

**MINUTES AND PROCEEDINGS OF THE  
PARKS AND OPEN SPACE ADVISORY COMMITTEE  
September 27, 2007**

The meeting was called to order at 6:30 p.m. by Melanie Muckle in the Hearing Room of the Board of Commissioners, Third Floor, Boulder County Courthouse, Boulder, Colorado.

**POSAC Members in Attendance**

Present: David Batts, Lisa Dilling, Sean McCoy, Christian Meyer (arrived 7:00 pm),  
Melanie Muckle, Jason Vogel.

Excused: Mary McQuiston, Janice Moore, Christine Quinlan

**Staff in Attendance**

Rob Alexander, Jan Burns, Jim Daus, Therese Glowacki, Vivienne Jannatpour, Chad Julian, Conrad Lattes, Kevin Lyles, Larissa Read, Ron Stewart, Mel Stonebraker, Luke Stromquist, Ron West.

**August 23, 2007 Meeting Minutes**

Lisa Dilling moved to accept the August 23, 2007 minutes. Sean McCoy seconded the motion.  
*Motion carried unanimously.*

**Public Participation for Items not on the Agenda**

None.

**Property Transaction: Larson**

*\* Action Requested- Recommendation to BOCC*

Four mining claims overlooking Grassy Top and the Peak-to-Peak Highway.

Staff Presenter: Jim Daus

*See Staff Memo for Detail on Presentation.*

**Discussion**

Jim Daus explained that the cost of the property is normal for a building site that is readily buildable, accessible and has great views like this one. A house could be put on the top of the ridge: this purchase would protect that stretch of the highway from visible building sites.

**Public Comment**

None.

**Motion**

Lisa Dilling moved to accept staff recommendation for the purchase, and Sean McCoy seconded the motion. *Motion carried unanimously.*

Discussion on Motion

Lisa Dilling said this looks like a beautiful area that would preserve the viewscapes. Sean McCoy added that he can easily see someone wanting to build there.

**Property Transaction: Hurst**

*\* Action Requested- Recommendation to BOCC*

Mining claim near Wall Street.

Staff Presenter: Jim Daus

*See Staff Memo for Detail on Presentation.*

Discussion

None.

Public Comment

None.

Motion

Sean McCoy moved to accept staff recommendation for the purchase, and David Batts seconded the motion. ***Motion carried unanimously.***

Discussion on Motion

None.

**Property Transaction: Richardson and White (Richard)**

Two small building sites along Boulder Canyon Drive. *\* Action Requested- Recommendation to BOCC*

Staff Presenter: Jim Daus

*See Staff Memo for Detail on Presentation.*

Questions:

Jim Daus and Ron Stewart explained the TDR process in response to a question from POSAC. Melanie Muckle asked why these lots should be purchased and not the adjacent lots. Jim Daus answered that the adjacent lots are developed, but up on Ridge Road and out of view of this view corridor we are trying to protect.

Discussion

None.

Public Comment

None.

Motion

Jason Vogel moved to accept staff recommendation for the purchase, and Lisa Dilling seconded the motion. ***Motion carried unanimously.***

Discussion on Motion

None.

**Property Transaction: Christensen**

*\* Action Requested- Recommendation to BOCC*

Mining claim west of Hessie near Lost Lake.

Staff Presenter: Jim Daus

*See Staff Memo for Detail on Presentation.*

Discussion

Ron Stewart pointed out that no TDR was mentioned in the presentation. He explained that when the County is planning to exchange a property with the Forest Service it will preserve the value of that land. Taking a TDR off the property would reduce the value of the land.

Public Comment

None.

Motion

Sean McCoy moved to accept staff recommendation for the purchase, and Jason Vogel seconded the motion. ***Motion carried unanimously.***

Discussion on Motion

Melanie Muckle noted that this is such a beautiful spot, she’s glad we’re getting these lots—we should get more. Lisa Dilling commented that it fits in with the general plan.

**Property Transaction: Hogan Conservation Easement**

*\* Action Requested- Recommendation to BOCC*

Proposed County contribution of \$500,000 to the City of Boulder’s purchase of a conservation easement on the Hogan Ranch.

