



LARIMER COUNTY OPEN LANDS ADVISORY BOARD MEETING

Thursday, June 26, 2008 – 5:00 p.m. to 8:00 p.m., Loveland, Library, Loveland

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	Bill Newman
Don Griffith	Ben Manvel
Bob Streeter	Jean Carpenter
Brian Hayes	Peter Kast
Jim White	

Staff:

Charlie Johnson	Lori Smith
Gary Buffington	Windy Kelley
Jeffery Boring	Meegan Flenniken
Kerri Rollins	Jerry White

Absent:

Bill Pinkham	Ted Swanson
Sue Sparling	

Chair, Nancy Wallace called the meeting to order at 5:03 p.m.

Jim motioned to approve the May minutes. Ben seconded and the motion passed unanimously.

Corrections/Additions to the May 22 minutes: Advisory Board Member Bill Newman was shown as absent, but he was present. Under the Financial Report in the Natural Resource Capital Construction Projects discussion the cost of the modular at Hermit Park was inaccurately recorded as \$800,000. Other minor grammatical errors were corrected.

PUBLIC COMMENT: No public comments

INFORMATION:

- Update on Red Mountain Open Space. Meegan noted there are no changes to the project timeline or budget. The first trail to be constructed on the property, the hiking only loop, should be complete in the next three weeks, once complete the trail crew will begin constructing the other four miles of trail slated this year. The construction documents for the trailhead are starting to be developed; Joe McGrane will draft the trailhead design. Kerri added Rob is working cooperatively with the City of Fort Collins on the development of education plans for RMOS and Soapstone Prairie Natural Area. One of the goals is to ensure education themes are not duplicated and the two programs compliment one another. Brian, Don, and Nancy formed as the trail naming sub-committee.
- Update on Hermit Park Open Space.



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USFS Kruger Rock trail permit: Meegan said the permit to build a trail to Kruger Rock was signed on June 11, the trail crew has started construction and it is anticipated to be complete by early August. The Homestead Meadows trailhead is complete and day use is open. Twenty-six character trees were identified and will be sprayed for pine beetle.

Nancy asked how it is decided what revenue will stay at Hermit Park. Gary responded, revenue generated at Hermit Park will stay at Hermit Park. Lori added traffic counters and discussions with area managers are utilized to determine what percent of annual park fees will go to each park.

Kerri added the Department was awarded a GOCO grant for Camp Area 2 for \$100,000. The redevelopment of Camp Area 2 will be scaled back from the initial grant proposal and the budget will be resubmitted to GOCO. She added the tentative date for the open house is Saturday, September 13.

- OLAB comments on the Northern Integrated Supply Project (NISP) Environmental Impact Statement (See enclosure.) Jeffrey noted the Board's memo regarding NISP was submitted to the County last week. Feedback was provided indicating the Board's comments were very comprehensive and well thought out. There is another public meeting regarding NISP on July 7 at 7 pm.

Ben: Good job Jeffrey for your work developing the memo to capture the Board's comments. If the comment period is extended he encourages everyone to take the time and develop more specific comments. Nancy agreed and encourages individuals to also submit personal comments.

- Interviews for a new OLAB member to replace term limited Peter Kast was held on June 13. BOCC will make a final decision on June 24. Interviews were also held for a new PAB member and Mark DeGregorio was appointed on 6/17. Tom Miller, Linda Knowlton and Ivan Andrade were all reappointed. Kerri announced Trudy Haines will replace Peter as an at-large member. Jim's replacement for the Town of Berthoud is Jeff Hindman and Bill Pinkham's replacement for the Town of Estes is John Ericson
- The annual picnic for the Open Lands and Parks boards was June 14.
- Thank you Bill P., Jim and Peter for your time and dedication to the Open Lands Advisory Board!!! We'll miss you guys.
- Congratulations to Bob Streeter who was appointed by Governor Ritter to be on the State Wildlife Commission.
- Parks and Open Lands events for July. See handout.

BOARD COMMENT: Items not on the agenda

ACTION:

- Laramie Foothills Trail Development GOCO grant project support – K. Rollins

Kerri explained that on July 1 we are submitting a GOCO grant application with the City of Fort Collins for a one time trails cycle. The funding, three million dollars, is de-authorized funding of which we will request \$550,000 for the second phase of trails, trailhead development, and education signs. Per the application requirements, staff needs the support and recommendation of the Board to request a letter of support from the County Commissioners.

