



## LARIMER COUNTY OPEN LANDS ADVISORY BOARD MEETING MINUTES

Thursday, October 22, 2009 – 5:00 p.m. to 8:00 p.m., Loveland Library, 300 N Adams, Loveland CO

*The mission of the Larimer County Open Lands Program is to preserve and protect significant Open Space, natural areas, wildlife habitat, and develop parks and trails for present and future generations. These open lands provide opportunities for leisure, human renewal and protection of our natural and cultural resources.*

Present:

Nancy Wallace	John Ericson
Steve Vessey	Brian Hayes
Trudy Haines	Peter Kast
Don Griffith	Trudy Haines
Patricia Brennan	Linda Knowlton

Staff:

Gary Buffington	Travis Rollins
Kerri Rollins	Zac Wiebe
Meegan Flenniken	Charlie Johnson
Lori Smith	Jeffrey Boring

Absent:

Bill Newman	Ted Swanson
David Roy	Jeff Hindman
Commissioner Tom Donnelley	

Peter Kast called the meeting to order at 5:12 pm.

**Nancy motioned to approve the August meeting minutes with changes\*, Steve seconded, and the motion passed unanimously.**

\*Addition from Bill Newman regarding the Whole Measures discussion.

**PUBLIC COMMENT:** Rex Poggenpohl, a planning commission member from the Estes valley, introduced himself and thanked County DNR presenters for attending the recent American Planning Association Conference and Gary for meeting with the Commissioners.

**INFORMATION:**

- Report from the Open Lands Advisory Board (OLAB) liaison to the Parks Advisory Board (PAB)

Trudy hadn't arrived yet but Linda Knowlton, the PAB liaison to the OLAB, commented on the approach of the boards. The board introduced herself to Linda. Linda introduced herself as being on the PAB since beginning and commented that she was there to listen and learn.

- Report from the Open Lands Operations Manager – Travis Rollins
  - The Red Mountain Open Space (RMOS) bid process is underway. Nine contractors came on a site visit, two put in bids, and both were too high. The next step is to reevaluate the process and probably split the bid into two parts, well drilling and piping to the horse tank. The plan is still to complete it in the fall.
  - The Boxelder fencing will start next week.



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- Travis commented on the rattlesnake situation. There is a den, or hibernaculum, near the trailhead and he is working with resource specialists and snake experts to figure out proper management. It is currently signed and being monitored to locate the den and potential disturbance to it. The rangers have been educated to interact with the public. Peter asked about the solution. Meegan responded that a potential solution is to close the trailhead for the periods when snakes are present but keep the horse trailer lot open. The County has decided to not build the Reach for the Sky trail but may submit a request to Great Outdoors Colorado (GOCO) for a redirect of money for a new trail that will parallel the Sinking Sun trail. It would direct traffic there during the snake closure and help alleviate existing traffic on the Sinking Sun. Meegan asked for comment and mentioned that rattlesnake relocation would probably be unsuccessful. Nancy suggested trying the closure to see what happens. Kerri mentioned that it is a unique interpretive opportunity.
- Travis reported roughly 4500 visitors at RMOS since the opening, especially on weekends. Peter asked if there has been pressure to provide camping. Travis responded that there hasn't been much pressure but many people come unaware of the regulations, especially regarding dogs. Nancy asked about having a sign lower down. Travis responded that the engineering department wouldn't allow it because it was informational and not directional. Once the visitors enter the property it is signed. Nancy suggested contacting the owner of the neighboring property. Travis said that Ft. Collins is having the same issue at Soapstone and he has been talking to them about resolving it. One suggestion is to put a sign at the city limit. Another is working with landowners to get a sign on their property.
- Hunting season is underway and the rangers have been stepping up patrol. There have been no real issues yet. One hunter had a deer run onto Devil's Backbone Open Space (DBOS). The hunter followed all regulations and recovered the deer.
- Horsetooth Mountain Open Space (HMOS) is starting the firewood program this weekend. It will run both weekend days starting now and running through December. There is online registration it filled up as soon as it went online. There will be 12 vehicles a day and volunteers to staff the program. It's a successful program that ties into Whole Measures very well. Peter asked about the quantity of wood. Travis responded that there is plenty and it is difficult to keep up with the guys cutting it. The Alternative Sentencing Unit (ASU) has done a lot of work. They come at least once a week to stack firewood and twice a week to stack slash. Nancy clarified that it was a HMOS.
- The underpass is finished at River Bluffs Open Space and looks great. There have been no operational issues and an impassable barricade was installed.
- The department is currently updating 2010 regulations for Parks and Open lands. The rangers are recertifying their defensive skills.
- Russ Crowder Open Space at the Devils Backbone Open Space (DBOS)