Staff Presenter: Jan Burns

*See Staff Memo for Detail on Presentation.*

Discussion

Christian Meyer asked if the conservation easement restricts which type of trail could go onto the property. Jim Schmitt (City of Boulder Open Space Department) explained that the trail easement is a 20-foot-wide corridor that extends from the Van Vleet Open Space across the eastern portion of the proposed Hogan Ranch conservation easement. Then, across the long-term mining lease section of the Hogan Ranch where the City of Boulder will not have a conservation easement, the trail corridor expands to 30 feet, and the City of Boulder has the right and the ability to build a berm as shield from the mining activity along HWY 93. Christian Meyer asked if the easement also goes over the area not covered by the conservation easement. Jim Schmitt: yes. Christian Meyer asked why they are exchanging 28 acres out of the Van Vleet Open Space for 3.5 acres. Jim Schmitt responded that when the conservation easement was appraised, the bargain was that the Hogan family could retain 12 home sites. The value of the conservation easement was \$8.2 million and the Hogans wanted at least three home sites in the upper western meadow. After looking at the appraisal the Hogans came back and said they needed at least \$10 million to do this deal. The City of Boulder said they could go a little higher, but wanted to reduce the number of home sites and move some of them around so that there would not be any in the upper western meadow. Talks went on for over six months. The Hogans really coveted the area of the Van Vleet open space, because they could use it for grazing and were willing to give

up a lot to do that. So it was decided to dispose of that section of the Van Vleet open space to reduce the number of home sites from 12 to 5. The appraisal valued each home site at \$900,000. So the City of Boulder decided that going up by 1.5 million and giving up about \$225,000 worth of the Van Vleet open space was a good deal. When the decision was made, they looked at the resulting situation and also decided to clean up some of the other ownerships for management purposes. Jason Vogel mentioned that sales tax funds cannot be spent outside the county and asked how much money had been spent outside of the county and from which fund. Jan Burns responded that the County would use Conservation Trust Fund money from GOCO, which is accumulated every year and currently amounts to about \$2.5 million. Jason Vogel asked if money is set aside for purchases like this one. Jan Burns: yes, for example in Weld County when the county participates in conservation easements. Lisa Dilling asked if Jefferson County is contributing to this. Jan answered that Jefferson County had planned to participate a few years ago, and even had a staff person assigned to it, but somewhere along the line they decided to pull out. Their Board of Commissioners wrote a letter of support for this acquisition but they are not financially participating. Lisa Dilling asked how the total purchase price, listed on page two of the memo, jived with what Jim said earlier. Jim Schmitt explained that the appraiser first determined the value of the entire 464 acres to be 13.2 million dollars. The value of conservation easement was eight million dollars. The appraiser first determines what the property is worth “as is.” He then determines what it is worth with the conservation easement. The difference between the two gives the value of the conservation easement.

#### Public Comment

None.

#### Motion

Christian Meyer moved to accept staff recommendation for the purchase, and Sean McCoy seconded the motion. ***Motion carried unanimously.***

#### Discussion on Motion

Sean McCoy commented that this is a great property, expensive but consistent with other purchases. He said he liked that management was adjusted to better align with the ditch. He thought this purchase was well thought out. Jason Vogel supported this important purchase. He said he was unhappy about the trail easements. He wished it had been possible to achieve public access in some way but believes the property is still worth buying. Lisa Dilling finds that the property has beautiful viewscapes and completely supported the purchase. Melanie Muckle said this was a huge piece of the puzzle and commended the good work.

#### **Property Transaction: Money**

*\* Action Requested- Recommendation to BOCC*

40 acres of grassland located on the east side of the Rabbit Mountain Open Space.

Staff Presenter: Mel Stonebraker

*See Staff Memo for Detail on Presentation.*

#### Questions

Christian Meyer asked for how long the house had been vacant. Mel Stonebraker: it is not vacant. Christian Meyer concluded that the eagle had been nesting there even though the house

had been occupied. Mel Stonebraker: yes. He explained that the people who live there now are very sensitive to the eagles and that they have no dogs. Lisa Dilling asked if the property had any historic significance. Mel Stonebraker: no. Lisa Dilling asked what was meant in the memo by “moving the house.” Mel Stonebraker responded: literally moving it. There is a market for that.

#### Discussion

David Batts thinks this is a great parcel. He pointed out that this purchase highlights a dilemma: keeping the house would recoup some of the cost, however, the area is designated as an environmental conservation area and not as prairie palace.

#### Motion

David Batts moved to make a motion to approve staff recommendation for the purchase with the option of selling the house and barn and having them moved to a different location after the one-year lease expires. Sean McCoy seconded the motion. ***Motion carried unanimously.***

#### Public Comment

None.

