

**MINUTES AND PROCEEDINGS OF THE PARKS AND OPEN SPACE ADVISORY
COMMITTEE, April 24, 2008**

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

POSAC Members in Attendance

Present: David Batts, Sue Cass, Eric Hozempa, Paul Jurasin, Mary McQuiston, Christian Meyer, and Jason Vogel. Janice Moore arrived at 6:40 p.m.

Excused: Lisa Dilling

Staff in Attendance

Jim Daus, Renata Frye, Therese Glowacki, Dave Hoerath, Vivienne Jannatpour, Mel Stonebraker, Ernst Strenge

March 27 Meeting Minutes

Eric Hozempa moved to accept the March 27 minutes. Jason Vogel seconded the motion.
Motion carried unanimously.

Public Participation for Items not on the Agenda

- Dick Schillawski, 1160 N. 119th Street, Lafayette, CO. He had ballpark figures for noxious weed suppression, requested previously by Christian Meyer. A typical application of herbicide for \$20-\$25 per acre for the chemicals and \$10 per acre for the labor. One to four applications would be required, depending on the species.

Election of Officers

Christian Meyer opened the nomination of officers. Jason Vogel nominated Christian Meyer as chair, Sue Cass seconded. Motion approved unanimously. Mary McQuiston nominated David Batts for vice-chair, Eric Hozempa seconded. Motion approved unanimously.

**Update on Betasso Preserve Management Plan
Including the Benjamin Property**

Staff Presenter: Ernst Strenge

See Staff Memo for Detail on Presentation.

** Action Requested - Information Only*

Questions

Jason Vogel: Are the public opinions equally represented or were they clustered around certain issues? Are the issues equally weighted? Ernst Strenge: We are looking at them equally to get

ideas. They are not votes. David Batts: I'm happy to hear that the issues are being equally weighted. Are we going to get only a proposed plan or some alternatives so the public can see the trade-offs? Ernst Strenge: We are asking for three alternatives from our trail contractor. I'm guessing we will present at least two of those options. David Batts: The more that we can show the thought process involved in selecting alternatives, the better it is for public agreement. Janice Moore: You used a term from a public comment, "spiderwork". I'm guessing that means a network of trails, like a spider web? Ernst Strenge: That would be my interpretation. Janice Moore: From a wildlife perspective, I think that would be a complete train wreck. Sue Cass: Will we have some valid information regarding mountain lion habitat in the area? Ernst Strenge: I think we will have some data. We know the mountain lions are there, but the full mountain lion study will not be complete when we draft a plan. Mary McQuiston: Have you hired someone to look at different trail options or did you say you put out a proposal for that? Ernst Strenge: The proposal has been submitted and should be made public soon. Mary McQuiston: Does that mean that new trails will be built? Ernst Strenge: Not necessarily. We could have an alternative that says no trails. Christian Meyer: How do the opportunities and constraints get applied when you are working with a trail planner? Ernst Strenge: It's a list that staff has thought through and the public has added to regarding what's possible and what isn't advisable. Christian Meyer: Are the plans bound to that? Ernst Strenge: The contractors will be working with our Resource Management staff as we go along. We are leaving it up to the contractor to help us know what the three alternatives will be. Christian Meyer: One important issue was, where the trailheads will be and how they will impact accesses on the roads. Ernst Strenge: We don't have another place to put a trailhead and if there are access points, they will be non-parking access points. Jason Vogel: It looks like there is some discussion about connecting the existing loop down to the Boulder Canyon Trail. Presumably that is not part of the RFQ that you've put out. Ernst Strenge: We did keep that in. Ron Stewart: We included that as an option to the bid. We'll make a decision based on cost. Jason Vogel: I'd like to see maintenance of the existing Betasso trails as a part of the management plan. I use the Canyon Link Trail often and I have seen the trail decay and erode over time. Ernst Strenge: We would look at that as part of the plan. Christian Meyer: It would be good to emphasize consensus building as we go forward in the public process.

