

**MINUTES AND PROCEEDINGS OF THE PARKS AND OPEN SPACE ADVISORY
COMMITTEE, June 26, 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: Sue Cass, Lisa Dilling, Eric Hozempa, Paul Jurasin, Mary McQuiston, Christian Meyer.

Excused: David Batts, Janice Moore, Jason Vogel.

Staff in Attendance

Summer Adamietz, Michael Bauer, Jan Burns, Jim Daus, Ellen Flannelly, Renata Frye, Therese Glowacki, Vivienne Jannatpour, Chad Julian, Conrad Lattes, Larissa Read, Ernst Strenge, Mel Stonebraker

April 24, 2008 Meeting Minutes

Sue Cass moved to accept the April 24, 2008 minutes. Lisa Dilling seconded the motion.

Motion carried unanimously.

Public Participation for Items not on the Agenda

- Mike Barrow, Boulder Mountain Bike Alliance, 802 Sherman St., Longmont. He praised the work done on the Picture Rock Trail Project that took place on National Trails Day. He also played a You Tube video about the project during the POSAC meeting.

**Heil Valley Ranch Northern Trailhead -
Summary of Public Comments**

** Information Only*

Staff Presenter: Summer Adamietz

There is no Staff Memo for this Presentation

Approximately 80 people attended a meeting in Lyons on April 29 to explain and discuss the Northern Trailhead Project. The comment period ran from April 29 to June 20. 155 comments were submitted by individuals, but only 49 of those comments specified a preference for the trailhead location. The option receiving the most votes (16%) was Option #5, the Town Option Site and School. The option with the second most votes was Option #6 (6%), the Olson Property. The Option with the most opposition was Option #6 (9% opposition), with #5 coming in second (4% opposition). The Town of Lyons supports Option #5. Both BATCO and the Boulder County Horse Association support Option #6. The analysis report will be available on the POS website on July 11, 2008. Sometime in July the report will be presented to the Lyons'

community. At the July POSAC meeting staff will present the report and staff's recommendations.

Questions

None

Public Comment

None

Property Transaction: Rocky Mountain Mammoth

Acquisition of a 5-acre mining claim with historic shaft structure

Staff Presenter: Jim Daus

See Staff Memo for Detail on Presentation

**Action Requested –
Recommendation to BOCC*

Questions

Mary McQuiston: Is there any possibility that this mine can be renovated and used to educate the public about our mining history? Jim Daus: It will only be closed until it is deemed safe. There might be planned tours, even if it's only on the outside. Eric Hozempa: What about the modern cabin? Is there any potential use for it? Jim Daus: It is far from being complete. There is no electricity running to the property and no plumbing. It would take a lot to make it habitable. Sue Cass: Do you know the age of the mine? Jim Daus: I don't know the age off the top of my head; I would guess from about the 1890's. Christian Meyer: How would the repairs be paid for? Do you know what would be need to off set from the capital expenditures to try to address it in a timely fashion? Jim Daus: I have not asked. I assume it [funds] will be available since it was recommended that we move ahead.

Public Comment

None

Motion

Eric Hozempa moved to accept staff recommendation for the purchase and Mary McQuiston seconded the motion. ***Motion carried unanimously.***

Property Transaction: Cardinal Mill Site Easement

Grant of septic easement to Cardinal Mill Site neighbor, correcting its omission from a prior transaction

Staff Presenter: Jim Daus

See Staff Memo for Detail on Presentation

**Action Requested –
Recommendation to BOCC*

Questions

Lisa Dilling: We are just agreeing to the easement, there is no actual disposition? Jim Daus: Correct, but the process is the same for granting an easement as for a disposition. Paul Jurasin: Is this a major or minor repair on the property? Jim Daus: It is a minor repair of the septic pipe. Sue Cass: What is the cost to the County? Jim Daus: A \$500 application fee

usually required by the County is being waived in this case and the cost of the publication of the notice, which is nominal.

Public Comment

Dick Schillawski, 1160 N. 119th St., Lafayette, CO. He thinks granting this easement could be redundant because it might be pre-existing.