#### Discussion on Motion

Jason Vogel asked for clarification about the 12-month lease and what the value of a small lot around the house would be? Mel Stonebraker answered \$600,000-\$700,000 as in the memo. Christian Meyer explained that if the house was moved there would still be the two TDRs, so that the loss would be approximately \$500,000. Jason Vogel asked David Batts why he thought that the environmental values preserved by moving the house would be worth 0.5 million dollars. David Batts responded that it was more a question of intent, since the area had been designated as environmental conservation area and because it served as a buffer to enlarge areas that are good wildlife habitat. Lisa Dilling pointed out that one of the obvious environmental values was the nesting site. Ron Stewart remarked that we would not get a lot of money for the house, maybe only what moving it would cost. Mel Stonebraker added that another plus would be the control over the access road. Jason Vogel said he would vote to support the motion but that he was not convinced that keeping the home was such a negative. We have 10 million dollars left from sales tax for acquisitions. We will have another 40 million dollars from sales tax this year. We are coming to the point where difficult decisions have to be made. He questioned that removing one house was worth 0.5 million dollars and disagreed with the motion’s addendum. Mel Stonebraker clarified in response to Christian Meyer that the original motion, if approved, would give permission to implement either option.

#### **Property Transaction: Strear Conservation Easement**

*\* Action Requested- Recommendation to BOCC*

91 acres of agricultural land on the northeast corner of Nelson Road and N. 51<sup>st</sup> Street.

Staff Presenter: Mel Stonebraker

*See Staff Memo for Detail on Presentation.*

#### Questions

Jason Vogel verified that together with the conservation easement the county would also get the right to sell the TDR. Mel Stonebraker: yes. Mel Stonebraker and Ron Stewart explained that,

when the TDR program was adopted, a map was developed that defined the sending sites. This property was a sending site. When the intergovernmental agreement with Longmont was developed, however, it was not included in the sending area map for the City of Longmont's receiving sites. This means that the property is a sending site that currently does not have a receiving site. This could change if the commissioners' new TDR program was adopted.

#### Discussion

Lisa Dilling asked if under the conservation easements there would be rules about how many buffalo or cattle could be kept on the land and about how they were raised. Mel Stonebraker replied that at this point the owner was well below the number that the property can sustain and that there was no reason to believe he would ask for an exaggerated number. However, it would be a consideration in the conservation easement. Lisa Dilling concluded that the property would be used agriculturally but could not be built upon. Mel Stonebraker added that in the future a trail could go along the feeder canal, which forms the eastern edge of the property, and connect with other trails that go all the way to Lyons. The County will ask for an easement that would allow for that, in case the Northern Colorado Water District does not allow the use of the feeder canal for the trail.

#### Public Comment

None.

#### Motion

Sean McCoy moved to accept staff recommendation for the purchase, and Lisa Dilling seconded the motion. *Motion carried unanimously.*

#### Discussion on Motion

Sean McCoy noted that this property has a unique geological formation and that this was good for the city of Longmont and Boulder County. Jason Vogel thinks this is a great property but pointed out that assuming we will spend the full 1.5 million on this property and we spend the full million on the Money property, we have just spent, according to his estimates, 5% of the sales tax fund. He believes we should keep our minds open about things like the development on the Money property.

#### **Agriculture Resources Division Update**

Staff Presenter: Rob Alexander

*\* Information Only*

*See Staff Memo for Detail on Presentation.*

#### Discussion

Jason Vogel asked Rob Alexander to remind him of the agriculture department's capital outlay. Rob Alexander responded that they can count on \$125,000 dollars and that they spend \$300,000 - \$400,000 on CIP. Jason Vogel followed up: In years when there is a delta where does that go? Rob Alexander responded that some of the money is used to help other CIP projects, not only agriculture CIPs. We have a hard time spending that much. Melanie Muckle commented that she'd love to see a farmer on POSAC.

Public Comment

None.

**Wild Bear Center for Nature Discovery Plan (Mud Lake)**

Staff Presenter: Ron West

\* Action Requested –Recommendation to BOCC

Wild Bear Center Presenter: Jill Dreves, Executive Director, 697 West Pine, Nederland.

*See Staff Memo for Detail on Presentation.*

Discussion

Christian Meyer asked how many parking spaces Wild Bear was proposing and whether the parking lot would be adequate for their needs. Jill Dreves did not know the exact number of spaces but said the parking lot was designed to be adequate for their needs. She pointed out that there would be a lot of overlap, folks going to both, the open space and the center. Christian Meyer asked if the center would be open to the public in general. Jill Dreves: yes. Christian Meyer asked what the hours would be. Jill Dreves responded the center would be open on weekends and during the week. They think it would be closed one or two days a week depending on funding. It would be staffed by both, volunteers and paid staff. Christian Meyer asked about police enforcement access and what the Sheriff thought the impact was going to be. Ron West responded that one of the amendments to the IGA was a cooperative agreement between the county sheriff and the city's police that says the property would be under joint jurisdiction. He explained that Wild Bear proposed 36 parking spaces. The County constructed about 35 spaces, 10 of which are technically on Wild Bear's land, and that there was the possibility to construct more spaces. Lisa Dilling asked what exactly POSAC was voting on and if the planning commission had already recommended it to the commissioners. Ron West: yes. He explained that since proposal is on Wild Bear's land, where we have a conservation easement, they felt it was important to bring it to POSAC. He clarified that the formal recommendation that would be approved by the Commissioners was the recommendation from Land Use.

