

MINUTES
OPEN SPACE AND TRAILS BOARD
REGULAR SESSION
October 20, 2022
In-person meeting and Zoom conference call

OSTB Present:

Graeme Means Dist. 1	Howie Mallory Dist. 2	Amy Barrow Dist. 3 Not Present	Michael Kinsley Dist. 4	Wayne Ives Dist. 5, Chair
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Staff Present: Gary Tennenbaum, Jessie Young, Janet Urquhart, Michaela Higgins, Paul Holsinger, Dale Will, Liza Mitchell, Drew Walters, Richard Neiley, Rich Englehart, Suzanne Wolff, Ann Driggers

Media Present: Scott Condon, Aspen Daily News

Wayne Ives called the meeting to order at 9:04 a.m.

PUBLIC COMMENT

None

Moore Open Space Master Plan

Dale Will introduced the Moore master plan and recommended board approval, noting the Moore acquisition is in keeping with the program's goal of conserving the remaining, large ranch properties in Pitkin County. The Moore deal includes the purchase of open space and a conservation easement while allowing some development. The basic terms of the deal received Open Space Board approval in May 2022; the landowner has since submitted a land-use application. The conservation objectives of the deal remain intact, Will said. The Board of County Commissioners has approved the land-use proposal on first reading, he said.

OST will purchase 95 acres west of McLain Flats Road as open space with 15 acres on an upper bench also protected by a conservation easement. Aspen Valley Land Trust has agreed to hold the easement, Will said. Pitkin County's 1989 Downvalley Comprehensive Plan identified the Moore land that will be open space an important view plane to protect, noted Suzanne Wolff. That plan is not regulatory and would not, in and of itself, prevent development of the land, she said. The 95 acres would likely be developed with a house, or several houses, within the view plane without the open space purchase, Will said.

Rick Norman joined the meeting via Zoom at 9:15 a.m.

Graeme Means asked if a soft-surface trail next to the Rio Grande Trail as it crosses the property would be possible. Will said yes, if the trail fits with OST's biodiversity policy and management plan. The property will be folded into the Roaring Fork Gorge Management Plan, he said.

East of McLain Flats Road, 42 acres held by another member of the Moore family is not part of the master plan, said Will. The plan includes Lot A, subject to an OST conservation easement, Lot 1, where a new home of up to 8,250 square feet may be constructed within an activity envelope, and Lot 2, the Moore homestead parcel, where historic buildings will be protected. A covenant and will restrict total square footage, including existing and new development, to 8,250 square feet on Lot 2, Will said. New development could be an additional home and caretaker unit. All development must be within the identified activity envelope, protecting the remainder of the lot. *Amendment: The 8,250 square foot restriction is for new development, not including the Historic residence.

Graeme Means expressed concern about protecting an elk migration corridor on the north side of the property, within Lot A, and asked about fencing and dogs. He asked if fences could be prohibited. Though the Moores have torn down fences, fencing would be permitted to facilitate agricultural use of the property. It would have to meet wildlife-friendly standards set by Colorado Parks and Wildlife, Paul Holsinger said. The open space west of the road can remain free of fencing, Gary Tennenbaum noted. Kenneled dogs are allowed on Lots 1 and 2; working ranch dogs would be excepted from the kennel requirement, Suzanne Wolff said. *Amendment: No dogs will be allowed on Lot 1 (the 5 acre lot). Dogs are allowed on Lot 2 (homestead) as long as it remains in Moore family ownership.

Will said he will work with the landowners to prohibit fencing on the north side, along a gully that elk use to migrate across the property. Any additional restrictions regarding fencing could be added to the conservation easement, if the landowner agrees. Will said it is his impression that the Moore family wants to keep the homestead parcel, as well as Lot A. In the future, all three lots could be owned by separate owners. Tennenbaum said staff will keep the board updated on what provisions regarding fencing, if any, are included in the conservation easement as it is drafted.

Means also asked if the easement will protect native vegetation. Yes, Tennenbaum responded, though wildfire mitigation is possible with OST staff review.

Will noted the acreage covered by the master plan could be developed with 11 lots. The downzoning and protection of land for habitat and agriculture in a way that works for the landowner is a “great outcome,” Howie Mallory said. Mallory asked that the board have an opportunity to read the conservation easement language once it is drafted. The easement is separate from the master plan, allowing the board to take action to approve the plan, Will said.

OST 2023 Budget

Gary Tennenbaum offered some revised numbers in the 2023 OST budget, which board members first reviewed in detail on Oct. 6. Michael Kinsley noted the budget profile offers a comprehensive overview of what the Open Space and Trails program is doing.

In the Open Space and Trails Multi-Year Projection table, Tennenbaum said the estimated investment income has been reduced to reflect using some of the income on anticipated acquisitions. However, interest rates are up, so investment income remains strong, he said. The debt service line item was also reduced in 2025 to reflect the expiration of some general

obligation bonds in 2024. Other bonds will expire in 2031, he said. Bonds issued in 2020 for \$20 million have all been allocated for acquisitions, but the program has \$25 million in unexpended revenues to put toward future acquisitions, Tennenbaum explained.