Peter moved to recommend the County Commissioners write a letter in-support of the Laramie Foothills Trail Development GOCO grant application. Bob seconded and the motion carried unanimously.



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DISCUSSION:

- Special Places Program – Discussion of this program as defined in the 2001 Open Lands Master Plan. See attachment, and refer to Appendix I summary in the Open Lands Master Plan. J. White (See enclosures)

Jerry explained the Special Places Program was implemented in 1997 and rises to the surface now due to proposed 1041 regulations and the potential for wind generators to be developed on Maxwell. The Land Use Code was written in 1990 enabling the County Commissioners to evaluate the impact of projects on *special places* in the County to adjacent landowners. We are specifically looking at Red Mountain Ranch as the first Open Lands property to designate as a *special place*. We plan to set-up a work session with the County Commissioners to receive their input on this potential designation.

The Open Lands Program has conservation easements on the Program's properties; this is a good protection measure. Other protection measures need to be added for properties that do not have a CE on them. Peter asked if having the land out of the private market is a significant protection measure. Jerry said it is protected, however the ownership is not in perpetuity, where a CE would be. The County's Land Use Master Plan spells out the process for an area to become designated as a *special place* fairly well. He added the designation is not part of a planning process and the proposals will not go to the Planning Commission. Jerry explained the designation does not necessarily ensure a proposed project on adjacent land will not be granted if an adjacent property is designated as a *special place*, what it does mean is more consideration, at a higher level will be given when a permit is being requested.

Nancy noted when the proposed 1041 regulations were presented last month the regulations highlighted in the criteria the impact on adjacent public land. Since the last Board meeting this criterion in the proposed regulation was changed and now there is no differentiation between private and public lands, it now reads *adjacent lands and special places*. Going through this process will provide us a better look at impacts on the open spaces.

Peter asked if the County Commissioners would have the authority to say Maxwell can not be developed with the wind generators. Nancy said yes, the proposed 1041 regulations would enable this authority.

Bob noted he thought Jerry has connected this very closely to the County Master Plan.

Bill N. asked if the Open Lands Program has two categories of open spaces, 1) open lands and 2) open lands as special places, if there would be any long term ramifications. Why wouldn't we want everything at the highest standard? Nancy said she can not think of any. Peter asked why we don't designate all of the open spaces as special places. Jerry responded some properties are smaller and in more urban areas, we want to start with RMOS and see the results we can move forward from there.

Peter asked if Chimney Hollow is designated as a *special place* would it impact selling adjacent sections. Jerry responded potentially

Nancy added the *special place* designation has been in several plans for years. No place has been designated as a *special place*. This is not the same as the proposed 1041 regulation. If an open space is designated a *special place* it will stand-out more resulting in heightened awareness. Ben provided an example of historic designations in cities.

Jerry concluded that if we decide to pursue the *special place* designation it will eventually be an action item.



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A Smarter Colorado – A ballot proposal to retire Colorado’s oil and gas subsidy and use the savings to fund higher education, impacts to local communities, protection of open space and renewable energy. See attachment. Kerri explained there were several interest groups who wanted the oil and gas subsidy to be reallocated to their group. Governor Ritter encouraged the interest groups to partner and develop a ballot proposal to include all of their interests. Currently, in early polls 70% of the people are in-support of the measure A Smarter Colorado.

- Minerals Assessment project for Open Lands. Charlie explained that Commissioner Eubanks has requested staff inventory the statuses of mineral rights on all open space properties, including conservation easements. The inventory will include the property name, who owns the minerals, type of severance, and the funding type (ex. GOCO). A subcommittee was formed (Nancy, Brian, and Peter) to review the final report. The report will include not only gas and oil, but minerals.
- Children in Nature Network Update. (See handouts). Kerri noted the presentation Marcella Wells did at an OLAB meeting in 2007 regarding the network. In May the network held a retreat identifying what they should be doing and what type of outcomes they want. They have formed sub-committees and they have developed a draft strategic plan. Larimer County has talked with GOCO who has encouraged the County to apply for a Planning and Capacity Building grant to implement CNN’s strategic plan. One thought is to use Larimer County and the City of Fort Collins as pilot programs. We could look at a variety of barriers to kids getting out and experiencing unstructured play, for example what are we doing as agencies, what can be changed to enable kids to experience an unstructured play experience, while achieving our goals. There is a lot for the network to do and we need more people to get involved, but progress is happening.
- Review of River Bluffs Open Space Resource Management & Implementation Plan. (See handouts)
 - Management Plan process, open house 7/10, 5-7pm at the Poudre Valley REA Building in Windsor
 - Review of draft plan, available for public review at www.larimer.org/openlands/hot_topics.htm
 - Colorado State Trails grant