Public Comment

None.

Motion

Christian Meyer moved to accept the management plan as presented, and Jason Vogel seconded the motion. ***Motion carried unanimously.***

Discussion on Motion

Christian Meyer applauded the great mission and vision of the center. He believes it will have a tremendous impact on the youth. He thought it was well thought out to minimize impact on existing county facilities. Jason Vogel believes that anything we can do to develop a land ethic in the next generation is incredibly important and that this was a really good way to do that. Lisa Dilling is excited to bring her daughter there. Melanie Muckle asked if recycled materials would be used in the construction of the center. Jill Dreves responded that specific details about what will be used have not been established, yet, but that a lot of different recycled materials will be

used. Melanie Muckle suggested that it would be cool if the history of the industrial development further west along the creek and the way the land has restored itself, would be interpreted. Lisa Dilling asked if the Wild Bear Center had funding in place. Jill Dreves responded that they do not, because they can't raise money before they have approval.

## **Director's Update**

### Upcoming events:

- OSAC Meeting on October 6
- Niwot Loop Trailhead Grand Re-opening Ceremony October 1, 3:30 p.m.
- Wild Turkey Trail Grand Opening Ceremony, October 8, 12:30 p.m.

The Commissioners approved the Benjamin Property Interim Management Plan as proposed by POSAC. They also approved the Marshall-Superior-Coalton Trail Corridor Management Plan, but deferred the single track to being looked at county wide, for instance as part of a countywide visitor use plan.

### Budget requests for:

- Expansion of forestry management activities: forest thinning on twice as many acres (from 200 – 250 acres to 400-500 acres); one additional staff person.
- More active engagement in farming on county land: one additional staff person for the agriculture department to develop management plans together with the farmers and to determine the best way to manage agricultural land throughout the county.
- New supervisor position for Operations: head of the design and project management team.
- Expansion of the wildfire mitigation team in collaboration with the Sheriff: budget increase from both open space fund and general fund.
- Fund to encourage private landowners to remove Russian olive, thereby expanding Russian olive removal from county lands to privately owned lands.
- Supporting small parcel agricultural activity: one seasonal for Extension to help farmers who would like to do that and to free up time for Adrian Card so that he can mentor farmers.

In summary: a big year for forestry; also: mountain communities are very concerned about pine beetle – POS will get involved in that.

### Questions:

Jason Vogel asked if it is correct that an additional 40 million dollars would be available over the next 20 years. Ron Stewart responded that the additional money would really amount to 20 million dollars and be available in 2010. Jason Vogel asked what it would be used for. Ron Stewart responded that some additional money would be spent on operations and maintenance. He noted that it is important to focus not only on new projects but also on the maintenance of existing properties and trails. Some additional money would be spent on CIP projects. Other than that, the money would be used to do a little more of everything. Christian Meyer pointed out that issues such as pine beetle kill would require more than one “big year” for forestry. Ron Stewart agreed. A one-year emphasis would mean enhancing our capacity for many years in the future. Lisa Dilling asked if the use of pesticides would be included. Ron Stewart responded he did not believe that they would be used very much as they are quite expensive and treatment does not

last very long. He also said that unfortunately the lodge pole pine forests are near the end of their era. A lot of trees are at the end of their lives. This is a natural process. So pine beetles will take a lot of that forest out. In the past forest fires would have done this. He explained that there is no magical way to stop this process and that it is not something that can be totally reversed. Lisa Dilling asked if lodge pole pine would come back. Chad Julian responded that species in high elevation forests are approaching the end of their life expectancy. Probably we will let a lot of it run its course, because realistically there is not much we can do. From a fire perspective, there is going to be increased potential. The trees are adapted to that. However, unfortunately in those types of fires, homes usually become fuel just like the trees. It is important to work with the mountain communities in this epidemic. He has a good sense of what people are thinking. We will have to work with the towns and do some aggressive management within their borders and maybe around the perimeter. Outside of that it is right ecologically to let it run its course. Down below it's a different story. East of the Peak-to-Peak Highway, beetles have not made the jump to ponderosa pine yet. The Peak-to-Peak is the dividing line. West of the Peak-to-Peak, the beetles have increased significantly last year. Trees with dry needles are more flammable. As the needles drop, however, the fire risk decreases. The public, unfortunately, believes that they pose a fire risk and there will be some demand to do something about that. We will probably have to do some of that work, even though we would rather not do it for ecological reasons.

### **Adjournment**

The meeting adjourned at 9:15 p.m.