



Date: September 28, 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
David Marvin	I	Daylan Figgs	I	
Paul Hudnut	I	Meegan Flenniken	I	
Gale Bernhardt	V	Zac Wiebe	I	
Linda Stanley	I	Justin Core	I	
Mark DeGregorio	V	*Jody Shaddock-McNally	I	
Gary Miller	I	Andrea Weber (minutes)	I	
Peter Kelly	V	Joel Schwab	I	
Ward Nelson	I	Zach Cook	I	
Mike Carter	I	Lane Fahrenbruch	I	
Ellis Carpenter	V			
Tom Shoemaker	I			

V = virtual attendee

I = in-person attendee

A = absent

*commissioner

Call to Order – 5:00 pm

Public Comment

- Public comment was provided by three members of the Loveland Fishing Club on the Big Thompson Divestment Canyon Divestment Approach and Process. They shared concerns about the selling of parcels that provide public access to fishing as well as provide wildlife habitat and ecological protections, as they noted these accesses were set in perpetuity. They shared their interest in meeting with DNR staff to receive clarification and enhance transparency around the process and divestment of parcels in the Big Thompson Canyon and questioned if the funds from parcel sales would be placed in DNR Open Lands budget to continue to provide opportunities for the community.
- Meegan said the intent of the process is not to try and actively sell parcels. It is intended as a guide for when neighbors approach DNR requesting to purchase a parcel. Per the policy there are criteria that would inform the decision to divest or not with the key criteria being LC would keep parcels that provide public benefit, fishing access and river and riparian protection, specifically named. Some parcels were sold in the past with the stipulation that fishing access remained open to the public. DNR follows LC's Land Acquisition Process when it comes to selling and purchasing property. Time for public comment on any contracts is given before it is taken up for approval by the Board of County Commissioners. Negotiations are kept within Executive Sessions to protect those negotiations while they are in process.
- Daylan added, LC is protecting and keeping parcels that provide ecological value and public access. The goal of the approach and process is to have a smooth, straightforward means by which to divest undesired parcels.

- Commissioner Shadduck-McNally said the policy/criteria process allows the county to reduce dollars spent on staff time to sell parcels such as these. It simplifies the process and is intended to be transparent. LC ensures transparency and holds itself accountable for the tax dollars it spends. The approach and process is inclusive of strict criteria to ensure parcels with ecological and recreational benefits are protected.
- Dave concluded, the purpose of the action item is to define the process of divestment, not to sell parcels.

Review and Approval of Last Minutes

Linda moved to approve the minutes from last meeting, Gary 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.

Update and Reports

Board of County Commissioner update

- Commissioner Shadduck-McNally said she has been attending the Governor's Tourism Conference in Fort Collins. LC has been sponsoring and there are attendees from around the world and the country.
 - The conference focuses on outdoor recreation and tourism.
 - Her focus is on finding balance between stewardship, recreation, and responsible tourism.
 - The State Board is creating a Destination Stewardship Strategic Plan.
- LC has completed the budget process. The budget will be published October 15th.
 - Commended staff for being innovative and finding ways to cut costs.
 - The budget was proposed if HH passes.
- Opened Behavioral Health Center on September 22nd.
- Mike asked for clarification on the property tax cuts. Commissioner Shadduck-McNally said Senate Bill 303 (HH) was created in response to Initiative 20, which is a soft cap on growth. LC will be at CPI and the State will be at CPI + 1. The State will give a reduced Tabor refund back and all entities will receive the same amount. Most of the funding will remain at the state level. If HH does not pass, LC plans to initiate a mill levy tax credit throughout the county.
- Mike noted a drastic increase in property taxes recently. Commissioner Shadduck-McNally said the Assessor must assess property tax values within a 2-year window. This last cycle was completed when properties were at their highest values.

Request for subcommittee members for Small Grants Program – Zac Wiebe

- Zac Wiebe requested three board members to assist in reviewing, scoring, and selecting awards for the Small Grants Program grant applications (due October 13th). It is a time commitment of 10-12 hours.
- Gary Miller, Tom Shoemaker, and Linda Stanley volunteered.

Request for OLAB member to participate in County Water Master Plan

- Daylan Figgs said LC has entered Phase II in the county water plan and the team is looking for an OLAB member to participate in the process.
- Phase II is geared towards identifying supply and risk of water relative to land use code changes and location of water. It includes Colorado River impacts, wildfire and flood impacts and watershed health. The plan has a significant impact on the county.
- Gale Bernhardt volunteered.

- Commissioner Shadduck-McNally noted the water plan is a priority for the commissioners and for LC. The Department of Local Affairs will be coming to the front range to present an OEM Small Town Workshop, where LC will present to smaller communities.

Visitation Update

- Zach Cook noted the extensive rain in June had maintenance staff busy with road damage.
- Pay stations have not been functioning well, leading to minor issues collecting user fees.
- It is a continued challenge to find temporary staff. Wages can't be increased, so the department must identify how to do things with fewer temporary staff.

