



Date: November 1, 2022
Time: 5:30 – 8:30 PM
Location: Larimer County Natural Resources Administrative Offices: 1800 South County Road 31, Loveland, CO 80537, Bison Room & Zoom Webinar

PARKS ADVISORY BOARD MINUTES

MEMBERS		STAFF		GUESTS
Bill Prater	V	Chris Fleming	I	Jeff Stahla
Jill Wuertz	V	Daylan Figgs	I	Tara Piper
Kathy Maher	I	Dan Rieves	I	
Kristina Kachur		Cindy Claggett	I	
Adam Crossan	I	*John Kefalas	V	
Pete Blume	I	Andrea Weber (minutes)	I	
Robert Harris	V	Melody Johnson	I	
Ruthie Rollins	I	Lori Smith	I	
Scott Murray	V			

V = virtual attendee

I = in-person attendee

*commissioner

Call to Order – 5:32 PM

Public Comment

Samantha Bietsch presented herself as a CSU employee and Natural Resource Management master's student. She attended the PAB meeting as a class requirement, which was to attend and observe a public community meeting.

Tracy Ayala said she is a long-time resident of Fort Collins and lives by Satanka Bay at Horsetooth Reservoir. She operates a home occupation business. She attended the PAB meeting to learn more about short term concessionaires.

Agenda Review

Review and Approval of Last Minutes

Kathy 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 Parks Advisory Board updates, go to <https://apps.larimer.org/subscriptions.cfm>, enter your email, click "Subscribe," and check the "Parks Advisory Board" box.

July 2022 Open Space Tax Distribution Letter

Update and Reports

Park District updates - Dan/Cindy

- Cindy said Carter has been quiet and peaceful with the end of the season. Brette Southworth has been hired as the Carter Maintenance Supervisor.
- Dan reported Horsetooth staff continue with seasonal closures and have started on fall projects. He said Horsetooth continues to experience several boaters on the reservoir.

2023 Budget Update – Melody Johnson

- Melody provided an overview of the 2023 Budget that was submitted to the BOCC for approval.
 - DNR requested to convert 2 full-time limited term positions to full-time regular positions (a Boat Inspector and a Land Stewardship Technician).
 - DNR also requested the addition of 4 full-time regular staff positions including a Finance and Admin Department Specialist, Trail Technician, Communications Specialist and Maintenance Technician.
- DNR's total expected expenses for 2023 is \$13.2 million.
 - 61% of the budget is for personnel, \$8.1 million for staffing, \$6 million covers full-time and \$2 million covers seasonals and their benefits. The BOCC is providing all staff with a 2.5% cost of living pay increase, and those who meet all requirements will receive a 5% Merit increase on their anniversary.
 - 39% of the budget will cover the operating costs, totaling to ~\$5.1 million.
 - 47% of the operating expenses are the indirect costs that are paid directly to Larimer County. Every dollar DNR spends on personnel is 11 cents to LC. This allocation helps LC cover costs for the services provided to DNR. For example, human resources and legal services.
 - Daylan explained that because DNR is not within the General Fund, the department pays for the services provided by the County.
 - The second highest cost is for fleet vehicles and fuel.
 - The third most significant cost is LC Facilities and IT services.
 - Land conservation - many of DNR's level of service metrics as indexed to population growth, are being met or exceeded.
- Melody said CIP projects will cost a total of \$8.6 million. 26% is funded by grants and the remaining 74% funded by DNR.
 - \$3.4 million is allotted for land acquisitions.
 - \$2.2 million will cover the cost for a new Land Stewardship Building co-located at the Ranch.
 - The grant funding is from the American Rescue Plan Act of 2021 (ARPA).
 - The Vine Street location is being vacated and the building on Mulberry will be sold.
- The projected revenues for 2023 total \$23 million. 54.24% of this is from sales and use tax, 30.58% various fees, 3.71% property taxes, 3.5% Lottery, 2.66% Land Stewardship, 1.56% ANS, 1.34% General fund, plus 2.72% from others.
- Discussion/Feedback:
 - Kathy asked if the addition of 6 new employees would require DNR to extend the AO building for office space.
 - Daylan said of the six staff additions, only two would be located at the AO building. There is no plan to extend the building. Many staff work remotely, allowing for flexibility in shared office spaces.
 - Ruthie asked for clarification around DNR purchasing a fleet vehicle then renting it from the county.
 - Dan explained that DNR pays cash for the vehicle and immediately starts to pay the replacement cost for it. When that vehicle is retired it will automatically be replaced at no cash expense. The payments cover all expenses for the vehicle, routine maintenance, tires, and anything that is beyond the warranty, but does not cover fuel costs. DNR

