsibilities:
1. Be responsible for making a record of the proceedings of the Agricultural Advisory Board
  - ~~2. Provide Notices of special meetings~~
  - ~~3. Prepare the agenda for meetings in consultation with the Chairperson~~
  - ~~4. Serve as the custodian of the Board's minutes and records~~
  - ~~5. Receive and inform the Board of correspondence or directives concerning the business of the Board~~
  6. Attest to the signature of the Chairperson on documents as needed
- F. Removal from Office      Any Officer may be removed from the office by a majority vote of the members of the Agricultural Advisory Board in attendance at a meeting provided that at least thirty days' notice has been given to all members that removal of the officer will be considered at such meeting.
- G. Officer Vacancies      If any office is vacant, the members of the board shall elect a member to fill the office for the remainder of the year.

## V. ATTENDANCE

- A. Regular attendance by the members of the Board is expected.

- B. Removal from Board            Upon recommendation of the Agricultural Advisory Board, the Board of County Commissioners may replace Board members having ~~three~~ two (2) or more ~~unexcused~~ absences in a ~~calendar year~~ 12-month period. Recommendation for dismissal and replacement shall be made only upon the majority vote of the members (not including the member(s) whose attendance is being considered) in attendance at the meeting at which such consideration takes place. The secretary shall send notice of any recommendations for removal from the Board to the Board of County Commissioners.

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- A. These by-laws may be amended at any regular or special meeting of the Agricultural Advisory Board by a majority of the membership of the Board provided that notice of such possible amendments is given to all members at least 20 days prior to the meeting at which action is to be taken: Any amendments shall be subject to review by the Board of County Commissioners.
- B. The Agricultural Advisory Board, if invited to do so by other boards; or committees of the County, may designate from its membership individuals to serve as liaisons to or ex-officio members of such boards or committees
- C. The Agricultural Advisory Board shall operate under the provisions of the Larimer County Operating Procedure 100.1 regarding Larimer County boards, commissions, councils, committees, and task forces, as amended, and incorporated herein by reference.

Adopted this \_\_\_\_ day of \_\_\_\_\_ 2021.

BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Chair

# ATTACHMENT D

## ARTICLE II. - RIGHT TO FARM AND RANCH POLICY

*Footnotes:*

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**State Law reference**— *Authority to regulate use of land, C.R.S. § 29-20-104; limit on nuisance claims regarding agricultural operations, C.R.S. § 35-3.5-101 et seq.*

## Sec. 30-31. - Policy statement.

- (a) It is the policy of the board of county commissioners, as set forth in this article, that: Ranching, farming, and all manner of agricultural activities and operations within and throughout the county are integral elements of and necessary for the continued vitality of the county's history, economy, landscape, open space, lifestyle, and culture. Given their importance to the county, northern Colorado, and the state, agricultural lands and operations are worthy of recognition and protection.
- (b) Colorado is a "Right-to-Farm" state pursuant to C.R.S. § 35-3.5-101 et seq. Landowners, residents and visitors must be prepared to accept the activities, sights, sounds, and smells of the county's agricultural operations as a normal and necessary aspect of living in a county with a strong rural character and a healthy agricultural sector. Those with an urban sensitivity may perceive such activities, sights, sounds, and smells only as inconvenience, eyesore, noise, and odor. However, state law and county policy provide that ranching, farming, or other agricultural activities and operations within the county shall not be considered to be nuisances so long as operated in conformance with the law and in a non-negligent manner. Therefore, all must be prepared to encounter noises, odors, lights, mud, dust, smoke, chemicals, machinery on public roads, livestock on public roads, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides, and one or more of which may naturally occur as a part of legal and non-negligent agricultural operations.
- (c) In addition, all owners of land, whether agricultural, business, farm, ranch or residence, have obligations under state law and county regulation with regard to the maintenance of fences, livestock must be fenced out (open range). Irrigators have the right to maintain irrigation ditches through established easements that transport water for their use, and such irrigation ditches are not to be used for the dumping of refuse. Landowners are responsible for controlling weeds, keeping pets under control, using property in accordance with zoning, and maintenance of resources of the property wisely (water, soil, animals, plants, air, and human resources). Residents and landowners are encouraged to learn about these rights and responsibilities and act as good neighbors and citizens of the county.

(d)

Conflicts include, but are not limited to: trespass; harassment of livestock and livestock losses due to free roaming dogs; trespass by livestock, livestock on highways, county and private roads; leaving gates open; fence maintenance; harvest and transportation of agricultural and silvicultural crops; agricultural and prescribed burning; complaints of noise, dust, aesthetics, and odor resulting from production and processing operations; disposal of dead animals; weed, pest and predator control.

- (e) The board of county commissioners shall establish a dispute resolution procedure with mediators to informally resolve conflicts that may arise between landowners or residents relating to agricultural operations or activities.
- (f) When rural residents cannot come to an agreement or understanding about fences, ditches, livestock, or other agricultural issues, the dispute resolution procedure may be the forum used to resolve disputes. Mediators must be knowledgeable, solution oriented, and at least one such mediator in each dispute must be directly involved in agriculture, or an agricultural producer must serve in an advisory role to the trained mediator.

(Res. No. R98-136g, § 1, 9-2-1998)

#### Sec. 30-32. - Public education and information campaign.

The board, with the primary assistance of the Colorado State University Cooperative Extension Larimer County Office and through the use of county staff as needed, shall support efforts to educate and inform the public of the right to farm and ranch policy.

(Res. No. R98-136g, § 2, 9-2-1998)

#### Sec. 30-33. - Hazards generally. \*

People need to be aware that children and adults are exposed to different hazards in the country than in an urban or suburban setting. Farm equipment, ponds and irrigation ditches, electrical power for pumps/center pivot operations and electrical fences, traffic, use of agricultural chemicals, weeds such as sand burs and puncture vines that cause mechanical injury, territorial farm dogs, and livestock present real threats to children and adults. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood. Open irrigation waters are essential to agriculture and have legal rights-of-way that must not be obstructed. Open ditch operations often result in seepage and spills of storm waters in unpredictable locations and times.

(Res. No. R98-136g, § 3, 9-2-1998)

#### Sec. 30-34. - Property owner notification.

The board of county commissioners shall notify the owners of land within the county by the following means:



- (1) The provisions of this article will be distributed in all possible manners that the budget allows;
- (2) Whenever a building permit is issued for new construction in the unincorporated area of the county, the building department shall provide owner educational material.
- (3) The board of county commissioners shall initiate amendments to the county subdivision regulations to provide that notification of the policy and the policy statement shall be made at the time of any subdivision or related land use approval, and a note to that effect shall appear on any plat outside municipalities growth areas so approved.
- (4) In addition, the board of county commissioners shall encourage title companies and real estate brokers county-wide to voluntarily disclose the policy set forth in section 30-31 to purchasers of real property in the county. To that effect, the board shall schedule presentation to the board of realtors and other professional organizations to explain the policy and distribute copies of the policy.

(Res. No. R98-136g, § 4, 9-2-1998)

Sec. 30-35. - Intergovernmental agreements.

The county should utilize existing and develop needed intergovernmental agreements with the cities, towns and other governmental agencies to ensure that this article is effective in those agricultural areas that are within the limits of the county.

(Res. No. R98-136g, § 5, 9-2-1998)

Secs. 30-36—30-60. - Reserved.