Trails Program Update

- Joel Schwab, Trails Program Manager, presented a PowerPoint:
 - Approximately 800,000 acres of public lands in LC
 - There are nearly 1,030 miles of public trails managed by various entities.
 - LCDNR manages 100 miles of trails on 40,000 acres of public lands. 10% of the countywide trails are on 2% of the total Larimer County land base.
- Continuum of service for land conservation and recreation
 - Many DNR trails and open spaces are high use, high cost areas.
- Trail survey results
 - Respondents to statistically valid surveys noted: 96% satisfaction with trails at Horsetooth Mtn and Red Mountain open spaces, 97% satisfaction with trails at Devils Backbone Open Space.
 - Rate Your Day: Overall positive comments on the trails, negative comments this summer included vegetation overgrowth and erosion.
- Maintenance
 - Yearly maintenance goal:
 - 75% of trails to a "B" rating or higher: "B" rating = Good condition, will need additional general maintenance work to focus on fixing problem areas but ensures trail is safe and passable.
 - "C" rating = big erosion control project; "D" rating = trail needs to be closed
 - 2022:
 - Trail maintenance completed in 2022 translated to 93% of the department's natural surface trail system receiving a "B" rating or higher.
 - 2023:
 - Currently working on trail maintenance system-wide and staff anticipate getting to 70% of trails this year.
- Volunteer/Partnership events
 - Volunteer events: 11 completed, 3 rained out, 1 more planned for 2023.
 - Trail days: National Trails Day and National Public Lands Day.
 - Larimer County Conservation Corps: grant to fund 4 weeks of trail work.
- HTMOS Management Plan Trail Objectives
 - Improve sustainability of existing system, connectivity, and wayfinding.
 - Addition of key new trail segments to create an easy valley loop and moderate level climb into existing system.
 - Nomad extension (0.54 miles) and connection to Stout (1.3 miles) completed in July 2023.
- Colorado Trail Symposium:
 - Numerous Colorado non-profit land agencies get together to give presentations and share ideas. DNR submitted the Stout Connector as a project and won the Golden McLeod winner.
- Questions/Feedback:
 - Paul asked, of the 100 miles of trails, how many were designed by DNR and how many previously existed. Joel noted DNR has sustainable trail design and construction as a priority. However, there are also legacy trails, specifically at HTMOS, that were designated as trails and tend to be rocky, steep, and less sustainable.

- Dave asked if there is an emergency plan in place for years that experience intense weather and where trails staff are unable to reach all desired trails.
 - Joel explained that annually he prioritizes trails and work needed to be done, assessing trail condition and maintenance needs. Despite intense weather, many of the trails are sustainably built and can withstand levels of impact.
 - Meegan added DNR began 2023 with good trail conditions, and with trails being built sustainably, impacts were mitigated mostly, but still some erosion issues linger. In 2024, DNR will be spending a chunk of staff time to build the Bay-to-Bay trail at Horsetooth Reservoir, so to catch up on 2023 erosion issues while doing a new trail construction project, we have applied for a grant to cover the cost to hire 3 temporary trails staff.
- Pete commented on the great work done by the trails crew and spoke highly of the new Stout trail, noting it has enhanced visitor experience at HTMOS.

Discussion Items

Action Items

Recommendation for adoption of Big Thompson Canyon Parcel Divestment Approach and Process

- Meegan noted DNR was looking for a recommendation from OLAB for adoption of this policy.
 - In the past, it took a lot of staff time to divest of Big T. parcels deemed not useful to retain in county ownership and that didn't contribute to DNR's goals. LCDNR is not actively looking to divest of parcels now, but rather identify a clear set of criteria by which to evaluate parcel divestment when we are approached. It also notes we'll base valuation on comparative sales vs. contracting an appraiser. Prospective parcel buyers can pay for an appraisal if they desire.
- Dave inquired about past agreements for public access to the Big Thompson parcels.
 - Meegan noted that in the past as part of divesting of a few key parcels near Drake, LC included a fishing access stipulation to the sale, ensuring continued public fishing access.
- Dave asked where the funds from a sale would be allocated. Justin said the money would go to DNR. Meegan and Daylan noted they were unsure what area of DNR's budget it would end up, but likely in the land acquisition fund.
- Paul said the public may be viewing the process in a different light than what has been brought before OLAB.
- Mark was on the Parks Advisory Board during the 2011 discussions and noted a driver to divest of the Drake parcels was due to trespassing issues. To improve safety on the parcels, they were sold to adjacent neighbors, while retaining public fishing access as desired by the Loveland Fishing Club.
- Tom asked if DNR has a process where all parcels are gone over, or if the criteria and approach is just there if the need arises. Meegan said after the flood in 2013, LC went through a planning process with other entities and examined 160 parcels in county ownership. A few parcels were identified that meet the policy criteria. Moving forward, DNR will entertain sale of parcels if someone approaches the department but won't actively seek to sell the parcels.
- Dave asked for a motion for OLAB to recommend to the BOCC the adoption of the Big Thompson Canyon Parcel Divestment Approach and Process.
- Paul moved to approve the recommendation, Tom seconded, motion passed unanimously.

Other Business

- Daylan said DNR staff are preparing to redo the department's 25-year financial projection model.
- Index for visitation and permit sales.
 - Staff compared temporary hours to revenue.
 - The hourly salary for temp workers across the department is \$17.07.
 - The challenge is staying within revenue streams and finding a balance between levels of service and hiring staff resources.

- Linda asked if the temporary staff mentioned was for the parks. Daylan noted DNR considers the parks and open spaces as one, and the temp staff is inclusive of all DNR functions.
- Paul noted the extended ecological benefit to LC residents whether they use DNR properties or not.
- Commissioner Shadduck-McNally mentioned a study being done in smaller counties, looking at a collaboration between Colorado State parks and the counties with regards to state assisting with funding maintenance of county roads, many of which go through the state parks.

Next Meeting Scheduled

November 15, 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 – 7:26 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.