



Date: August 24, 2023
Time: 5:00 PM – 8:00 PM
Location: Larimer County Loveland Campus Building, 200 Peridot Avenue, Loveland, CO 80537, Poudre River Room & Zoom Webinar

OPEN LANDS ADVISORY BOARD MINUTES

MEMBERS		STAFF		GUESTS
Paul Hudnut	V	Daylan Figgs	I	Lesli Ellis
David Marvin	I	Meegan Flenniken	I	Heidi Pruess
Gale Bernhardt	V	Justin Core	I	
Ellis Carpenter	I	Zac Wiebe	I	
Linda Stanley	V	Jenn Almstead	I	
Mark DeGregorio	A	Alex Swartz	I	
Gary Miller	I	*Jody Shadduck-McNally	I	
Peter Kelly	I	Andrea Weber (minutes)	I	
Ward Nelson	A	Zach Cook	I	
Mike Carter	A			
Tom Shoemaker	A			

V = virtual attendee

I = in-person attendee

A = absent

*commissioner

Call to Order – 5:04 pm

Public Comment

Agenda Review

Review and Approval of Last Minutes

Gary moved to approve the minutes from last meeting, Pete seconded, motion passed unanimously.

Information and Announcements

Natural Resources events for this month: <https://larimer.org/naturalresources>.

To sign up for Open Lands Advisory Board updates, go to <https://apps.larimer.org/subscriptions.cfm>, enter your email, click “Subscribe,” and check the “Open Lands Advisory Board” box.

June 2023 Tax Distribution Letter

- Daylan noted the sales tax has decreased, however DNR is doing well financially overall.
- The department’s budget, revenue and visitation are relatively flat.
 - Pete inquired about the budget for funding the trails crew, especially as DNR brings more trails online.

- Daylan said DNR adjusts the budget for the trails crew accordingly. It is a smaller budget, but funds can be pulled from other places to fulfil any additional need. Currently, DNR has a goal to maintain 75% of all LCDNR trails at a B grade and have been successful at reaching this. An additional full-time trails crew member was hired on this year and DNR is investigating a trail maintenance grant.
- The 2024 budget proposal for DNR has been submitted. It will undergo a review process this fall by the BOCC and County Manager. It will be adopted in December. Proposition HH if adopted, which will be on the ballot in November, may impact the budget for the county and each department.
- Follow-up from DNR's 2022 Annual Report budget section. The department has not spent more money to-date. The accounting and the way in which the dollars were reported into the system displayed the numbers differently. DNR has an approved budget it can spend within, which is only a few percentage points higher for 2023 than 2022.
- Daylan and Dave reported board member Steve VanderMeer has resigned from the board in good standing due to upcoming commitments that will prevent him from attending 3 meetings in a row.

Update and Reports

County Commissioner Update

- Commissioner Shadduck-McNally noted her participation in a DNR All-Staff Summer BBQ. She enjoyed the opportunity to talk with staff and catch up.
- Shared her concerns with Proposition HH and the potential impacts it will have to the county budget and ultimately the overall reduction in budget. She also noted confusion by two other counties that would not be required to participate in the proposition.
- A few county capital projects are coming online.
 - The ribbon cutting for the jail expansion project on 08/25.
 - The expansion provides better lighting and mental health conditions for staff and residents.
 - Ribbon cutting for the Long View Behavioral Health Campus Acute Care is set for 09/22.
 - There will be 30-minute tours being offered to the public during the open house.
 - The facility will accept its first clients in December.
 - Gale asked, with the Long View campus being next to the landfill, when will the landfill be moving and what will happen with the property?
 - Commissioner Shadduck-McNally noted the campus is on 40 acres and there are plans to expand services in Phase II.
 - The landfill will run out of airspace in 2025. The new landfill will be in Wellington and LC is working on moving and transitioning to the new location.
 - Plans for the current landfill property once it is closed are still in the works. It will not become an open space but may remain as a transit and recycle center.
 - Lesli said more information will come in the following weeks as negotiations and direction for the landfill are made.