Jeffrey noted the Resource Management and Implementation Plan for River Bluffs Open Space is planned to be presented to the Board next month for adoption. A similar approach to the Red Mountain and Hermit Park plans was used, identifying management targets and working to protect themes within these targets. Four management targets were identified at River Bluffs: 1) Natural Resources; 2) Agricultural; 3) Recreational; and 4) Education. The Education Management Target provides guidance for what themes will be addressed in the future education plan for the property. Management zones were identified to help project management costs per acre, these zones are as follows: 1) Primitive/Sensitive management area which includes the bald eagle buffer in the northwestern corner of the property, the riparian area which includes a buffer, and the western bluff; 2) Primitive/Non-sensitive; 3) Developed management area which includes the trailhead with a vault toilet and 30-vehicle parking; 4) Access zone includes the road leading to the trailhead from the county road; and 5) Developed-Frontcountry management zone is the proposed trail alignment.

Peter asked why the eagle buffer is still considered primitive/sensitive when there are roads between the nest and the property. Bob supported Peter, noting the existing fragmentation and disruptions. Jeffrey said it is part principle acknowledging the CDOW’s recommendation of a ¼ mile buffer, additionally our goal for the future trail alignment to the north is to in-part not infringe on the eagle buffer, if possible.



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Jean asked where the existing fences are and if there is any along the western property boundary. Jeffrey said fences go around the entire property boundary.

Jean asked about the size of the 100 or 500 year floodways. Jeffrey responded the floodway is most of the eastern half of the property and a little west of the river. No structures are currently planned in the floodway.

Bob requested a map showing where fences will be removed, relocated, and what the fence layout on the property will be once the project is complete.

Jeffrey noted for the most part the floodplain is disconnected from the Poudre River. However the riparian area is still very diverse. Bob asked what the status of Russian olive and tamarisk are on the property. Windy responded that currently both species have been removed and are continually being managed.

Bob asked several questions regarding the proposed trailhead amenities including: 1) the type and set-up of the picnic tables (covered, uncovered, and chained), will the water fountain be non-destructive, and maintenance of an air compressor (potential for vandalism). He also offered that he thinks a sign saying *pack it in, pack it out* is more effective than having trash receptacles. The more amenities there the more likely people will use it as a picnicking area.

Jeffrey added the cost to construct the trail at River Bluffs and the trailhead are covered with the State Parks grant. Bob asked if we have to do everything in the grant. Kerri responded that taking out a trash receptacle or other small item would be fine, the most important thing is we have our match.

Jean added there are a lot of advantages for having an air compressor at the trailhead, but she does not see the need for picnic tables. The other amenities would be nice to have, but not essential. Jeffrey said it goes back to removing barriers, enhancing access to the trail is important.

Nancy recommended looking at the existing Poudre River Trail and identifying how many pump stations exist and where they are located. Ben recommended checking with the City of Fort Collins to see how often and in what fashion their air compressors are vandalized.

Don said it's great to have a covered area, space to get the kids out of the sun, we need to find balance in the amenities we offer. This trail is not necessarily for the hard-core people, it is also for families.

Jeffrey added the management plan outlines possibilities and it gives us the opportunity to install an air pump if we want to and if there is need. Currently, up to three picnic tables can be installed. Bob added if there are picnic tables, there needs to be shelter. Jeffrey responded the picnic tables will be near Fossil Creek which will be revegetated. Nancy asked for now if there could be one table with a shelter instead of three tables without shelter.

Bob asked once the western field is no longer leased for agriculture, would there be an opportunity for community supported agriculture. Jeffrey said this is a potential which is noted in the plan on page 4-8.

Bob said he feels an opportunity is being missed, at least for part of the year, by not having a natural surface trail along the east side of the river. Jeffrey responded the plan has room for flexibility around



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this issue. We can investigate the need and feasibility more in-depth once we know the trail alignment to the north.