Meegan gave an update about the Crowder family parcel donation south of DBOS in the name of their son Russ. A one mile trail will be built in a lollipop configuration to interpret area geology. This property has great views of local geology, the Mariana butte, and the Devil's Backbone. We received a grant and the Crowder donation for the trail. Part of the agreement is that it will be called the Russ Crowder Open Space. The name will be discrete. Some money from the Ann Dewey fund will be used for signage as well. Construction will begin this fall and everything will be complete by August with a grand opening in September.

- Laramie Foothills Substitution parcels update – Kerri Rollins



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The Board approved funding approximately \$90,000 for three parcels. Two of them didn't close because family members didn't like the GOCO conservation easement (CE) language. The families will still donate the parcels, one this year, one next year. This will save approximately \$30,000. Nancy asked for clarification about the GOCO language. Kerri answered that the time frame was tight.

- Northern Colorado Birding Fair – Kerri Rollins. It was a success, lots of kids participated in many activities, the weather was beautiful, around 400 people attended, and we will continue to work with Ft. Collins to improve the event.
- On 10/2 our Artist of the Year, Diane Findley, featured her artwork of our open spaces at the Cache Bank & Trust in Fort Collins. About 75 people attended. Votes were taken on the piece to retain. Nancy and many public attended. Meegan encouraged the board to vote. Nancy asked if she sold anything. She didn't that night but K-Lynn bought one. Kerri talked about how it accomplished some recognition. Peter clarified that you vote on the website. Nancy clarified that they are still at Cache bank.
- On 10/14 new OLAB & PAB members toured Hermit Park Open Space. Media was invited. No one came from the OLAB but two PAB members and a Coloradoan reporter came. Reporter herald will also do a report.
- Whole Measures updates – next month there will be a video presentation to get everyone on the same page with the same information, and results of an all-staff meeting will be discussed. Kerri will present Whole Measures to OLAB next month with staff ideas.
- 10/23 at 6:30pm at Fossil Creek the Northern Colorado Astronomical Society will lead a stargazing event if it is not cloudy or windy. Visitors can try several types of telescopes and get close-up views of the Moon's craters, mountains and basins. A typical night offers a variety of sky objects such as star clusters, galaxies and nebulae. Bright planet features can be seen on some nights, including Jupiter's moons and cloud belts, Saturn's rings, and the phases of Venus. This is the last year for our education programs at Fossil Creek. Starting now until April when Ft. Collins takes over. Travis commented on the size of the telescopes.
- 10/27 the Colorado Lottery will present the Starburst Conservation Award for the acquisition of Hermit Park Open Space to the Commissioners at about 9:30 a.m. All Boards are invited, as are the members of the capital campaign committee, and donors.
- Colorado photographer John Fielder will present his new book *Ranches of Colorado* on Friday, November 20<sup>th</sup> at the Lory Student Center at CSU from 5:00 – 7:00 PM. The book features working ranches throughout Colorado that have been protected with conservation tools. Event is sponsored by the Open Lands program, City of Fort Collins Natural Areas, and Legacy Land Trust and proceeds will benefit LLT.
- OLAB/PAB holiday party date, time, location. Staff and some board members are still working on it. Updates will be sent through e-mail.
- Natural Resource Events for November. See website <http://www.larimer.org/naturalresources> Small grants applications will be going out to the small grants committee next week.



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Nancy mentioned that the Legacy Land Trust is doing an art fundraiser at the Cache La Poudre Art Center. It opens 10-31. There is a silent auction. The last night is November 6th. Nancy commented that it is quality artwork and very reasonable. She encouraged everyone to go.

