

Old Fort Steering Committee Minutes

July 24, 2012

Present: Beth LaShell, Chairman; Roy Horvath, Staff; Kalen Elliott, Community; Tobin Follenweider, SLB

Absent: Heidi Baskfield, FLC Trustees; Mike Kelly, ASFLC; ; Barbara Harris, FLC Foundation; Richard Miller, Executive Director for Research, Planning and Assessment; ; Cynthia Dott, Faculty

Guests: Ed Hamrick, Michele Merz-Hutchinson, Heidi Dineen (AG Office)

Meeting materials distributed: Agenda, June 26th minutes

The meeting was convened in the Cascade room at 8:30 am.

Introductions and Announcements

Public comment (5 minutes/ speaker)

Approval of June 26th minutes – Tobin moved to approve the minutes. Kalen 2nd the motion. Motion carried.

Old Business

Meeting Dates: We will not have a meeting in August. We'll begin meeting monthly in September.

Old Fort Website: www.fortlewis.edu/oldfort continues to be updated.

Proposal for Non-Academic Use.

Draft Horse Mule and Carriage Association plan to submit an application for Labor Day weekend. The Boy Scouts of America rescheduled their day camp for August 3-5th so paperwork is already on file.

Infrastructure

Water and Sewer System

Russell Engineering has completed their water and sewer system summary and their findings have been reviewed by President Thomas and the Board of Trustees. A copy of the short summary of each system was forwarded to all committee members prior to the meeting. The BOT recommended a short term fix for the water system and recommended continued study on the sewer system options. Tobin reported that the State Land Board is working on an interagency agreement with FLC that would transfer \$50,000 for use on the water and sewer system.

Board of Trustees- Old Fort subcommittee update

Michele Merz-Hutchison confirmed that the negotiations with CSU have resulted in the transfer of the water rights via a quitclaim deed, transfer of equipment FLC had been leasing since 2010 and \$50,000 to be used for water and sewer system. She is not aware of any legal document (quitclaim deed) that would transfer buildings and improvements.

The Board of Trustees will visit the Old Fort on Wednesday, August 1st from 4-5:30 as part of their retreat. Beth will be out of town so Roy Horvath will lead the tour.

Memorandum of Agreement update

Tobin explained that the modifications made to the MOA reflect information that was incorporated into the FAQ document. Whereas clauses were added to include references to the FAQ document. The goal is to present the document, with proposed modification, to the SLB next week for their approval. While they would approve the general document, the SLB director would be allowed to make edits and approve the final document.

The committee began by reviewing Richard Miller's, absent committee member, written concerns with the maintenance and upkeep requirement of Fort Lewis College during these trying budgetary times. Tobin responded to the comments by suggesting that we need to continue to bring in lessees that have the ability to fix and maintain the property. A current example is the Southwest Conservation Corp's renovation of the North Shop for their tool and equipment

storage. They have fixed roof, windows, doors and upgraded the gas service to the building. Tobin stated that the State Land Board is committed to helping to fix the property and feel it is a responsibility they owe the Trust. They will assist with maintenance and improvements as money allows.

Update: A whereas clause was added to the modified document: "Additionally, to the extent it is able, the Board will indentify internal resources for assisting with maintaining and improving the Buildings."

There were some questions from Ed, Michelle and Heidi about the FAQ document and its relevance to the MOA. One of the questions was related to the CSU ownership of the buildings and improvements. It was explained that the State Board of Agriculture (governing body for CSU) was given money for new buildings and improvements on the site since they owned them. Tobin suggested that the new AG personnel meet with Amy Stengel to review the findings of the FAQ document that she worked on.

The committee addressed the following questions about the MOA:

Page 1:

While there is a reference to building ownership, who owns the infrastructure?

Tobin: It is implied that the owner of the buildings also owns the improvements which would include infrastructure such as water, sewer and electric systems.

Page 2:

Are there other leases that should be listed? ie: MV Interagency Helitac or Fort Lewis Mesa Fire.

These are the only leases that have been approved. Tobin suggested that he, Kit Page and Beth have a conference call about these other two partnerships. Both of them would be a combination of land and buildings.

How is the language "Grant of use and access" different than a lease?

At an earlier meeting, we had the discussion of a land grant versus a land lease and the committee preferred a lease arrangement at this time. Tobin's use of the word grant was meant to give as much control to FLC as possible. It is not granting the land at this point.

Page 3:

4A: What will be the procedure for the Board to approve uses that are more than 72 hours in length? We require them to be submitted 10 days ahead of time but your board only meets once a month.

Longer term non-academic use should be approved by the Board but that use should be longer than 7 days. Change will be made in updated MOA.

4C: There isn't a reference to the 450 acres of irrigated hayfields in this document. They are related to the use of the irrigation water and are outside of the 300 acres designated for grazing in this section.

Language referencing the irrigated lands will be included in the updated MOA to allow FLC to utilize their water rights. There is no need to include language referencing the grazing lease since it is an appendix to the document.

4D: ...that none of the Water shall not be sold, bartered..... Remove the word not

We had talked during our last discussion about removing the phrase "without prior notification to the Board" from the document so the water would stay with the land.

The intent of the phrase is to give FLC control of its water rights even though both parties agree that the water should stay with the land.

Page 4:

Edit in 4F: reference should be to 9B

5A: AG office personnel ask that FLC be given the right of first refusal if the SLB were to sell the land. Tobin reiterated that the SLB has no plans to sell the land but would include the language.

Final Comments:

What happens in 2017 when this agreement ends? It is the hope that the SLB and FLC have created a document with this MOA that can be amended to fit the changing needs of both parties. Leases with ERI, Cugnini and Southwest Conservation Corp also end in 2017.

Update: Tobin emailed the committee the updated MOA on July 25th with changes discussed during meeting.

Forest Management Update

The committee has been emailed a copy of the Forest Management Plan from 1979. Kent Grant from CO State Forest Service would like to upgrade it to reflect more current goals.

Annual financial report- draft review

The committee would like to see updated figures on the money deposited into the trust in FY 2012.

Update: An additional \$8724.82 was received in early July and was deposited in FY 2012. The updated section of the financial report is below:

State Land Board Leases

	<u>Source</u>	<u>FY 10-11</u>	<u>FY 11-12</u>
	Grazing Lease	\$12,000	\$17,100 \$10,494- Fall
	ERI Grazing Lease	\$3,077	\$3,077
Totals:		\$15,077	\$30,671
Deposited to Hesperus Trust		\$11,028	\$34,304 *As of 6/30/2012

Roy moved to adjourn the meeting. Kalen 2nd the motion. Motion carried. Meeting adjourned at 9:45 am.