Jeffrey provided a brief update regarding the potential Highway 392 underpass. The Town of Windsor is working to hire a consultant, there is concern about the floodplain and they are considering investigating an underpass location further west, an easement would be necessary for this to happen. K-Lynn and Jeffrey attended a Windsor Town Board meeting about two weeks ago requesting \$150,000 towards the construction of the underpass. The town must wait until after they finalize their budget. Bob asked if the underpass would be designed to accommodate a four lane highway expansion. Jeffrey said yes.

Kerri added that Jeffrey's grant submitted to Colorado State Parks Trials Program was ranked second in the state and awarded in full \$494,000.

- Status of Open Lands Program Priorities (October, 2007). See attachments. The Board went into Executive Session per (24-6-402(4) (a) C.R.S. Purchase, acquisition, lease, transfer or sale of any real or personal property interest. Jim moved to go into Executive Session at 7:02 p.m., Don seconded and the motion carried unanimously. Jim motioned to leave Executive Session at 7:15, Ben seconded and the motion carried unanimously.

FINANCIAL REPORT:

- Hermit Park – Current Development Budget. (See handouts). Meegan noted the handout outlines sources and uses of funds specific to Hermit Park Open Space including 2007 through 2010. In 2007, the total source of funds was \$204,195, a portion of which were donations. In 2008, the total source of funds is \$1,345,000 for a grand total of \$1,649,362 from 2007 – 2009. The majority of large construction elements in 2008 will now be funded with Open Lands dollars and the left over development funds not spent last year. The remaining 30% of the cost of the turn-lanes will come from Park fees. A hundred thousand dollars from both the Gates Family Foundation grant and GOCO will enable campground two upgrades to take place in 2009. The lower section of the handout show management costs in 2007 and 2008, there is a \$175,000 loan from the Open Lands Management fund between the two years.

Jean noted the 2007 dollars raised by the Friends Group and the \$5,800 in 2008 is not reflected in the hand-out. Meegan noted the 2007 dollars are shown in the lumped donations column, but still needs to add the \$5,800 for 2008.

Operating Budget summary for 2008 (see handouts). Gary explained this is really our first year operating Hermit Park and we plan to see revenues increase over time. In the future we anticipate funds from the conservation trust and the Open Lands Program will be smaller with more revenue. We had not planned on transferring these funds. Ben noted that the income will need to more then double to accomplish this. Gary said staff is working with the Ranch to increase the number of events at Hermit Park to generate more revenue; additionally a seasonal employee has been hired to help with event planning.

Peter asked how much was transferred from the Open Lands Program. Lori responded just under \$100,000. Peter followed-up saying a \$100,000 is a loan, but the rest is not.



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Bob asked where the vehicles will be purchased from. Gary said they will be used vehicles, purchase within the County. Gary continued saying, operationally Hermit Park should be able to pay for itself. It will take awhile to pay back the loan, but we are planning on making it happen.

Jean highlighted the County has a niche in the Estes Valley by allowing dogs at Hermit Park, this is contrary to the National Park. Gary said with the award of the \$100,000 grant from GOCO staff will be working to get the next campground renovated and ready for reservations, increasing use and revenue. Peter asked how many campsites are presently open. Meegan responded 48 campsites currently between camp areas 1, 3, and 4.

- Confidential: Acquisition and Development Fund Cash Flow as of June 6, 2008. See attachments and copies will be mailed to Board members only. The Board went into Executive Session per (24-6-402(4) (a) C.R.S. Purchase, acquisition, lease, transfer or sale of any real or personal property interest. Jim moved to go into Executive Session at 7:32 p.m., Ben seconded and the motion carried unanimously. Jim motioned to leave Executive Session at 7:45, Ben seconded and the motion carried unanimously.
 - Poudre River Trail Budget (See handout) Jeffrey explained in 2008 \$20,000 from the Open Lands acquisition and development fund is allocated for the underpass and trail design. In 2009, Larimer County will pay \$17,647 from the acquisition and development fund for the construction of the trail and trailhead on-site and GOCO will contribute \$314,373. Other fund allocations in 2009 from the acquisition and development fund include: County Road 3 improvements at \$77,000 and trail easement acquisitions at \$100,000. The estimated cost to construct a 10-foot wide, concrete trail per mile is \$350,000. Currently, we estimate the total project will cost ~\$3 million of which \$1.2 million is the underpass. We will be seeking additional funds to leverage our money, additionally as construction permits are requested to the north of the River Bluffs from third parties the towns of Timnath and Windsor may designate trail easements.

