

**MINUTES AND PROCEEDINGS OF THE PARKS AND OPEN SPACE  
ADVISORY COMMITTEE,  
August 27, 2009**

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, Lisa Dilling, Eric Hozempa, Paul Jurasin, Mary McQuiston, Christian Meyer, Janice Moore (arrived 6:35), and Jason Vogel.

Excused: None

**Staff in Attendance**

Carol Beam, Jim Daus, Renata Frye, Therese Glowacki, Bob Hamblen, Conrad Lattes, Ron Stewart, Mel Stonebraker, Janis Whisman

**July 23, 2009 Meeting Minutes**

Lisa Dilling moved to accept the July 23, 2009 minutes. Sue Cass seconded the motion. *Motion carried unanimously.*

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

None

**Boulder County CSU Extension Services Update**

*\* Information Only*

Staff Presenter: Bob Hamblen

**Questions**

Lisa Dilling: Is your office getting any questions about climate change? Bob Hamblen: The big and small conferences have tried to address climate change. It's hard to find someone who has the general background to address all constituent groups' needs. In a program in February, we will talk about climate change on a larger scale when there will be a speaker that will address those issues. There have been disease issues that have come up. A fungal disease has arisen due to over-watering and our office has addressed that concern. We have also looked at hail issues, but haven't seen a major difference compared to other years. I think everyone has concluded that climate change is happening, as opposed to climate warming especially, but some areas are experiencing cooler seasons. Christian Meyer: How many staff members does the extension office currently have? Bob Hamblen: We have eight full time staff and three support staff, and two part-time hourly staff members. Christian Meyer: How many people do you typically interact with around the county? Bob Hamblen: In the past, when we had been keeping track,

and had contacted about 13,000. We don't always know how many contacts our volunteers make during expanded group events or clinics. Christian Meyer: With the staff reductions based on what the budget looks like over the next three years, how do you see that as impacting your contacts within Boulder County? Bob Hamblen: I think it will cause more decisions to be made regarding our priorities. I think there will be a tipping point. If we lose some 4-H staff, we tend to lose traditional 4-H Club members. Janice Moore: I know the EDEN Project, the emergency response project through Extension offices, exists in other areas. What is Boulder County Extension doing in that regard? Bob Hamblen: Tom McBride, in Adams County, is the State Coordinator. Our Livestock 4-H Agent was planned to be the next Coordinator when Tom McBride retires in a couple years. But when that employee left to work in another position, that position was frozen. When we get that position back in September, and hopefully we will be able to transition to the EDEN coordinator.

Public Comment

None

**Historic Preservation Projects Update**

*\* Information Only*

Staff Presenter: Carol Beam

Questions

Mary McQuiston: Who does the work at the sites? Is it County staff or do you hire contactors?

Carol Beam: Both. We have about five staff members for these projects. We have 262 structures to maintain, and that number is growing. Staff usually does the more delicate, master craft projects. Larger projects require outside help. David Batts: How many of those 262 structures are, in your words, caddywampus?

Carol Beam: A lot of them. All of them are special needs buildings. Boulder County is considered to be a leader across the state in managing our cultural resources, and very successful at grant funding. Lisa Dilling: What will happen with the artifacts from the prehistoric site?

Carol Beam: This was a small site with only a very small number of items. It will come to POS to be kept in a locked, climate-controlled repository. Sue Cass: What is the status of the restorations of the Bluebird Mine?

Carol Beam: We have worked on the bunkhouse, and a new roof on the caretaker's house. We are working on it slowly. There is no risk of anything falling down, but the structures will probably never be open to the public.

Public Comment

None

**Brooks Acquisition**

*\*Action Requested-Recommendation to BOCC*

40 acres of mining claims located  
On the south side of Hwy 7  
Staff Presenter: Jim Daus

*See Staff Memo for Detail on Presentation.*

**Questions**

Paul Jurasin: Have we actually traded any properties to the Forest Service in the last few years?  
Jim Daus: No, we are in discussions with the FS to trade several properties and they are all slowly going through the process. Ron Stewart: The FS is starting to show some real interest in proceeding with these trades. The FS was short-staffed for sometime. They have made commitments to us to get these trades done.