### **FINANCIAL REPORT:** Lori Smith

Lori started with summary of Long Term Management (LTM). She showed a 15 % decrease in 2009. Finance is projecting 2% lower in 2010. For the last 14 years the average increase is 2.5%, for the last 10 years it's been 0.5%, and recently it's been negative. For 2011 and 2012 it will stay the same as 2009 and then increase by 1% and then 2% from now to 2018 resulting in an 8.5 million reduction. She and Gary looked at what could be done under the 70%/15% guidelines. They originally used 10% inflation for cost increases and 6% for management. Both were changed to 5%. They also looked at open positions or shifting positions and considered paying for Open Lands staff with management money. They also examined projects. Gary and Mark Engemoen would like us to have an emergency pool. Lori considered all these factors and the inflation will be 9.1 %. She changed interest rates from 2% to 4% and pointed out the changes on the spreadsheet. They reevaluated the budget and adjusted some miscellaneous expenses including rent and fees. Lori discussed the per acre management costs based on different management zones. John asked for a rundown of the revenue for 2010. Lori explained the 3 million as approximately 45% of revenue that the county gets and the operating/management is 30% of that. John clarified the revenue and cost amounts. John asked about being \$45,000 in the hole. Gary mentioned looking at the sales tax revenue from last year to this. Lori pointed out that projections show that it will not come back up through 2018. Trudy clarified the projection style. Lori confirmed that it is conservative.

Lori then pointed out a couple expense items. The Chimney Hollow (CH) opening date is moved to 2015 from 2013. Patrol of Fossil Creek will stay there until CH opens. Nancy asked what CH has to do with Fossil Creek. Lori responded that once CH opens the rangers will move away from Fossil Creek and didn't want to take that expense out. Travis clarified that it included the facility and maintenance. The rangers will stay there and pay for utilities. Nancy clarified that it is office space, not just patrol. It serves as a home base of operations.

The Hermit Park Open Space (HPOS) was also reevaluated and revenue is higher than expected but she increased expense. Lori looked at future acquisition money and removed the money for that. They also tweaked one of Jeffrey's trails and lowered some more costs. The short term use loan needs to be repaid so the repayments were tweaked. Originally Acquisition and Development (A&D) got the bulk of the money and then it would be repaid as management was more necessary. This is the new agreement to repay the money. Nancy asked if it was a change and asked for how it will take place. Nancy asked if the 15% is reflected in the repayment numbers. They met with Mark Engemoen to see if it could be moved more towards 70%/30%. Nancy asked for clarification and wondered if 15%, the required amount, could be spent. Kerri clarified that any change would have to be approved by the Board of County Commissioners. Gary pointed out that it was to be paid in 2004 but has been pushed all the way back to 2018. Nancy asked about the rationale of putting salaries into management. Lori said that it doesn't take away from A&D but staff focus is shifted to management. Several years ago some salaries were moved to management and now it's being considered again. Mark Engemoen wants it to be closer to 70%. Nancy wondered if there are political motives and noted that the future voters will expect A&D. Gary said that it is more accurate to what we're actually doing. Trudy clarified the breakdown of 70/15/15%. Nancy said the real issue is to more closely reflect what's happening, the budget doesn't actually change. Trudy said it reflects how cuts might be made.

Lori pointed out the negative \$50,000. The budget has never shown money to replace vehicles. Now there is \$50,000 in 2011 and \$50,000 in 2015. Those figures were added to project potential needs. Gary asked about the bond repayment. Lori clarified that it's called "short term use" on the budget. Steve clarified that it is through 2018. Gary asked about the reserve. Lori pointed it out and explained the 10% for a safety net. Gary



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said that the reserve will buy about three or four months if the sales tax continues to decrease. Trudy clarified the Fossil Creek decrease but asked about HPOS. Lori explained that we expect to see the same increases, the expenses will go up faster than the revenue. Kerri clarified that the revenues for HPOS aren't shown. Lori said that this is a report of Open Land's money that will go to HPOS. HPOS has its own revenue and expense sheet. Nancy suggested not treating HPOS and HMOS the same. Lori said that Open Lands will supplement HMOS but HPOS supplements will be determined at the time. Nancy pointed out that this budget doesn't show projected income from HMOS. Lori will change the sheet to reflect HMOS projected budget. John clarified that Nancy wants to see HPOS on a gross basis instead of net. Travis mentioned his approach at HMOS to track revenues separately from the reservoir. Lori said that they did a traffic count and compared the revenues between HMOS and the reservoir. John asked about the rationale of increasing operating expenses to 9.5%. Lori responded that we used to use 6% and then switched to 5%. As we get less money for A&D we move staff to management. John said that we have a flat staff. Gary said that this is a very conservative, worst case projection. Gary asked to change "short term use" to internal loan.

**Acquisition:** This is a separate fund, required by law. Lori pointed out our revenue, then the bond repayment for 2010. The first thing we do with sales tax money is make the bond payment, about one third of the revenue. Lori walked the board through each line of the sheet, interest, administrative costs, management cost, accrual, and A&D costs. A&D was set up as a sub fund with Jerry and Charlie's salaries in one, everyone else's in another. The two sub funds will be combined. Administration and general A&D is about \$200,000 less because of Meegan's part time status and K-Lynn's absence. Gary pointed out the 2011 reserve as departmental holdback. Lori pointed it out in 2018 also. Trudy asked for clarification and Lori said it's a reserve.