- would also be responsible for the cost of additional equipment such as vehicle toolboxes or specialty seed spreaders.
 - Kathy asked if this is how it works for all departments in the county? Dan confirmed that this is the same across the county.
- Ruthie asked, if DNR were to move out of the Ranch location in the future, would another entity purchase the space from DNR? Daylan explained that DNR holds an agreement with the Ranch, and if DNR moved out of the new building the Ranch would take ownership of the space.
- Jill commented about the location of DNR's offices. She said many DNR locations are remote and have poor public transportation options and this could limit potential staff and intern candidate options.
 - Daylan said that DNR has office space options at the LC Oak Street building, which is near the Mason bus line. These spaces are a good option for interns and staff that require public transportation.
 - Chris noted DNR's remote locations, technology and connectivity have also caused some serious issues but are things that DNR is actively working on.
- Ruthie asked, as 2022 wraps up, will DNR look back to the original 2022 budget projection and compare what the department predicted to what was received?
 - Lori said that DNR revisits the projections provided by the consultants and experts each year and identifies where adjustments can be made for the future.
- Bill asked if there was any indication on DBB revenues?
 - Lori said DNR has the projections based on surveys but will have a better idea of the revenues at the end of the year.
 - Chris said the iron ranger went in later than was expected to and DNR provided a 6-month non-enforcement educational window. These factors will influence the numbers and be different from the projections.
 - Daylan said DNR's original conversation with the commissioners yielded an expectation of about \$500,000/year for a full year. 2023 will provide a better look at the fee revenue.
- Kathy asked where ANS revenue comes from. Melody said \$60,000 comes from Northern Water and \$100,000 from CPW.

Discussion Items

Short-term concessionaires – Process and qualifications - Chris

- **General Process and Policy** for short-term (ST) and long-term (LT) concessionaires
 - ST and LT concessions come about when a member of the public sees a need or business opportunity, they are a master plan project, or they are a service request from the public.
 - Once an application has been submitted, the appropriate district manager who would be working with the concession, will review the application. It is then brought to the VS division manager, DNR Director and Senior Leadership Team for review. The application will be reviewed with a few key items in question: Does it align with DNR's mission and values? Is this something the department can take-on at the time? The final step would bring the applicant to the PAB for approval or recommendation.
 - The main differences between ST and LT concessions are:
 - LT concessions, like marinas, are high dollar operations. There is heavy investment in infrastructure and what services they are providing to the public.
 - The contract for a LT concessionaire is 5-10 years with 1-year renewal options after the end of the contract. ST are typically 1-year contracts.
 - When DNR brings on a ST concession, there may be multiple of the same type, i.e., fishing guides. For LT, there is a no competition clause within the services provided and that concession has exclusive rights to offer a service.
 - Ruthie asked if BOR must approve the applications/licenses as well.

- Tara explained that in the management agreement with DNR, BOR will receive a sample of the application but typically will concur with DNR's decision.
 - Chris said for ST concessions, DNR acts as the managing party on behalf of the BOR. For LT concessions, DNR works in conjunction with BOR.
- DNR requests a written proposal and business plan from prospective concessionaries. Once submitted and reviewed, they will be sent a license.
- **Short term license and fees**
 - There are fees for ST concessions which are paid annually. This includes a \$500 flat fee for sales/revenues up to \$10,000 and an additional 5-10% if above \$10,001. Payments are due by December 15th each year.
- **Laws and regulations**
 - Concessionaires are required to abide by all DNR, State and Federal rules and regulations and shall not violate them.
 - They must hold \$1 million in liability insurance.
 - Concessionaires must disclose and have hours of operation and fees approved by DNR to ensure they are charging the public fairly.
- **Miscellaneous conditions**
 - Concessionaires are responsible to follow the Equal Opportunity and Civil Rights Act. It is their duty to hire and to pay proper employee wages.
 - The license includes a clause stating that the vendor can pay DNR park fees if they so choose, but all visitors of the vendor must pay the fees regardless.
- **Release of Liability**
 - DNR's reservoirs' primary purpose is water storage and distribution. This means that the department cannot and does not guarantee water will be available for vendor business. There are other uses and activities, such as construction, that may impact a vendor's business, and DNR cannot be penalized for these impacts.
 - Ruthie asked if DNR must refund fees to large concessionaires if something drastic like a complete water shutoff, were to occur.
 - Chris said that fees are paid at the end of the year and are based on the gross revenue the vendor collected, so no refund would occur. Dan said DNR and Northern Water are always having water projection conversations for the following year. If a vendor's business is impacted, their gross income would decrease and DNR would receive a reduced take.
- **Right of first refusal**
 - DNR can make the decision to decline the renewal of a concession.
 - If there are multiple ST concessions that offer the same service, it can be opened on a competitive basis.
- **Discussion/Comments:**
 - Chris said there are currently 20 ST concessions department wide for the 2022 year. These include paddle boards, fishing guides, hiking, educational outreach, biking, and many more.
 - Scott asked for clarification around visitors renting equipment off county property but using it on the property and how DNR regulates these types of situations. For example, can someone set up shop on the outer boundary and rent bikes and boats out and to be used on county property?
 - Chris said if the transaction occurs on our property, they are subject to DNR's ST concession rules and regulations. If the rental occurs off county property but is then used on the property, there is very little that DNR can do. This has been a big ongoing issue.
 - Adam asked how active DNR is in trying to get people who don't have a license.
 - Dan said most tips come from current concessionaires. Rangers will give the unlicensed vendor a strike on a three-strike basis. DNR does have regulations of commercial use without a license.
 - Safety is DNR's primary concern.