Conrad Lattes responded that it could not be a prescriptive easement because all the land was under one concurrent owner until 2000. In addition, the house and septic system has not been there long enough for there to be a prescriptive easement. It is possible that there is an implied easement of necessity or implied reserve easement. We would like to grant an express easement so everyone understands what the nature of that easement is and its extent. To grant this express easement, we would need to go through all the same hoops, just like we do with a fee simple transaction.

Motion

Eric Hozempa moved to accept staff recommendation for the easement and Lisa Dilling seconded the motion. ***Motion carried unanimously.***

Property Transaction: Holderby

Proposal to convey the fee interest in the Holderby Open Space Property, subject to a conservation easement

Staff Presenter: Mel Stonebraker

See Staff Memo for Detail on Presentation

**Action Requested –
Recommendation to BOCC*

Questions

Lisa Dilling: Are the surrounding open space properties around there all agricultural? Mel

Stonebraker: Yes, and the Ecternacht Property would benefit by getting more water rights.

Mary McQuiston: One concern in the neighbor's letter addressed possible building of structures for agriculture on this property, such as greenhouse crops or turkey farming. But there is a stipulation that there would be no building at all? Mel Stonebraker: No, no building would be

allowed, so those two scenarios wouldn't happen. Mary McQuiston: What about structures for farm equipment? Mel Stonebraker: At this point we've said no to that. Eric Hozempa: How far

away is he from getting this property certified as organic? He's in the process, and committed to doing it, but he has about three years to go. Lisa Dilling: If this plan doesn't happen, what other

things could happen, given that it's low on water? Mel Stonebraker: Short of buying some South Boulder Canon Ditch water, which might be hard to come by, nothing really could be

done. Lisa Dilling: What about just restoring it to grassland? Mel Stonebraker: It's not great farmland, and as dry land the grasses probably wouldn't prosper. Christian Meyer: You've

indicated there is no ag land designation here as far as historic or useful land, but with the new water, does it become viable? Mel Stonebraker: Our Ag staff thinks it could be. Christian Meyer: Does the public notice happen now? Mel Stonebraker: We will take it to BOCC

sometime in late July and start the 60 days there. Christian Meyer: Do you know what was paid

originally? Mel Stonebraker: Between \$3,000 - 4,000/acre, which included development rights back in 1997.

Public Comment

None

Motion

Eric Hozempa moved to accept staff recommendation for the transaction and Paul Jurasin seconded the motion. *Motion carried unanimously.*

Discussion on Motion

Mary McQuiston: I'm voting in favor of this, but I still have a question about selling public land to an individual as opposed to putting it up to the highest bidder, with restrictions. Mel Stonebraker: In almost every other case we would do that, listing it with a Realtor. We are not interested in selling this property in that sense, but Mr. Leistikow is able and willing to deliver water to this property. Most other buyers would not be able to do that. This is a stand-alone case. Lisa Dilling: I have the same issue. Is this fair? Mel Stonebraker: We see it as this buyer bringing value to the County that no one else can bring. Jan Burns: When we consider selling fee interest subject to a conservation easement, we look at adjacent property owners that could successfully manage the property, especially if there are no structures allowed. Mr. Leistikow doesn't live immediately adjacent, but he lives on Isabelle Road and the reason he has these water rights available is because Lafayette is condemning some land that he has north of Isabelle for their reservoir. This will be noticed in local papers and we sent letters to all adjacent property owners. Christian Meyer: Any time POS gives up fee interest, the language in the conservation easement needs to be rock solid.

Property Transaction: Bishop

Proposal to purchase the
40-acre Bishop Property

Staff Presenter: Mel Stonebraker

See Staff Memo for Detail on Presentation

**Action Requested –
Recommendation to BOCC*

Questions

Christian Meyer: With the 40 shares of Left Hand Ditch, you implied they are bringing water from somewhere else. How much water is needed to keep this land viable? Mel Stonebraker: You could probably keep the grass in reasonable shape with 40 shares, they have used at various times between 40 and 80 shares. When everything is complete I expect us to have 80 shares of Left Hand.