**Projects:** Children and nature was taken out, so were technical assistant and a public poll. Lori and Gary looked at what could be cut back. The Blue Sky/Field of Dreams project is tied to a GOCO grant. The Crowder trail is also funded with a grant. \$50,000 from HPOS was moved to regional park fees in 2010. Gary pointed out hunting for capitol funding. Regional trails have been reduced from \$1.9 million to around \$500,000. Resource project amounts weren't changed but the years were. The Mountains to Plains inholding fund was reduced from 100k to 30k. Regional Trail Acquisition and Development change from 1,705k in 2 years to 500k this year. More is spent in 2013 than made so we need to save money now to spend in the future. Lori pointed out the regional park fees on last page. In 2007 around \$100,000 was generated, this year we're lucky if we get \$10,000. The balance will be \$14,000 if we spend money on HPOS. Regional park fees aren't that helpful. Gary discussed the earlier years when much of the money was used to buy HPOS. Lori said that we have to spend it in seven years on something allowable. Jeffrey clarified that the park fees have gone down because of the lack of development. Trudy asked about which communities have fees. Ft. Collins, Loveland, Estes Park, and Berthoud are the ones we see. John asked about all the assumptions and in the next 10 years what do the funds mean. Lori read the basic categories and that it's basically zero. Gary pointed out that there is no money to develop CH, there is an operating piece but the development money has been drained. Trudy said it's better to have it and not open it than not have it at all. Nancy pointed out that there is flexibility in the future. John asked about the 2010 budget, do the commissioners have to sign off. Gary said yes. John asked about the sales tax extension and whose cost is it for putting on the election, marketing etc. Gary said that we'll hopefully piggyback onto something else to save money but it is up to us to do the marketing. Nancy said that the board can't pay for it, but would work for it. Once it's on the ballot the county cannot promote it. Trudy asked if the county spent money in the past. The response was no, just staff time. Discussion ensued about the ballot costs. The commissioners can put it on the ballot but a separate citizen group has to do the rest. Nancy and Kerri both commented that citizen initiatives are harder but better.

**Development and Acquisition summary:** Money was tweaked from one year to the next with the Poudre trail, small grants program, and resource projects. No money changes just time. Regional trails budgets have been cut from \$1.7 million to \$500,000, so has the Mountains to Plains inholding budget. Gary discussed finding more money and asked the board to approve the \$500,000. Jeffrey pointed out that the original \$1.7



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million would finish the trail and the cut amount will be enough to match a potential grant. Gary pointed out that there are still good projects taking place. Lori showed the RMOS budget and Gary said a positive change is expected. **Peter asked for a motion for approval to budget changes. Steve motioned that we approve the changes to the budget, Don seconded. John asked for clarification of the change. The motion passed unanimously.**

Lori showed the month to month yearly chart, walked the board through the columns, and pointed out how months to months each year can be compared. She noted some particular years, 2002 and 2010 are about the same. Nancy showed that January of 2009 is substantially larger than 2002. Lori explained that something was funny with finance tinkering with accruals. Kerri thanked Lori for all her effort and hard work and asked the board to appreciate her. Kerri mentioned that this detailed report will happen once a year and the other meetings will only use the summary.

### DISCUSSION ITEMS:

Open Lands manager position: Gary

Gary reported that he's looking at hiring internally for the Open Lands (OL) manager position but is getting some staff pushback. He reviewed some options, including hiring nationwide but doesn't want to have to furlough staff. He asked the board for advice. Steve thinks it's wise to hire within. Gary mentioned that there is internal qualified staff. Nancy suggested waiting to fill the position with respect to the budget. She pointed out the department isn't facing anything that requires a manager, but before the tax expansion goes public, the position needs to be filled. It will be a crucial position for getting the tax passed. She suggested doing a search but doesn't think that such a high position should be limited to internal hires. There's no money to hire someone right now. Gary said that duties have been spread out with the lion's share on Kerri. The department may have to pay out-of-class pay. It's not fair to take advantage. Nancy agreed that out-of-class pay should be considered and the OL manager needs to be searched everywhere. Trudy agreed that the position should be open to the public because it's healthy for an organization and it will improve the candidate pool. It's also important to not wait too long because it's a very visible position in the community. She likes the philosophy of promoting within; if an internal and external candidate were equal the internal would get the nod. If an internal candidate were chosen a big deal should be made of it. Peter expressed concern about attracting someone good with so little money. Trudy is confident we'll get the tax passed. Don thinks Gary should do what he thinks and supports hiring internally, but it's Gary's decision. Trudy suggested searching externally even if the position is hired internally. Steve pointed out that it's not fair to have someone out of state compete if we are planning on hiring internally. Sometimes an external search is for appearances. It's agreed that we shouldn't do it just for looks. Peter agreed that no matter how it's done, a big deal should be made. Trudy asked about doing a statewide search and pointed out that it is an attractive position.