Discussion Items

Our Lands, Our Future (OLOF) Regional Study Update – Jenn Almstead/Zac Wiebe

- Zac shared a presentation on the OLOF survey. He said the request of OLAB was to confirm the survey objectives and provide input on potential gaps.
- Background:
 - In 2013, a partnership between the county and other municipalities, conducted the OLOF survey, and all contributed financially.
 - The 2023 OLOF survey will mostly replicate the 2013 survey with partners.
- Objectives:
 - To refresh the understanding of community preferences (within allowable uses of HPOS tax) around land conservation, outdoor recreation, and funding preferences.
 - Obtain statistically valid and defensible data. The project group have selected and hired a competent consultant, RRC, to complete the survey.

- Timeline:
 - *Summer* - hire consultant, survey design & development (where project currently is), and update the various partner and county advisory boards (Open Lands, Parks, Agriculture, Environmental Science, and the Board of County Commissioners).
 - *Fall* - distribution of the survey (statistically valid – stratified and random sampling), open link launch (3-4 weeks after mailed survey), and questionnaire return and data entry.
 - Jenn noted the open link will not provide statistically valid data but will allow all citizens an opportunity to take the survey. The results will be kept separate and the valid data results will be used carefully. Meegan added, the final report will be stratified with un-incorporated and incorporated LC and among the municipalities so data can be pin pointed.
 - *Winter* - final report and presentations.
 - The 2023 survey will include new questions and refined questions to include new technologies.
 - Commissioner Shadduck-McNally asked if the municipalities were looking for input from both staff and elected officials. Zac said input would be mainly from staff. They may or may not have elected input based on the city/town. Some partners are planning to take the survey to their trustees, while some will stop at the advisory board level.
 - Jenn said the plan is to build a timeline with the partners to identify how long the input process will take before the survey can go out to the public. Each partner is responsible to decide who they deliver the information to and seek input from.
 - Commissioner Shadduck-McNally asked what input was being requested, how the plan looks going forward, and how the information would be communicated.
 - Daylan noted the survey will focus in on how the community would prefer each partner use Help Preserve Open Space sales tax dollars.
 - Commissioner Shadduck-McNally said she wants to be sure information is shared with all municipalities and questions from elected officials are anticipated. Daylan said DNR can encourage the other agency staff to share with their elected bodies. Lesli noted a regional elected officials get together would be a good time to share this with other municipalities. Commissioner Shadduck-McNally agreed.
- Survey Overview:
 - Recreation preferences: familiarity, activities, and satisfaction.
 - Jenn said the survey will focus on broad locations and areas versus specific recreation properties.
 - Land conservation preferences: funding, and land type(s).
 - Demographics
 - Daylan said the questions asked are high level to cover a larger expanse of different municipalities.
 - Zac noted several partners will use the survey data to update master and comprehensive plans.
- Feedback/Discussion:
 - Dave asked if the “PLEASE NOTE:” section should be expanded upon to reflect the inclusion of agricultural lands.
 - Gary asked what the number of responses was to the 2013 survey. Jenn said around 1000. Zac added, the 1000 responses was only for the mailed survey. The online open link survey yielded about 2000+ responses. The target goal for the 2023 survey is 1000 responses. Gary asked who the survey will be distributed to. Zac said it will be sent to 10,000 randomly selected households across Larimer County and stratified by community to better represent smaller communities. Jenn said the survey will be over sampling in smaller communities to gather accurate representation.
 - Dave inquired about better defining what “condition” means when referring to trails and open space areas. He shared concerns that responses may not be meaningful if it is left without definition.
 - Pete asked if DNR has experienced problems with e-bike users. Zach Cook noted there are many on the trails, but there has been minimal conflict.