**Public Comment**

None

**Motion**

David Batts moved to accept staff recommendation for the purchase as presented, and Eric Hozempa seconded the motion. ***Motion carried unanimously.***

**Diggins & Harless Conservation Easements**

*\* Action Requested-Recommendation to BOCC*

Proposal to acquire a conservation easement over  
The 270-acre Diggins property and convert the  
156.31-acre Harless property to a conservation  
easement  
Staff Presenter: Janis Whisman

*See Staff Memo for Detail on Presentation.*

**Questions**

David Batts: Could you explain the 50% interest in water? Janis Whisman: By having a 50% interest, we have a vote in how the water gets used, and we tie all of the water to that property. Christian Meyer: Regarding the \$80,000 value for TDRs, it seems like an artificial market since we never hear of them being sold. Janis Whisman: Boulder County has been a clearinghouse for TDRs for developers. Boulder County hasn't sold any since 2007, but we expect to start selling them again when the market recovers. This value was arrived at with the Digginses. This price only relates to the Longmont TDR area. Christian Meyer: The fair market value of the building

rights, a couple years ago we saw \$250,000 - \$300,000 associated with a building right in the county. How did you arrive at this value? Janis Whisman: In arriving at this number, we looked at two comparables using appraisals the County has obtained for the Ross & Regnier properties. Respectively, the building rights were appraised at \$860,000 each, and \$712,000 each. Using these figures to make similar assumptions on what the conservation easement values would have been on properties Boulder County acquired in 2007 and 2008, the average value of a conservation easement interest in a building right was \$780,000. Christian Meyer: How much does an appraisal cost? Janis Whisman: Anywhere from \$4,000 to \$25,000, depending on the property, and they are getting more expensive because of the new state laws mandating what appraisers have to do to produce an appraisal. Lisa Dilling: Your memo mentions that there was some controversy with the neighbors regarding the original proposed deal. Is there any remaining controversy? Could you go over some of that? Janis Whisman: There has been nothing but positive feedback about the revised transaction after the Leonard property was removed from the deal. Specifically a couple of people came in with counterproposals on the Leonard property, so we pulled it. Christian Meyer: Back to the appraisal question; when does staff believe it's worthwhile to pay for an appraisal? Janis Whisman: Jan Burns, Real Estate Division Manager, and Ron Stewart have been intimately involved in valuing this property. I'd leave it up to Ron Stewart to say when he thought the County should obtain an appraisal. Christian Meyer: Plus the commissioners, since they have a fiduciary responsibility. David Batts: Do any of those properties bordering the county, the properties in the other counties, have conservation easements on them? Janis Whisman: I don't believe so. They all look like they have been developed and subdivided.

#### Public Comment

Vance Diggins: We would like to thank the County for the opportunity to do this. It has been a substantial commitment we have put in to maintain the agricultural intent of the land. Being in the farthest northeast corner of the county, that area probably has the highest number of encroachments of the agricultural lifestyle we have seen anywhere. This is a strategic long-term project for our family and I think it's a positive thing for the County.

#### Motion

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

#### Discussion on Motion

Lisa Dilling: I think this purchase makes sense. It seems like a high price, but it looks like a good value. I particularly like the wetlands area. The Digginses have shown good stewardship over the land. Christian Meyer: As some point in time, I would like it if staff could remind us of the value that is currently held on TDRs. I know you carry that sometimes as a line item on budgets, but I haven't seen that for awhile. This is a great property and it's a good tie-in with the other stuff that's out there. If we start seeing \$780,000 for housing right extensions though, we are going to stop buying fee interest unless we can trade property for it. I hope this is isolated and

we start seeing stuff back toward the values we saw before. Davis Batts: I would echo that. I hope we start looking at values as they are now and not what they were in 2007.

Ron Stewart: I think we have done more work this past year regarding values on conservation easements than ever before. A 35-acre parcel land, with irrigation, drop-dead views, and potential as horse properties, are \$1.2 million to \$1.5 million properties in Boulder County. And because of limitation of supply, I doubt those values will ever go down, and may increase. We have seen appraisals that sustain these values. We have also learned that 35-acre parcels in the mountains have not retained their values. In a year from now, we could see these prices at \$1.8 million to \$2.0 million.

Jason Vogel: The Leonard property was removed from this transaction because you received complaints and some counter offers. Will you consider the counter offers on the Leonard property?

Ron Stewart: I think we will consider the counter offers, and we will continue to have discussions with the property owners in those other areas, but such a deal is indefinite. We have a policy that was adopted a couple years ago when we were going to sell a fee parcel to a buyer subject to a conservation easement, and various neighbors let us know that they would like to take that deal. We decided that if there is neighborhood conflict, we just won't do it. The reason Leonard was contentious is that it is adjacent to some other properties, but it is not quite adjacent to the Diggins' property. Some of the adjacent property owners had different ideas than POS had.

### **ERTL & Ross Properties: House Sales**

*\*Action Requested-Recommendation to BOCC*

Proposal to sell one small farmhouse each on ERTL & Ross Open Space properties  
Staff Presenter: Mel Stonebraker

*See Staff Memo for Detail on Presentation.*

### **Questions**

Paul Jurasin: Before you decided to sell, what were the plans for these houses? Mel

Stonebraker: With the ERTL house, we didn't have many choices; we assumed we would demolish the house. Then HPAB asked us to save the house, so we asked ERTL if we could change the original agreement. The Ross house we planned to demolish simply because we wanted to put a center-pivot on the property and we didn't know if we do that and leave the structures, but it turns out we do have room to leave the structures.