Public Comment

None

Property Transaction: Turre Acquisition

**Action Requested – Recommendation to BOCC*

Acquisition of two mining claims west of Hessie

Staff Presenter: Jim Daus

See Staff Memo for Detail on Presentation

Questions

Jason Vogel: What is a TDC? Jim Daus: Transferable Development Credit. This is a portion of a development right, subdividing transferable development rights into transferable development credits. If you don't build to the maximum size that the County may approve, these credits can

be sold to another builder so they can have a larger house. Paul Jurasin: Is there any risk that someone will try to develop a mine here? Jim Daus: It's very remote. We are trying to preserve these forever. We don't know what will happen 30 or 100 years out. Christian Meyer: You referred to using donation funds, as opposed to the open space fund? When you have the option, why do you choose go one way or the other? Ron Stewart: We have individuals who make donations on a regular basis for property acquisitions. The donations are not huge, so when we come across a smaller acquisition like this, we use the donation account rather than using the tax funds.

Public Comment

- Dick Schillawski, 1160 N. 119th Street, Lafayette, CO. Does this purchase include mineral rights?

Jim Daus: Yes, to my knowledge mineral rights are associated with the property. We haven't gotten the title work yet, but usually in these cases they are.

Motion

David Batts moved to accept staff recommendation for the purchase and Janice Moore seconded the motion. ***Motion carried unanimously.***

Property Transaction: Smoljan Acquisition

**Action Requested – Recommendation to BOCC*

Conservation easement over 46 acres located about one-quarter mile east of County Line Road in Weld County

Staff Presenter: Mel Stonebraker

See Staff Memo for Detail on Presentation

Questions

Mary McQuiston: How does the price of \$650,000 compare to other conservation easements we've done recently? Mel Stonebraker: It is consistent with some that we've done and when you consider the amount of development happening around that area, it's not an inappropriate price. Christian Meyer: Do you remember what we paid for Williams? Mel Stonebraker: \$1,500,000 for 280 acres. Ron Stewart: Any appraisals for conservation easements in Weld County are probably going to be around \$20,000 per acre. The \$1,500,000 isn't the whole story because the Williams' are also doing tax credits over the next six years to get significant value out of that. Their appraised value over the property and the conservation easement was in the \$15,000 - \$20,000 per acre vicinity. In Weld County you can do a minor sub-division, getting up to 7 units of density without going through a major subdivision process. Seven homes along that area would be high-value lots. There will be 2 lots on this one parcel, but you are really taking out 5 lots. I think \$650,000 is a very good price for that. Erie did a study of all the land in its planning area and this was the third highest property in the entire Erie planning area in terms of ecological value. Janice Moore: Why isn't Erie paying for half since it is so highly valued by Erie? Why isn't their contribution higher? Ron Stewart: Erie doesn't have a lot of money.

They have a property tax mill levy that enables them to buy open space, but it's not a lot. Janice Moore: Given the build-out goals of Erie, what will be the fate of the land around this if there will be 60,000 or so homes in the area? Ron Stewart: Most properties along the creek are mined for gravel, which means you end up with large water bodies and a few houses around them. If land isn't purchased and preserved, what you would see a lot of gravel mining, resulting lakes, some density, but not urban-level density. Janice Moore: So in the future this area is not anticipated to be part of any build-out from Erie? It will stay rural? Ron Stewart: I don't know if it's anticipated. Erie's planning area does go up to Road 16.5 and then Frederick's area starts beyond that. POS has a goal to try to work on land that is Boulder Creek and to the West; that is the only part of Weld County that we've been interested in. Jason Vogel: What's the strategy in buying land in other counties? Do we talk to the Weld County commissioners about what we are doing? Ron Stewart: Longmont has also purchased land in Weld County along the St. Vrain corridor. Lands that impact us, or development that impacts us, doesn't stop at a county boundary. We are trying to go to a more natural boundary, like the river corridor, rather than a county line. And yes, we do go to the Weld County commissioners for approval. We have been involved in the purchase of three properties with them and those purchases in Weld County have been leveraged with others, reducing our price. Sue Cass: How close is the Smoljan property, and perhaps more importantly the northern end of the Williams' property, to the confluence with the St Vrain river and the St. Vrain state park? The northern end of Williams is probably 1.5 miles from the confluence. Eric Hozempa: What is the probability of option 1 happening over option 2? Ron Stewart: We will probably either get the GOCO or the DOW grant; it's doubtful we will get both. So we would be looking at \$300,000 for us, and \$100,000 for Erie, but we are not sure. Janice Moore: In terms of a riparian trail, can it be tweaked to increase the 30 foot wide trail corridor? Ron Stewart: The width of the corridor would be 30 feet; the trail corridor would be hundreds of feet from the river. Mel Stonebraker: In no case would it be near the river. Paul Jurasin: Where is the 5.5-acre building envelope? At the top of the property (Northwest corner). Paul Jurasin: Is 16,000 square feet of buildings sounds like a lot. Is that normal? Mel Stonebraker: The reason that number is so big is because someone might want to build a horse arena. Their current owner has no such plans, but he wants to reserve the option for future owners.

