

Park County Land and Water Trust Fund  
Board (LWTFB) Meeting Minutes  
Shawnee Community Center, CO

May 5, 2021

**LWTFB members:**

District 1	John Woodward (Vice Chair)	At Large	Mark Lamb (Chair)
District 2	Liz Biggs (Secretary)	At Large	Mike Moonan
District 3	Ramon Castro (Excused Absence)	At large	June Vincze
At Large	Michelle Allard		

**Staff:**

Absent

**BOCC:** Amy Mitchell, District 1

**Guests:**

Ben Lenth (Colorado Open Lands (COL)), Karen Foley (COL), Grace Wilhoit (Land Owner); Robin Davis (Fire Adapted Bailey (FAB)); Cara Doyle (Mosquito Range Heritage Initiative (MRHI)); Mercedes Sornsuwan (Harris Park Metro District (HPMD)), Jimmy Graham (HPMD); Kate McCoy (North London Mill Preservation, Inc. (NOLO)), Jeff Crane (NOLO); Kelly Ingebritson (The Conservation Fund (CF)), Justin Spring(CF); Josh Voorhis (United States Forest Service (USFS)); Lloyd Athearn (Colorado 14ers Initiative (CFI)).

Call to order:

Lamb called the meeting to order at 1:02 pm

**a) Introductions**

Lamb led introductions.

**b) Agenda**

Lamb asked if there was a motion to approve the agenda. Woodward motioned to approve, Moonan seconded, motion carried with unanimous approval.

**c) Minutes**

Lamb asked if there were any changes to the agenda. Woodward motioned to approve February 2021 minutes, Biggs seconded, motion carried with unanimous approval.

**2) Old Business**

**a) Boreas Pass Final Update & Final Budget Approval**

Ben Lenth, COL, reported the easement closed April 28, 2021. 1291 acres are now in a perpetual conservation easement with 25 years of elk hunting access. A minor budget line item was requested to reallocate funds within the approved budget. Woodward motioned to support the Board of County Commissioner's approval of the line item adjustment, and Biggs seconded. Motion carried 5-1.

**b) Pond Fire Suppression Study Update**

Robin Davis, FAB, provided updates regarding the list of ponds approved to move forward for bathometric survey, and a review of budgeted costs. Woodward discussed the limited availability of water and the importance of prioritizing the list of ponds. Vincze provided updates regarding South Platte Basin Roundtable (SPBRT) for James (absent).

Discussion regarding approved schedule and if a recommendation for an extension is required. Moonan motion to recommend extension, Allard seconded, , motion carried with unanimous approval.

**c) Fourmile/High Park Projects Final Report**

Cara Doyle, MRHI, presented final report. Pandemic impacted the number of volunteers, and the schedule. Newly installed cables were cut and driven through. An additional phase, Phase III, will be conducted summer and fall of 2021 to address damage due to parking beyond vandalized cables. An emphasis will be on volunteer youth labor. The project is returning \$5,000 back to the fund.

**3) New Business**

**a) Willhoit Property Conservation Easement**

Ben Lenth, COL, presented the \$36,400 application for a perpetual conservation easement on the 256-acre Willhoit Property, located on the north side of HWY 285 two miles west of Jefferson. The Property includes 2/3 mile of Michigan Creek with over 34 acres of wetlands.

Discussions included out of state property ownership, prioritizing in state/county ownership, potential for flipping property for profit, commitment to holding property for ten years or reimbursement, LWTFB values and prioritization, current and future property uses, and potential for a future riparian repair project.

**b) Community Playground, Community Center ADA, and Water System**

Mercedes Sornsuwan, HPMD, presented the \$100,000 application for three Harris Park projects, Community Well Hydrant Improvement, Community Playground Replacement, and Community Center Renovation.

Discussions included the Sales Tax Fund as an appropriate use for playground projects and community center restroom renovations. Great Outdoor Colorado (GOCO) and Conservation Trust Fund would be appropriate funding sources however funding not currently available. Additional discussion included monitoring, regulating, and selling water verses unregulated availability of water to the general public.