Lisa Dilling: How old are the houses? Mel Stonebraker: The ERTL house, early 1920's and the Ross house, early 1930's. Eric Hozempa: To clarify, the interiors can be changed and updated by the buyer? Mel Stonebraker: Yes, we are only trying to keep the historical look of the house from the outside. Sue Cass: I'm assuming that no historic preservation status has been given to these two properties? Mel Stonebraker: We had some surveys done on both these houses about

ten years ago, and they really didn't rise to the level of anything extraordinary. That's why we weren't thinking that they were historic gems. HPAB's thinking is that there are so few examples of these houses left, they are unique and worth saving. David Batts: Is a 2% value cap a disincentive to potential buyers to improve and preserve these homes? Mel Stonebraker: We would only do that with the small-market farmer approach. We are offering long-term leases on adjacent property and we hope they would stay for 15-20 years and think of that as their home that they would like to improve. Most small farmers in Boulder County can't afford a 35-acre parcel with a house. Many have to live elsewhere and drive to the farm every day. This is a pilot project for us and we will see how it evolves.

### Public Comment

None

### Motion

Lisa Dilling moved to accept staff recommendation for the house sales as presented, and Janice Moore seconded the motion. ***Motion carried unanimously.***

### Discussion on Motion

Lisa Dilling: This is a good idea, bringing in some revenue while maintaining the rural character of this area. Janice Moore: I firmly agree. These types of houses are disappearing from the county. I like looking at these kinds of houses when I am out driving around. Mary McQuiston: I also like this idea, and I think it's refreshing after just talking about a property that had 47,000 square feet of buildings on it.

### **Ruth Roberts Park Easement Request**

*\*Action Requested-Recommendation to BOCC*

Request to install a 2<sup>nd</sup> gas pipeline within an existing easement

Staff Presenter: Mel Stonebraker for Jan Burns

*See Staff Memo for Detail on Presentation.*

### Questions

Lisa Dilling: It sounds like something has been temporarily approved and the work has begun. So if we don't approve this, the lines would need to be taken out of the ground and everything put back the way it was? Mel Stonebraker: Yes, the BOCC did approve a temporary easement. There was a time crunch, and Xcel was willing to take the risk by starting work under a temporary easement. Paul Jurasin: Would this be a new easement, or a modification to an existing easement? Mel Stonebraker: It would be a modification.

## Public Comment

None

## Motion

Eric Hozempa moved to accept staff recommendation for the permanent easement request as presented, and Sue Cass seconded the motion. *Motion carried 8-1.*

## Discussion on Motion

Jason Vogel: I'm being ornery. I don't like rubber stamping things, so I'm not going to. It seems like a totally reasonable transaction and I'm [voting no] for completely personal reasons.

## Director's Update

A POS Budget Memo was prepared for this month's meeting.

The CIP and BOCC Budget processes that will go through this year will indicate where any reductions in services will occur. The reductions in revenue we have seen have been enormous; approximately \$2.5 million from 2007 and what is estimated to be collected through 2009. Likely what it means is that a number of things we have been able to add to our activities because of the two new 1/10 cent sales taxes, we won't be able to continue for a while. These might include the vegetation mapping project, the riparian area study, and some other O&M projects. Ron Stewart projects that our CIP, which is normally about \$500,000, will probably only be about half that for the next year and in some subsequent years.

Christian Meyer: How will the reduction in sales tax money flow down through the operations budget? What's the overhead that comes off the top and how much debt service will have to go into it? POSAC hasn't received a written summary in a while.

Ron Stewart: Most of the \$15.4 million that comes in will go to debt service. I can get that specific number to you. We have the advantage that the royalty revenues have been much bigger than budgeted. Last year they were about \$1.5 million more than expected. Those revenues have helped to cushion the loss of the sales tax. Revenues this year are down about 40% of what they were last year, but they have been picking up.

Christian Meyer: What if you are down another \$1.5 million and you can no longer afford to pay off the debt?

Ron Stewart: The BOCC would pay the debt out of the general fund, if needed. However, I don't think we are headed in that direction. The BOCC will have approved a ballot issue for this November's ballot that asks voters to extend the current ¼ of a cent sales tax from its current expiration date in 2019 to 2034. The ballot issue also includes the ability to issue an additional \$50 million in bonds that can be used for land acquisition and capital projects. The issue would allow us to continue to construct various CIP projects as well as to purchase additional open space land.

Janice Moore: When I read about it in the newspaper, it sounded like a new tax and I wondered who would vote for that in the current economic climate. Hopefully it will be promoted in that way.

Ron Stewart: I think it will be explained as an extension and not an additional tax. It's not increasing the rate; it is extending the number of years.

**Adjournment**

The meeting adjourned at 8:40 p.m.