- Meegan added, DNR permits the use of e-bikes for visitors with mobility issues. Pete said how the questions around e-bikes are phrased will change if they are perceived as an issue or not.
 - Zac said all municipalities and the state is dealing with e-bikes and integration, and thus it has become an important topic for the survey partners.
 - Daylan noted answers to the survey questions may trigger opportunity to further investigate things, not necessarily enact change right away.
- One question in the survey states LC is anticipated to see population growth of 13% by 2030. Pete said in the last 10 years Weld County grew 30% and LC 22%. Many visitors that use the partners spaces come from other counties. Based on the numbers, is growth suspected to slow down in the next 10 years?
 - Daylan suggested including regional population growth to the survey to yield a better census. Zac agreed, noting 40% of the visitors to Devil's Backbone are out of county residents. Jenn added, DNR conducts separate site specific surveys to gather visitor data for its areas.
- Dave inquired about the use of the word "land conservation" and encouraged the use of words tied to the ballot language. Zac agreed and noted they could use "land acquisition" instead.
- Paul asked if the survey addresses issues around watershed and wildfire protections that might be more or less relevant for the current survey. He continued, does the survey probe enough about macro benefits or is it bound by the questions from the 2013 survey.
 - Zac said the 2023 survey is not bound. The question Paul referred to is a spectrum and the spectrum does not intend to tell the whole story. Conservation and recreation are not mutually exclusive and often complement one another. Asking the same question will allow identification if there are tendencies for one or the other (conservation or recreation), or no change over time.
- Paul noted he has heard concerns around maintenance around vegetation growth this year and stressed the importance of visitors understanding the difference between natural areas/open spaces and parks.
- Commissioner Shadduck-McNally noted she serves on the Forest Health Council. The council considers many federal lands and works extensively on forest health, wildfire, watershed, and climate health topics. These are goals of the commissioners and forward progress is at a transformational crossroads with funding and collaborative opportunities. Northern Colorado has leading edge groups that would be able to collaborate and move great work forward. She continued, noting the Forest Health Plan created by Jefferson County and asked if this survey is a platform appropriate to host probing questions. This is a concept she would like to start a conversation for and explore.
 - Daylan said Boulder and Jefferson County created comprehensive forest management plans and agreed it is a good conversation to start.
 - Dave clarified, asking if Commissioner Shadduck-McNally wanted to add questions around this to the survey. Commissioner Shadduck-McNally answered no, but she would be interested in exploring some of the answers to help identify if LC should be talking about certain things like fire and watersheds. Daylan said the master plan setting would be a good opportunity to draw out more specific questions around these topics.
- Gary asked if the survey addresses water as a resource for protection. Zac confirmed. Gary continued, noting land acquisition and water quality are both limiting factors.
 - Commissioner Shadduck-McNally added, Lesli Ellis and her team have done a comprehensive water quality testing assessment and are looking at a grant to hire a long-term water quality consultant. There is a water quality meeting series that she will share with the members of OLAB.
- Dave asked if there are plans to provide LC residents with incentive to complete the survey. Jenn said they could offer stickers. Lesli asked if the entire survey was mailed, or if it was a postcard with a link. She added, more people may opt to respond online. Jenn said the entire

survey is mailed but includes a QR code if there is preference to complete it online. RRC will follow up with a postcard if response has not been received after some time.