**c) Fourteener Conservation**

Cara Doyle, MRHI, presented the \$100,000 application for Phase I Acquisition Preparation assistance to the USFS to acquire approximately 5,000 acres of mining claims from willing sellers within the existing Pike National Forest boundary. Potential future phases include Phase II Negotiation and Due Diligence, and Phase III Acquisition Implementation. MRHI's partners include the USFS, Coalition for the Upper South Platte, Colorado Fourteeners Initiative, The Conservation Fund, and North London Mill Preservation, Inc.

Discussions included timeframe and if congressional approval would be required, benefit to Park County, ability of USFS to manage and maintain additional acreage, impacts to Park County first responders, mining and mineral rights, Payment in Lieu of Taxes (PILT), competing against potential buyers and other offers

**d) Rich Creek Trail Reroute**

Cara Doyle, MRHI, presented the \$15,000 application to reroute a damaged section of the Rich Creek Trail just west of Fairplay. Rich Creek Trail is a hiking/equestrian trail along Rich Creek and provides important access into the Buffalo Peaks Wilderness. Work will be done by the MRHI crew, South Park Ranger District (SPRD), local volunteers, Southwest Conservation Corps crew, and a new partnership with students in the Park County School District.

Discussions included the genesis of the project, NEPA approval, signage recognizing project funding through the sales tax.

**e) North London Office Interiors and Mechanicals**

Kate McCoy, NOLO, presented the \$109,089 application for the North London Office interior rehabilitation and installation of mechanical and electrical systems. Partners include the History Colorado State Historical Fund, The Gates Family Foundation, and The JM McDonald Foundation. Use of this building as a backcountry hut will generate income to maintain the building and be used to help fund rehabilitation of the large Mill structure on the site. The Mill will be stabilized by the Colorado Division of Reclamation, Mining, and Safety in summer 2021.

Discussions included money raised and expensed to date, visitors to date, 50 year lease, return of funds if the property is sold, acquisition of the property, final phase for the office, future potential work might include Assay Office, Bunk House, and Outhouse.

**1) Administrative Matters**

**a) Financial – Expenditures**

Lynda James and Park County Administrative Staff were absent.

Discussions included kudos for James' 2020 original revenue forecast \$1.8M, the adopted revenue budget for 2021 was only \$1.6M, Sale Tax Revenue Report \$1.8M does not tie to the Revenue Expenditure Report \$1.6M, tightening up revenue and expense forecast during the fiscal year end supplemental, Revenue Expenditure Report Future years committed funds does not reflect the entire Cline Ranch SWA House Stabilization project (Phase 1 budget \$247,406 versus the approved project \$788,291), the Revenue Expenditure Report of Uncommitted Fund Balance of \$1,120,691.37, verses \$579,806.37, consistent spending policy, concerns regarding deficit spending, new staff has been hired to assist with reporting.

**b) Park County Code of Conduct**

**i) Bylaws & Values**

The LWTFB Bylaws & Values subcommittee work is ongoing. The subcommittee may invite a commissioner, one at a time, from time to time to discuss Bylaws and Values.

**c) LWTFB Work Session**

Lamb will schedule a Work Session with Eisenmann.

**d) LWTFB Computer**

No update. James also needs a new laptop. Lamb will follow up on status with Eisenmann.

**2) Public Comments**

None

**3) Director Comments**

Commissioner Mitchell updated there currently is no Master Plan for the Fairground.

**Adjourned**

3:47 pm.

**Next meeting**

August 4, 2021, 1pm, Location to be determined.

Land Water Trust Fund Board (LWTFB)  
Report to the Park County Board of County Commissioners (BOCC)

LWTFB is pleased to present the May 2021 report to the BOCC.

