1. CALL TO ORDER  
Commissioners Present: Commissioner (Chair) Michele Landquist, Commissioner Bill Carey  
Commissioners Absent: Commissioner Jean Curtiss  
Staff Present: Jennie Dixon, Community and Planning Services (CAPS), Nancy Heil, CAPS,

2. PLEDGE OF ALLEGIANCE

3. PUBLIC ANNOUNCEMENTS
None

4. PUBLIC COMMENT
None

5. ROUTINE ADMINISTRATIVE ACTIONS  
Bi-Weekly Claims List ($3,308,579.84)

Executive Session  
Commissioner Carey made motion that the Board of County Commissioners approve the Bi-Weekly Claims List in the amount of $3,308,579.84. Commissioner Landquist second the motion. The motion carried a vote of 2-0.

6. HEARING (Certificate of Survey)
Hanson (Paul) Family Transfer – Butler Creek
Jennie Dixon gave Staff Report and asked Mr. Paul Hansen the standard Family Transfer questions.

Chair Landquist: Do you understand the comments from Todd Kleitz regarding the Floodplain issues?

Paul Hansen: Yes, other than the surveyor was under the understanding the people involved there with the water…floodplain, where he’s building is going to be up on a hillside off the creek there was supposed to be some statement ~ he understood there’s supposed to be a statement to that effect.

Chair Landquist: Who understood? Todd or the builder?

Paul Hansen: Ken Jenkins, the Surveyor.

Jennie Dixon: After Todd made those comments I did talk to Mr. Jenkins about this concern of getting a flood study. Mr. Jenkins did indicate on the telephone, in a conversation with me, that he had worked with the applicant to ensure that the property that they were going to create through this family transfer parcel was as Mr. Hanson’s saying, elevated above any flood hazard areas. Because this application is not a real ridged representation of what they intend to do we can’t make the assumption that that’s what they’re going to do.

Chair Landquist: Thank you Jennie, I wanted to be sure Mr. Hansen understood that’s a gentle way of us saying; please don’t do anything goofy and build in the floodplain and if you’re planning on it, please have it surveyed.

Mr. Hansen: I know better than anybody else how that creek does get out of hand at times and so I wouldn’t recommend that to anybody anyhow. Everything that’s been built down there so far has been elevated so that any kind of sheet flooding will not affect it.

Executive Session
Commissioner Carey made motion that the Board of County Commissioners approve the request by Paul Hanson to create one (1) additional parcel by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Landquist second the motion. The motion carried a vote of 2-0.

7. HEARING
Grant Creek Trail – Open Space Bond Project

Nancy Heil gave report.

Jackie Corday, City Parks: When I presented this to you in December, where we were at after a very lengthy, almost two year process of trying to negotiate to get the last piece of trail that we needed. The Mayor and others had worked long time to negotiate a settlement on how to get across the NWF property. Showed map of the entire three mile
trail. 27 acres, most riparian area, it was gifted to NWF in 1997 with deed restrictions on it to keep it as a bird wildlife refuge. NWF granted the City a trail easement in 2010, but the former owner said that that was in breach of the covenants when they granted the property to NWF. We have reached an agreement and the agreement is essentially in order to allow the trail to go across the property is that NWF will sell the property to the City for $40,000 and that comes out to about $1,400+ per acre, which is in line with what we have paid for open space from many previous projects. We need to grant a conservation easement to Five Valleys Land Trust. The City would be granting that easement to them to manage and perpetuity essentially, they won't be managing it but they will be checking up on it every year to make sure that the conservation easement terms are adhered to. The cost of that is $13,000, that's the cost to Five Valley's Land Trust for doing the conservation easement, they have their $10,000 stewardship fund that they always charge and about $3,000 in legal fees and staff and closing cost. That's why the Resolution is worded up to $54,000 to cover both the purchase and the conservation easement cost and the closing cost. The closing costs are going to be pretty minimum, I just was looking at the closing statement the other day and so we will probably be closer to $53,000 then $54,000. At this point all of the parties have agreed to all of the documents that are needed to make this transfer, there's six documents involved, everybody has agreed to them, we've set up a closing date of February 28th. So that's what the real new news is because in December we hadn't gotten 100% agreement by all parties yet but now we have. As of the day that the public hearing was held back on January 14th we got news that everybody was good with everything, that hearing was about to go forward with that good news. Of course, as you know, the council approved the project so this is like the last final step.

**Nancy Heil:** To finish up from the County's part of this; if this were approved by the Commissioners there would be $54,000 allocated from the City's portion of the bond. In December the Board of County Commissioners determined that the project is a qualified open space project and adopted a reimbursement resolution, which qualifies it for funding through the open space bond. As you know, the City Open Space Advisory Committee and City staff recommended approval of the project. The City Council held a public hearing on January 14th and approved the project and they passed Resolution 7752, authorizing that expenditure. As you know, there's a City/County agreement related to the bond that states that the County Commissioners will approve a bond project recommended by the city council unless for some reason the project changed in scope or there's something found to be not legal about it. Staff does find that the project meets the purposes of the bond to provide recreational and commuter trails and permanently protecting wildlife habitat and is recommending your approval of this project.

**Public Comment:**
None

**Executive Session**
**Commissioner Carey:** This language does say to expend $54,000, should it be up to $54,000?

**Jackie Corday:** Up to is the language that I think we used in our resolution because I didn't know exactly how much it was going to be.
Chair Landquist: The Resolution refers to it as *up to* but here it doesn’t, so I would change it to *up to*.

Nancy Heil: I can make that correction easily and send it over to Robin. The Now Therefore part of your Resolution does say up to $54,000, so we’ll just change that in the title of the Resolution to make sure that it’s clear.

Chair Landquist: I know the trails been long coming and a lot of people have wanted it for a long time and it will be a nice addition to the area but if the property, if this goes through, that was to be managed for bird habitat but not bird watching, there’s no public access to it or anything.

Jackie Corday: No, under the prior covenants it did not allow any public access at all and so what we have in the conservation easement is again, no general public access at all but there is a provision that will allow for scientific research on the property for birds, or insects or weeds, or whatever.

Commissioner Carey made motion that the Board of County Commissioners approve the expenditure of up to $54,000 of the City’s portion of the Open Space Bond Funds by the attached Resolution, Attachment D towards the purchase of 27 acres on Grant Creek Road in the granting of a conservation easement for the purpose of extending the bicycle pedestrian Grant Creek Trail, based on findings that the project qualifies for funding that the City has referred a recommendation of approval that the project meets the purposes of the Open Space Bond Fund and that the project has not been determined to be unlawful. Chair Landquist second the motion. The motion carried a vote of 2-0.

8. OTHER BUSINESS
None

9. RECESS
Being no further business to come before the Board, the Commissioners are in recess at 1:49.