Red Mountain Open Space Hunting: Meegan and Travis

Meegan handed out the hunting regulations and discussed them. Much of it comes from the RMOS management plan. Meegan went over the access issues, safety issues, and licenses (see handout). Peter asked if there are any issues currently. Meegan answered that there are not. Travis talked about licenses. Draw would cost \$10 and would be random. Only two seasons would be allowed. Trudy asked for clarification on the seasons, is it a time frame or weapon. Travis answered that any weapon is allowable on the seasons that are being used. Patricia asked if there was other hunting in the area. Travis responded that RMOS is the only public land in unit 9 so unless you hunt on private land it's the option. We will charge a \$100 access fee to cover extra patrol and associated costs. In 2010 there will only be 7 licenses. Jeffrey asked about provisions for the removal



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of an animal. Travis responded that typical regulations for dealing with a carcass would be followed. Meegan pointed out that we'll learn a lot the first year about appropriate fees, popularity, etc. The Division of Wildlife (DOW) can't come up with a different structure for every single property so even though there were some good ideas there were constraints. Nancy asked how the numbers were settled on. Meegan answered that it was based on DOW population surveys. Jeffrey asked if any public outreach was planned. Travis responded that we only do two seasons and will do some signage and press to market our drawing as well as educate the public. Peter asked a question for Ted regarding limiting horses off trail. Are weeds the only issue? Meegan said yes, it is the primary issue. Trudy suggested having orange vests to hand out during the season. Travis pointed out the interest of our volunteer rangers helping out. We have a good relationship with the Division Wildlife Manager. Trudy asked about hunting at Soapstone. There isn't any now but it is in the plan.

Fossil Creek Inter-governmental agreement (IGA): Charlie

The IGA in 2001 is being updated (handout). Charlie went over the old IGA. The city has agreed to let the County use the facilities until we see fit. The County would give six months notice or the city could give us six months notice should either want the County to stop use of the building. The County will still maintain typical ownership responsibility. Trudy asked about the advantage of retaining ownership. Charlie answered that it's an asset and a good partnership. Peter suggested considering selling our half. Kerri said it's been suggested before. Peter said we should keep it in the back of our minds. Nancy asked if there was an advantage to the management responsibilities. Someone has to have the title so the County retained it. Jeffrey clarified that it includes Duck Lake and associated management. Charlie said next step is for the boards to approve the IGA. The county manager has approved it. Nancy asked if we need a motion. Charlie suggested waiting.

Hermit Park conservation easement (CE) amendment: Gary

The remaining home site will be extinguished. Charlie asked if the County is waiting until the cabins are decided on. Gary responded that our CEs call for moving the two cabins below the gate. Most traffic has been eliminated. Bids to move the cabins aren't hopeful because the cabins may fall apart. Gary wondered if mitigation can take place instead of moving them. Brian clarified that only people staying there can go through the gate. Brian asked about what it would take to amend the easement. Kerri responded that the County would have to submit a request to Estes Valley Land Trust and GOCO. The board is supportive to try. Nancy asked what the negatives would be. Meegan said that a lot of them have happened already, the road construction, dust, etc. We could limit the number of vehicles to cabin, not re-grade the road, and mitigate dust. Gary will proceed.

### **BOARD COMMENT: Items not on the agenda**

John asked about GOCO and if it would be affected by the new gambling limits. It was pointed out that those are private and not lottery dollars. Steve said that the increase in gambling limits will go to fund education.

**EXECUTIVE SESSION 8:10pm** Pursuant to (24-6-402(4) (a) C.R.S. Purchase, acquisition, lease, transfer or sale of any real or personal property interest. **Nancy motioned to enter into executive session. John seconded and the motion passed unanimously.**

**Steve motioned to adjourn the meeting at 8:16. John seconded and the motion passed unanimously.**

The meeting was adjourned by Peter Kast at 8:16 pm.