- There are some concessions that have been approved in the past but continue to operate past their contract expiration.
 - DNR is trying to educate and to create better structure around the process.
- Jill asked if there were any single paged documents and a single location on DNR's website that houses all ST and LT concessions. She would like to know what concessions there are and thinks this would help the public understand the demographics of the parks and open spaces.
 - Chris said the contracts are housed with the administrative team. District managers hold the ST concession contracts. The information is all online but is not housed in a single location. The department wants vendors that are serious about applying and have a good business plan.

Boat-in sites at Horsetooth - Dan

- The boat-in sites at Horsetooth Reservoir provide a unique camping experience. There are currently 15 boat-in sites on a reservation system. The sites are located along the western side of the reservoir from Dixon Cove to Soldier Cove and are only accessible via boat. Camping is permitted within 25-feet of the site marker. Visitors may use the fire grate and compostable back-country restrooms that are provided. Each site has a maximum capacity of 4 tents and 8 people.
- These sites are difficult for staff to access and maintain. During the winter, staff remove infrastructure, take out markers and cover the sites.
 - Ruthie noted that the boat-in sites are drastically different to the "normal" sites at Horsetooth. There is no one on the premises, like a camp host, to help keep things tidy and working well.
- Staff have requested to reduce the number of sites from 15 to 10.
 - The 5 sites being considered for removal are the furthest north. These sites cause significant problems. They are the furthest away from where staff boats launch, they are located on the busiest Eltuck cove on the reservoir which creates shoreline conflict, and it has created conflict with Lory State Park.
- Total revenue generated by the 15 sites was \$40,876 for 2022. The average occupancy rate for the season was ~45%. If percentages remain the same, removing these sites would cause a reduction in revenue of ~\$13,000.
 - Kathy asked, even with the occupancy rate at 45%, DNR would expect that much in revenue decrease? Dan explained occupancy rates fluctuate drastically throughout the year and 45% is just the average. The goal is to reduce the time staff spend getting to and maintaining the sites, and to provide some conflict resolution with DNR's neighbors.
 - Pete asked for possible speculation around why reducing the total campsites by 1/3 would reduce revenue by 13%.
 - Dan responded by posing another question, does occupancy go up for the remaining 10 sites because there are fewer available?
 - Daylan asked what the cost is that DNR incurs from managing these sites versus the revenue it would bring in?
 - Dan said the time staff spend at these sites reduces the overall opportunity cost. Staff could be accomplishing more projects and tasks somewhere else for the same time it takes to manage one site. It's hard to put a dollar figure on it.
 - Adam suggested a fee increase to counter the reduction in sites. Dan said it is an entire process to change the fees and these sites compared to the other sites are already more expensive.
- Ruthie said Lory State Park has a parking lot a few hundred feet from the proposed sites to be removed. How would DNR regulate overnight users who park at Lory State Park and set up in the previous sites? Dan said there would only be problems if visitors continued past the reservoir access information signs and chose to ignore them.
- Kathy asked, of the 15 sites, which ones are the most popular? Dan said the sites on the south end of the reservoir at Dixon and Quarry Coves are the most popular sites.
- DNR and staff will continue to uphold the commitment made, that if DNR plans to change anything in the parks, staff will check in with all parties involved first.