The following recommendations are for Park County's consideration:

Project Number	Project Name	Amount Requested		LWTFB Ranking	LWTFB Recommendation to Approve Application	LWTFB Recommendation to Approve Amount	Amount Recommended
21-02	Willhoit Ranch C.E. Transactional Costs (Colorado Open Lands)	\$ 36,400.00	3	Yes	100%	\$ 36,400.00	
21-03	Playground & Community Center Upgrades (HPMD)	\$ 100,000.00	5	No	0%	\$ -	
21-04	Mining Claim Acquisition Phase 1 Preparation (MRHI)	\$ 100,000.00	2	Yes	100%	\$ 100,000.00	
21-05	Rich Creek Trail Construction (MRHI)	\$ 15,000.00	1	Yes	100%	\$ 15,000.00	
21-06	North London Office Interiors & Mechanical (NoLo)	\$ 109,089.00	4	No	0%	\$ -	
Total Project Funding Request:		\$ 360,489.00					
LWTFB Project Funding Recommendation:		\$ 151,400.00					

**21-02 Colorado Open Lands: Willhoit Ranch Conservation Easement Transactional Costs**

- LWTFB recommends the BOCC approve funding this project.
- 6 members approve funding the project and 1 opposes funding. 7 members commenting:
  - Public access is an issue. Would love to see what the maximum amount of land is to be conserved in Park County. All? BOCC, I would love to see a discussion regarding Conservation Easement funding to non-resident owners.
  - This is private land with no public access nor water rights in Park county, there is however a viewshed and it maintains land from being developed.
  - \$36K (Great Location for such an easement)
  - Excellent perpetual Conservation Easement. Keeps very visible property free from development. Property used extensively by migrating wildlife. Excellent place for an appreciation sign along Highway 285.
  - This project is consistent with the mission of the fund and similar projects approved by Park County.
  - I think this is a ranch that will be of more importance for future generations to connect with the close surrounding properties that are in Park County conservation program.
  - Easement is forever regardless of ownership.
- **03 Harris Park Metropolitan District: Playground & Community Center Upgrades**
- LWTFB opposes funding this project as presented.
- 3 members approve the project, 2 members oppose funding, and 2 members oppose portions of the project and recommend a change of scope. 7 members commenting:

Land Water Trust Fund Board (LWTFB)  
Report to the Park County Board of County Commissioners (BOCC)

- This project opens up the floodgates to playground projects. Is this the LWTF future?
- While a playground in an open space technically meets the definition for outdoor rec, there are concerns that this does not fit into the mission or intent of LWTF funds. The suggestion would be removing the playground and approving the water filtration system at the community well and the ADA required updates to the community center & bus shelter for a total of \$31,000 (HPMD Cost Sheet)
- \$60K (Greater Harris Park financial investment by property owners would be appropriate)
- Resubmit application with only the water portion from the original application.
- Community center improvements, school bus shelters, and kitchens are not consistent with the mission of the fund. When the voters approved expanded use of the fund for outdoor recreation, it is highly doubtful playgrounds were envisioned. The application should be re-submitted for the water filtration, confirming that unlimited unregulated use of the water supply is compliant with current regulations and legislation. The project may have a requirement to meter and regulate consumption.
- There are more appropriate places to fund this application than the LWTF.
- Have a hard time approving bathrooms in a community center. The playground needs to be available to all of park county, not just Harris Park.

**21-04 Mosquito Range Heritage Initiative: Mining Claim Acquisition Phase 1 Preparation**

- LWTFB recommends the BOCC approve funding this project.
- 6 members approve funding the project and 1 opposes funding. 7 members commenting:
  - Long term, the USFS cannot fund the management of this project.
  - The need for this project and its urgency is evident. I do not agree with using LWTF funds for the procurement of land for the USFS. This phase is for their "Acquisition Preparation" which will allow them to apply for the appropriate grants in August. There is some question as to how many of the claims reside in Park county, it is appropriate to fund that.
  - \$75K (High risk upfront investment by LWTF for a very uncertain future government funding of this project)
  - Outdoor Recreation - begins the complex issue of allowing LEGAL public use on mining claims.
  - Park County has opportunity to be part of a unique project. The opportunity is supported by a large number of organizations.
  - There is a risk that after surveys are done there would be a higher offer for the mining claims. The benefits to possible acquiring the lands out way the risk.
  - Great having all the support this project has. USFS will need to be a major financial contributor for this to work. Risky at this point if nothing happens.