Big Thompson River Priority Area Parcel Divestment Process

- Meegan said in 2022 DNR brought two parcels, located up the Big Thompson (Big T) Canyon, to OLAB for recommendation to divest and sell to an adjacent neighbor. This led DNR to seek a streamlined divestment process for the parcels it owns in the Big T Canyon.
- Meegan noted that after the 1976 flood, through FEMA, property owners up the Big T canyon participated in a buyout program. LC acquired around 160 parcels from this program. A few of them have become open space/park areas. After the flood in 2013, LC analyzed the parcels to identify if the county wanted to; expand on, open for public access, or divest of any of the properties. Several parcels were identified as inaccessible and/or are a liability for the county to keep. Staff looked at criteria and how it would fit with existing county policy around divestment of county assets.
- Alex shared the criteria for divestment of Big T parcels:
 - Conservation mechanism (any commitments that prevent divestment?)
 - Degree of naturalness and ecological importance, potential for and benefit relative to public access, connectivity with other conserved lands – analyzing if there are other public lands or access to river space.
 - Other public access or lands near these, public used spaces
 - Any activity on these? (time and ability to manage)
 - Increase sustainability of management of these parcels for the county
 - Sale stipulations – leaving the land in the most natural state
- In the past LC has retained public fishing walk in access. It typically depends on where it is and the connectivity to other public lands if stipulations are added during the sale/divestment process.
- This would be a more passive and streamlined process to divesting of the parcels LC does not want to keep and would be on a parcel by parcel basis.
- The criteria and process will go through an internal review and go to OLAB for recommendation to the BOCC for adoption. Each parcel will receive an appraisal at fair market value. If the buyer of the parcel requests an additional appraisal, LC will accept one. The divestment process would include a contract, OLAB recommendation and final decision by the BOCC.
- Meegan asked the board for feedback and noted it will be brought to the September OLAB meeting as an action item to vote on.
- Feedback/Discussion:
 - Commissioner Shadduck-McNally asked if it was made very clear buyers are prohibited from building anything on the properties. She noted concerns with co-compliance issues. She followed up with additional questions: if a parcel is in a riparian area, will LC keep it, as these are important systems to protect. Is there emphasis on keeping parcels for resource purposes? As a buyer, what interest would they have in purchasing one of these parcels?
 - Alex said the two parcels LC considered selling in 2022 included, a property next to an adjacent neighbor who wanted to keep the area cleaned up and active, and the second area was already encroached on by the neighbors' leach field. Often when the county is approached to sell a parcel, it is by an adjacent landowner who is local and would like to maintain the property. They are not typically river side properties. In previous sales, the building restrictions are listed on the deed.
 - Gary asked if LC runs the risk of not being equal opportunity bidders on the parcels. Alex said LC works with the County Attorney to send out fair market value. Attempting to sell the parcels in the past was time consuming and not very successful.
 - Gary followed up, with these parcels being acquired with public funds after the 1976 flood, is there a chance it could happen again, and the parcels come back into LC possession once more through public funds? Alex noted part of the stipulations require the land to remain undeveloped and vacant. They were originally purchased with federal funds that paid the preflood property price to the landowners.

- Linda asked where the parcels are, how big they are, what the cost to LC is, who is paying for them currently, and is there a significant liability to the county to own them.
 - Meegan said many of the parcels are in the 10ths of an acre. Most the county would like to divest of don't provide the county much benefit and are a liability. The main cost in divesting is staff time, as there is very minimal direct cost to the county in getting rid of them.
 - Commissioner Shadduck-McNally added, if the parcels are sold, the county will receive property taxes that are currently not being paid on them.
- Gary asked if LC had reached out to Colorado Dept. of Transportation (CDOT) to inquire about use of the parcels for pull offs or wildlife viewing areas. Meegan said they purchased some awhile back as part of the highway rebuild and have likely implemented everything they envisioned for the parcels.
- Dave encouraged staff to be objective in setting the price. Alex said the county will ensure it is objective and hits market value.

County Climate, Environmental Stewardship and Sustainability Policy - Follow Up Discussion

- Heidi said she is reaching out to LC advisory boards for feedback on the current LC Climate Policy. Feedback provided will be compiled and presented to the BOCC.
 - Linda said the current county policy is short and concise. She asked when there will be addition of strategy plans and actions included. Heidi noted the policy is not intended to host specific action items. It is used to direct programs that are being developed or already in play.
 - Linda asked about follow-up and who in LC is responsible to ensure departments are integrating the policy into projects and plans. Heidi noted it is her job through Climate Smart and Future Ready to make sure actions and policy is being implemented within the departments and the county is involved in things it should be. The CC4CA membership aids in tying the loop with the current policy and keeps the commissioners in the know of how the county is doing overall. It aids in planning and finding/filling gaps.

Action Items

Other Business

Next Meeting Scheduled

September 28, 2023 at the Larimer County Loveland Campus Building, 200 Peridot Avenue, Loveland, CO 80537, Poudre River Room & Zoom Webinar

Executive Session

Pursuant to C.R.S. (24-6-402(4)(a)) for discussion pertaining to the purchase, acquisition, lease, transfer or sale of any real, personal or other property interest.

Adjournment – 7:33 pm

Per the Americans with Disabilities Act (ADA), Larimer County will provide a reasonable accommodation to qualified individuals with a disability who need assistance. Services can be arranged with at least seven (7) business days' notice. Please email us at weberan@co.larimer.co.us, or call (970) 498-7719 or Relay Colorado 711. "Walk-in" requests for auxiliary aids and services will be honored to the extent possible but may be unavailable if advance notice is not provided.