- He said if these areas were converted to day-use, visitors would come in and leave. With the current state, overnight campers continue to have conflict with other visitors that are along the shoreline by the sites.
- Daylan said DNR will approach the public with this project to open a conversation.
 - Dan said there is a time element to the project. The reservation will be opened 180 days from April, so if the desire is to close the sites, the decision and public conversations will need to be made sooner rather than later. He expressed PAB is the perfect avenue for managers and staff to address projects like this.

PAB Workplan Discussion

- Daylan said the PAB Workplan was requested by the BOCC. DNR used the board's agenda items from the current year to create the plan for the next year (2023).
- This plan is an important inclusion into PAB because the board makes recommendation to BOCC and help staff to resolve issues. The workplan also allows board members to bring forward topics.
- The current work plan hosts general ideas that DNR would like to look at over the course of the year. It includes current day-to-day needs and some ongoing projects the department has been working on.

Action Items

None

U.S. Bureau of Reclamation Update

- Tara had nothing major to report. She provided Daylan with an answer to a question about the Programmatic Agreement that he had asked at the previous PAB meeting. She said the BOR sent out the agreement for comment and those comments are now being addressed. It will be sent out for review and final drafting.
 - Daylan explained DNR is required to produce an environmental review with the BOR. The Programmatic Agreement streamlines the process by pre-identifying lands that have previously been cleared.

Board Member Reports

None

Northern Water Update

- Jeff said Northern Water will be working with county staff through the month of November on the public access road for Chimney Hollow. The process is at the inspection phase. This access road will allow the public an opportunity to view the project from another viewpoint next Spring.
- Northern has completed a pipeline project, connecting two 72-inch pipelines, ahead of schedule.
- He said there is a new [virtual video tour](#) of the Chimney project that can be found on the Northern Water website.
- The asphalt core pouring for the dam has started. It has produced some smoke and steam, but nothing that is of concern.
- Northern Water is hosting a Fall Symposium. Daylan is one of the 450 people who have signed up. The symposium will cover topics such as Colorado River issues and what it means for Northern Colorado, it's reservoirs and others that are impacted downstream.

Director's Report – Daylan Figgs

- Daylan said staff will send the Q3 Board Report to the board members for review and it will be discussed at the next meeting.
- DNR is moving through a few big projects.
 - The department is in the process of purchasing Heaven's Door Ranch, a 1,530-acre property. The purchase is set to close at the end of November.

- DNR is in the process of selling the Little Thompson Farm. In 2014, DNR purchased the property with the intent to sell it back into public ownership with a CE. The intent to sell was released yesterday and has received two interested parties thus far.
 - The property does not fit into DNR's mission, however the CE and ATM that have been implemented do. The sale will also allow DNR to recoup funds spent on the Heaven's Door acquisition. This will be an ongoing project through the end of the year.
 - Adam asked what the LTF will be listed for? Daylan said the list price, between \$2.5 and \$4.5 million, depends on different considerations, and because it has a CE, the property is uniquely appraised.
 - Ruthie asked if farming is a condition of the purchase?
 - Daylan said the farm will be sold as an irrigated farm for agricultural use.
- DNR will be having conversations around the first of the year about the financial model and the budget. This past year has provided good data to shape future considerations.
- New metrics will be created to provide the public with a view into "how" and "what" DNR is doing. The metrics will show how DNR manages the budget relative to its projection model.
- The 6 new staff DNR is adding are extremely valuable and did not require an increase in the budget.
- DNR hosted an all-staff meeting. It gave staff an opportunity to get together and reconnect.

Commissioner's Report

- Commissioner Kefalas told the board that he participated in a field trip to the Heavens Door property. He said it is a great tract of land that represents many diverse ecosystems.
- Interviews for 2 new PAB members were held. Agreement was reached and the applicants will be recommended before Consent Agenda on Tuesday 11/8. These appointments will bring the PAB to the maximum of 11 members.
- On November 15th, the county will present the Ranger Brendan Unitt Civic Service Award to a selected citizen during the Admin Matters meeting. A formal ceremony will be held in the evening.
- The BOCC is in the middle of the County Operational and CIP budget process. There is a public hearing November 7th to discuss the county budget and the fee structure for the landfill. The goal is to have the 2023 budget adopted on December 14th, 2022.

Next Meeting Scheduled

December 6, 2022 – at Horsetooth Area Information Center: 4200 W. County Rd. 38 E Fort Collins, CO 80526
Mountain Lion 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 – 7:32 pm

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