Public Comment

None

Motion

Lisa Dilling moved to accept staff recommendation for the purchase and Eric Hozempa seconded the motion. ***Motion carried unanimously.***

Discussion on Motion

Lisa Dilling: I think it's in a really good spot connecting up a lot of other open space and it has a lot of good biological value. Eric Hozempa: A beautiful addition and a great preservation of that North 63rd corridor. Christian Meyer: I also support the motion. With the AHI Longmont Farms purchase, we almost set the market value for recent purchases of large land here. We are following our own example of setting a high price and then paying it again. I know that is what the rest of the market says. The reason I am willing to support this is because it is so viable and it compliments everything else that's out there.

Property Transaction: Fox (Ervin) and Lee (Sara) Boulder Canyon Trail

City of Boulder request for easement
for fiber optic cable

Staff Presenter: Ellen Flannelly

See Staff Memo for Detail on Presentation

**Action Requested –
Recommendation to BOCC*

Questions

Christian Meyer: Would the easement be limited to power pole access? Ellen Flannelly: We haven't written it yet, but there is no reason to not restrict access to only the poles. There is no reason why they would need to ever underground it. Sue Cass: I'm assuming Excel Energy already has an easement, so this would be a double easement over the same property? Ellen Flannelly: Yes. Eric Hozempa: It says the City will pay \$1000 to cover the cost of the easement; is there no liability for the County to pay part of that? Is the full cost \$1000? Ellen Flannelly: The City will pay \$1000 to the County for the use of the County's property.

Public Comment

None

Motion

Sue Cass moved to accept staff recommendation for the easement and Paul Jurasin seconded the motion. ***Motion carried unanimously.***

Results of neighbor study “Managing Your Natural Resources: Living Near BCPOS Forest Ecosystems”

** Information Only*

Staff Presenters: Michael Bauer, Larissa Read, Chad Julian
See Staff Memo for Detail on Presentation

Questions

Lisa Dilling: It seems like the neighbors are more supportive of mechanical thinning, but less so of the burning and biological pests. Why is the idea of mechanical thinning so much more attractive? Chad Julian: Some people are uneasy about the risk of burns. But there really isn't much risk of burns getting out of control. People also don't like the resulting appearance of the site right after a burn. It's a matter of changing perceptions and more education and outreach can help. Mechanical thinning helps reduce the fire risk, but having a prescribed burn on top of that further reduces the risk. Christian Meyer: How does this fold into the Management Plan? Larissa Read: This will inform the policy in a couple ways. It will also inform the internal work plans. The communication information, learning about what our public wants in terms of how we communicate with them, some of that level of detail will be included in the policy. Also, the information we get regarding use of herbicides, mechanical thinning versus burning, those will inform some of our decisions about how to do different activities in different areas. Christian Meyer: So there will be a policy document, but there is also some infrastructure behind that that only staff will see? Larissa Read: Yes, and that's the norm for resource management programs; we have a public document that lays out all of our various tools but then staff writes work plans every year for their various projects. Staff also uses scientific literature to go into the policy.

Mountain Pine Beetle on the Front Range

** Information Only*

Staff Presenter: Chad Julian
See Staff Memo for Detail on Presentation

Questions

Eric Hozempa: Is research being done regarding natural predators? Chad Julian: Yes, some woodpecker species are predators and you will see their populations increase significantly, but they can't keep up with the number of beetles out there. There is no natural predator that can stop this. Lisa Dilling: What is the time scale of returning to an all Lodge Pole Pine forest? Chad Julian: In high elevation sites, where Aspens are present in the under story, within 2 years the Aspen are about 30-36 inches tall. Lodge Pole Pines will take a little longer. On sites where units were doing fire mitigation work in 2002 or 2003, we are already seeing Lodge Pole regeneration that is 6-7 inches tall now. Christian Meyer: I'm sorry the room is not filled to hear this. This is an incredible amount of information that was presented. Will this be available on the website? Chad Julian: POS has been working with other agencies in forming a work group,

the Northern Front Range Mountain Pine Beetle Working Group. There is a website, www.frontrangepinebeetle.org. We also have updated information on the POS website.

Director's Update

There is no update this month.

Adjournment

The meeting adjourned at 9:22 p.m.