**21-05 Mosquito Range Heritage Initiative: Rich Creek Trail Construction**

- LWTFB recommends the BOCC approve funding this project.
- 6 members approve funding the project and 1 opposes funding. 7 members commenting:
  - This project should be funded by the landowner, the US Government. Happy to see a school partnership.
  - Good Project
  - \$15K (Nice project with youth involvement)
  - Water Resources & Outdoor Recreation - Excellent repair to a very heavily used trail near the Buffalo Peaks Wilderness.
  - This project is consistent with the mission of the fund and similar projects approved by Park County.
  - Good community project.
  - Should be approved. Great in-kind participation.
- **06 North London Mill Preservation: North London Office Interiors & Mechanical**
- LWTFB opposes funding this project.
- 4 members oppose funding the project and 3 members approve funding. 7 members commenting:
  - Public access is an issue.
  - Great cash match, this serves as a visitor center/lodging as well, open to the public, have concern that LWTF is getting into fixing up historical buildings...
  - \$50K (Project overvalued initially. Phased approach would be more reasonable)
  - Seems like project should be geared more to historic preservation for this funding. Still concerns for impacts to habitat and wildlife with the now year-round recreation plan.
  - Providing utilities to an administrative structure is not consistent with the mission of the fund.
  - There is a long term concern about the lease that has been expressed on all the phases of NoLo. This is a historical renovation project.
  - The office construction is a reach as far as outdoor recreation. I do not agree that we should fund administrative costs.

**Administrative Items**

- Project Final Reports
  - 19-10 Mosquito Range Heritage Initiative: Four Mile Creek and Beaver Creek Rehabilitation
    - A completion report has been provided for Four Mile Creek and Beaver Creek Rehabilitation
    - LWTFB considers this project complete and applicant in good standing.

Land Water Trust Fund Board (LWTFB)  
Report to the Park County Board of County Commissioners (BOCC)

- Final Reports and Future Funding
  - A new application process was approved by the BOCC as of January 2020.
  - The application contains the following certification requirements:
    - A final report, as an electronic document, will be furnished to the Land and Water Trust Fund Board, including lessons learned on the project, to be prepared and submitted to Park County for publication on its web site.
    - Report and presentation will be presented within 90 days of the scheduled finish date and an 11 Month Review as stated above for the project described herein; and
    - All required reporting forms will be furnished in a timely manner to be considered for future funding.
  - LWTFB believes similar requirements were in place for Fiscal Year 2019.
  - LWTFB respectfully recommends the following:
    - Scheduled finish date and 11 month review be added to reporting.
    - Review of Fiscal Year 2019 and 2020 for compliance.
    - Discreet notification to applicants out of compliance.
- Accounting & Project Controls
  - Development of potential "Opportunities" from existing studies.
    - EcoMetrics, LLC plans to update LWTFB in 2021 on findings.
    - Date has yet to be determined.
  - Data migration from off line spreadsheets to Park County's enterprise system
    - A small group meeting (Richard Elsner, Tom Eisenman, Waclaw Nieradka, Lynda James, Mark Lamb, Mike Moonan) has been scheduled for June 2, 2021 to review Commissioner Elsner's spreadsheet.
  - Memo of Understanding (MOU)
    - LWTFB recommends Park County Admin Staff review the points for coordination with planned changes in MOU language, project schedule, and year end invoicing, as well as possible updates to the application.
    - No update.
    - The LWTFB appreciates Park County's hard work and remains willing to support these efforts if called upon.
- Bylaws & Values
  - The LWTFB Bylaws & Values subcommittee work is ongoing.
  - The subcommittee may invite a Commissioner, one at a time, from time to time to discuss Bylaws and Values.