We will have to pave County Road 3 from the trailhead entrance north to CR 32E. We will pursue a waiver to not have pave from the entrance to the trailhead, this request will occur during the sight planning process.

Jean expressed concern regarding the cost increase of concrete. Do we have to have a 10-foot width trail, or can we get estimates for a narrower trail 8 feet? It seems the cost could make it prohibitive. Jeffrey responded the width of the trail from Fort Collins to Greeley varies, our goal is to match the width of our neighbors, however we can always reassess. Peter added the underpass will provide a natural break between the trail width to the south and the proposed trail on River Bluffs.

- Long-term Management Fund spreadsheet as of June, 2008. See handouts – 4. L. Smith
Use of regional park fees (see handout): Gary explained the regional park fee is a fee assessed for construction and it must be utilized to provide access. The funds must be spent within seven years, in the past we could have spent these funds on parks, but instead it has been invested in open spaces. During recent years the fees have been declining.

Lori distributed a copy of the condensed financial 5x5 (see handout) which was created for use at the Division level to provide the Board a general idea of other budget material that is available for the Board if they are interested.



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Lori presented the Open Lands Management Fund cash flow projections. 2005 is when we really started to get good numbers for baseline assumptions. To projected costs for 2008 we took the 2007 costs and multiplied by 6% to account for the projected rate of annual expense increase. At \$1,410,306 the projected Annual Sales Tax Revenue for 2008 is about half of what the Program usually receives; in 2007 it was \$1,746,227.

The next section, Start-up Costs reserves funds for items such as vehicles. In 2006, we did not spend \$20,000; in 2008 we have allocated these funds to the expanded trailhead at DBB and vehicles at Hermit Park. In recent years, staff has developed management zones, a framework used to project management costs per acre, enabling us to compare a proposal to identify what funds are available and how much we can use. The management zones are in a tier structure, where the cost to management a property is minimal until the area is developed and open to the public. Most areas are projected to open to the public midyear.

Chimney Hollow is not scheduled to open until 2013 and Fossil Creek will be turned over to the City of Fort Collins in 2009. We have fulltime and seasonal staff these costs need to be discussed. More is spent cost per acre at both Chimney Hollow and Long View due to being closer to urban areas verses Red Mountain Open Space.

Costs to manage Red Mountain in 2010 is \$300,000, in the last cash flow projection update the cost was closer to \$600,000, but through identifying the management zones we have established a more reasonable projection.

At the bottom of the spread sheet the total projected, the total budgeted, and the total actual annual expenses can be seen. In 2008, the percent annual sales tax the projected expenses is 31%. After new areas are acquired or opened to the public the cost difference between projected, budgeted, and actual cost are adjusted.

In Short-term use \$4.2 million was borrowed in 2004 at four percent interest. The agreement is the loan will be repaid as needed. The ending cash flow balance for 2008 is projected to be \$189,835; a contingency fund is established with 10% of what was spent the prior year. The ending balance in 2018, when the sales tax ends is just under \$3 million, but it is not available until the later years.

Gary asked Lori what the annual maintenance is for all of the properties. Lori responded \$2.7 million. We try to plan to be ready for two years in advance.

Bob how much can you take out of the Management Fund and put into the Acquisition Fund and still get zero in the Management Fund. Lori said \$8,000 could be borrowed.

DIRECTOR'S REPORT:

- Budget Questions and Answers. See attached Director's Report from May 22, 2008 meeting.

Gary asked if anyone had any specific questions regarding the Director's report. Bob commented that he felt the report is moving in the right direction for full disclosure. Gary said we can continue provide these types of reports. Peter recommend the report be more proactive and keep the Board more abreast of what is happening. Jim requested that in number 17 to include the Town of Berthoud is only five minutes from Carter Lake.

EXECUTIVE SESSION: (24-6-402(4) (a) C.R.S. Purchase, acquisition, lease, transfer or sale of any real or personal property interest. Bob moved to go into Executive Session at 8:05 p.m., Sue seconded and the motion carried unanimously.

*The meeting was adjourned by a motion from Ben. The motion was seconded by Jean and carried unanimously.
The meeting was adjourned at 8:33 p.m.*