Public Comment

- Dick Schillawski, 1160 N. 119th St., Lafayette, CO. Opposes Boulder County open space purchases outside of the County. Boulder County shouldn't use monies from the general fund or from the Northwest Parkway for these purchases. BOCO has ample monies from the trust fund. There is no mention of water rights or mineral rights in the memo.

Mel Stonebraker: There are no water rights with this property. Regarding mineral rights, they belong to the woman who sold the property to the current owner. She has no intention of gravel mining in this area. We are in negotiations with her and we are trying to determine if she has the mineral rights necessary to allow gravel mining. Having mineral rights doesn't always mean gravel rights. She seems receptive to the idea of selling her rights to the County.

Motion

Eric Hozempa moved to accept staff recommendation for the purchase as proposed and Paul Jurasin seconded the motion.

Discussion on Motion

Eric Hozempa: this is terrific opportunity to purchase some pristine land and helping out a little guy in the town of Erie. Paul Jurasin: I think this is a pristine riparian area worth protecting. It's important to look at mineral rights to make sure gravel mining doesn't happen in this area. I also agree about using trust fund money if possible. David Batts: It sounds like we are recommending expenditures up to \$450,000. If it goes over that amount, I hope that we would hear about that. Jason Vogel: I have some reservations regarding the mineral rights. We are making a gamble that we will get the mineral rights. If gravel mining is allowed, all that is valued here is lost. Janice Moore: I propose that the motion be amended to require the issues regarding the mineral rights be resolved. Christian Meyer: I am less comfortable with this amendment being added. I think this is an assumed risk and I recommend that Mel state this risk to the BOCC.

Amended Motion

Motion amended to accept staff recommendation for the purchase with an amendment that the mineral rights issues get resolved. ***Motion carried unanimously***

Director's Update

There was a significant volunteer event a couple weeks ago at the Gage property, on Crane Holler Road. 1500 native trees and plants were planted along the south branch of the St.Vrain. We hope to create a nice additional riparian area out there. The Wildlife Habitat Enhancement Program largely funded this, with about 80 volunteers.

On April 29 we are holding a public meeting on the Heil northern trailhead at Lyon's High School at 6:00. We will be looking at various alternatives for the northern trailhead off of the Heil Picture Rock trail. We will likely bring the issue to POSAC in June.

We would like to schedule a field trip for POSAC to see the different alternatives for the Heil northern trailhead. This would be on May 22, before the meeting. We will take a shuttle from the courthouse at around 4:00.

Renata Frye will now be the primary staff person for POSAC. Vivienne Jannatpour will be the backup.

POSAC could plan a field trip to see cows being trained to eat weeds. The best time to see that is around 10:00 in the morning. Instead of a field trip, the woman in charge of that could give a presentation at a POSAC meeting.

POSAC members agreed that the presentation would be better.

We are taking requests for ideas for field trips. Christian Meyer: I would like to see trips to the Fairgrounds and to the Benjamin property after the draft comes out. About four years ago POSAC took a trip to Walker post-fire to see the things POS put into place. If there were lessons learned from those decisions, a trip would be useful. If there is not a management piece associated with it, another trip probably wouldn't be necessary.

Jason Vogel: I participated in the Picture Rock Trail project last weekend. I see this as a new model of volunteerism. This type of project engenders connection to the land. It was a very positive experience.

Ron Stewart: We feel that the Picture Rock Trail will be a continual volunteer project if we are going to finish the trail by October 15. We are developing a program of training people from the community to be crew leaders for construction and maintenance of trails. We are working with Volunteers for Outdoor Colorado on this program.

Adjournment

The meeting adjourned at 8:18 p.m.