The program has kept the maintenance budget at 30 percent of revenues to cover deferred maintenance. Those projects have now been taken care of, Tennenbaum said. The maintenance budget can be reduced to 25 percent of revenue and still maintain a balance for unexpected expenditures, freeing up more money for acquisitions if needed, he said. Michael Kinsley said he'd rather dip into the trails budget than the maintenance budget to bolster the acquisition dollars and asked if reducing the maintenance budget would mean deferring maintenance projects. Tennenbaum said the program won't have to defer maintenance and that he doesn't want to see maintenance deferred in the future. Some people appreciate the trails piece of the program's mission, Tennenbaum added, and, when the current tax authorization expires in 2040, 10 percent of the revenues will have had to be spent on trails, he said.

Graeme Means asked if budget expenditures are staying within the Open Space fund's required ranges for acquisition, maintenance and trails. The program is well within those parameters, though trails spending has been a little low and maintenance spending has been a little high so far, Tennenbaum said. By 2027-28, the program will need to make sure spending is in line with the ranges set with the last reauthorization, he said. Keeping acquisition spending at 57 percent of revenues will keep the program on track to meet the ranges, Tennenbaum added.

Howie Mallory noted there will be pressures beyond acquisitions on the revenue stream, such trail construction in the Crystal Valley.

Michael Kinsley asked why there is large fluctuation in assessed property value. The assessor's office is projecting a big bump in property values, which correlates to a jump in property tax revenue for the program, Tennenbaum said. Mallory asked if county commissioners would decrease the program's mill levy in light of the jump in projected property values and resulting taxes. Commissioners could, but that won't necessarily happen, Tennenbaum said. Valuations won't be set until May/June of 2023, he noted. The program needs the increased revenue to keep pace with purchasing property as values rise, Tennenbaum added.

Wayne Ives said he has reviewed the Open Space and Trails 5-year Work Plan and has added up roughly \$400,000 that the program spends on environmental studies and restoration work. It is something to note if members of the public feel too much is spent on recreation, for example, he said.

Graeme Means said the Open Space Board should have more input into the work plan and the scheduling of projects. Board members present at the Oct. 6 meeting reviewed the work plan and were in agreement with it, Ives said. The plan is meant to be adaptable; it is a starting point, Tennenbaum said. Michael Kinsley said the board should have input into the sequence of projects outlined in the work plan. Means agreed. Ives said he feels the board does have input as it reviews the budget.

Tennenbaum said the board can be given a bigger picture of what's coming up before the budget review begins next year. Staff is preparing a schedule of management plans that require updates, need revision or have yet to be done. Kinsley asked if there is a list of prioritized trail projects. There is a trails list, Tennenbaum said. The board will receive both the management plan list and the trails list, he said.

BOARD AND STAFF COMMENTS

Gary Tennenbaum said the board's Nov. 3 meeting will include a joint meeting with the Aspen Valley Land Trust's Board of Directors. It will be an executive session so the two boards can discuss acquisition priorities and opportunities for the two agencies to work together. He asked if the board is amenable to meeting in Basalt; board members said yes.

Howie Mallory noted there is increasing pressure to develop worker housing, including on open spaces. He said AVLTT can be a partner in protecting lands. Michael Kinsley said the program should be sensitive to housing needs, as well. OST and AVLTT work outside of urban growth boundaries, while housing initiatives generally focus on lands inside those boundaries, Tennenbaum said. The OST/AVLTT focus should be on properties that provide critical habitat, he said.

Graeme Means suggested the Open Space Board should also meet with the Wilderness Workshop board. The two programs seem to be out of step with one another, he said. To be fair, OSTB should then also meet with bike, ATV and motorcycle advocates, Kinsley said.

Howie Mallory asked if the OSTB could formally support the City of Aspen's Nov. 8 ballot question 2B to reauthorize the city's tax devoted to open space and trails. He asked if OSTB as an entity could encourage citizens to approve the measure. Tennenbaum said he would consult with the county attorney's office, and if it is OK, he will assist Mallory in writing a letter of support of the ballot measure from the Open Space Board.

BOARD ACTION

Michael Kinsley moved to approve the Moore Open Space Master Plan. Howie Mallory seconded. Motion passed (4-0).

Howie Mallory moved to approve the 2023 Open Space and Trails budget. Michael Kinsley seconded. Motion passed (4-0).

ADJOURN

The OSTB meeting of October 20, 2022 adjourned at 10:55 a.m.

Approved:


Wayne Ives (Nov 17, 2022 18:44 MST)
Wayne Ives, Chair

Attest:


Janet Urquhart (Nov 21, 2022 06:05 MST)
Janet Urquhart

Pitkin County Open Space & Trails Board

Pitkin County Open Space & Trails
Planning and Outreach Specialist

2022.10.20 OSTB Regular Minutes_Aproved

Final Audit Report

2022-11-21

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