

MINUTES

ABSF Board of Directors Meeting

Monday May 24, 2021

4:00 PM

Online via Teams Meetings

Board Members Present: Mike Mandli, Jeff Tumbleson, Kathie Pautsch, Mike Brown, Paul Eckerline, Tom Duffy, Charlie Dee, Bill Brown, Sue Scheer, Yuri Gusev, Karen Manske, Brett Rondeau, Jan Guenther

Absent: none

Staff Present: Ben Popp, Joe Vadeboncoeur, Allison Slavick

President's Comments: Mike Mandli

- One of the confidential offers for the Western 217 acres of the Telemark Property has been withdrawn. Therefore, this special meeting is called to primarily discuss pursuing a purchase agreement with Landmark Conservancy for the purchase of the Western property, and if not, then moving the sale of the property to a licensed real estate agent. We will also be discussing the purchase of land (Nordmor Lot) as requested by ABSF staff.

Executive Director's Comments: Ben Popp

- The ABSF staff would like to have an easement on a lot on Nordmor Road that is important to give access to the upper end of the ski trails being developed in that area, and also to provide access for electrical power and water to the area. The lot is 0.67 acres, owned by a family who wish to sell for approximately \$35K. If purchased, we could put the easement on the lot and then either sell it or keep it for ABSF purposes. We currently own a lot in the Kame Village (0.73 acres) that we do not need, and can sell to offset the cost, with expected selling price of \$25K.

Motion: ABSF BOD authorizes ABSF staff to purchase the Nordmor lot (0.67 acres), delay the closing until the Village Kame lot is sold, or at least push the closing out as long as possible, preferably until October 1, 2021.

Eckerline move. Tumbleson second. **Approved** unanimously.

- Landmark Conservancy offer for the western 217 acres of Telemark Property: Ben has been discussing this with a representative from Landmark as well as local Attorney Dana Rasmussen. The letter received from Landmark has some ambiguity. If an offer is accepted, staff would like a Purchase Agreement drafted that would have a specific window of time for Landmark to sign, as well as a non-refundable first payment of \$250K on July 1, 2021, with the remainder due on or around October 1, allowing time to fund raise, as well as complete due diligence. It would also be clear that the ABSF and Landmark would have different campaigns for respective fundraising.

Motion:

The ABSF Board of Directors authorizes our staff to reach a final agreement with Landmark Conservancy to purchase the western 217 acres of what we refer to as the “Telemark Property,” based on Landmark’s offer explained in Board President Bill Butsic’s memo of March 21, 2021.

The following provisions will be included in that final agreement:

A purchase price shall be based on land appraisals from accredited, independent third-party appraisers. The price shall not be less than \$678,000. If Landmark’s appraisal is more than that amount, the price will be the higher of the two appraisals.

An initial payment of \$250,000 will be made by Landmark to the ABSF by July 1, 2021, with the balance paid at closing on or around October 15, 2021.

Dee move. Pautsch second. **Passed** with one abstention by Eckerline, but otherwise unanimous.

- Ben announced that the staff have agreed on the name **Mount Telemark Village-Birkie** for the Telemark Property.

- Conservation Easement of the 300 acre middle section of Telemark Property

Motion: The ABSF Board of Directors authorizes our staff to pursue completion of a final agreement with Landmark Conservancy to place a Conservation Easement on the 300-acre middle section of what we refer to as the “Telemark Property,” based on the MOU with Landmark approved by the ABSF Board at our March 15, 2021 meeting.

We understand:

That the ABSF and Landmark will discuss and negotiate the precise nature of the easement that will both preserve the natural environment while allowing public access and silent-sport usage.

That we will pay a fee to Landmark of between \$22,500 and \$42,500, depending on the complexity of the easement.

That the ABSF will pay a one-time staff fee of \$7,500 to Landmark that Landmark has already agreed to reduce from \$15,000.

That Landmark will allow a five-year window for the ABSF to pay these fees, and that this window will commence with the signing of the easement agreement.

That once the easement is in place and the above delineated fees have been paid, there will be no further annual costs to the ABSF.

That Landmark Conservancy will enforce the provisions of the easements at their cost in perpetuity.

Dee move. Guenther second. **Passed** with one abstention by Eckerline, but otherwise unanimous.

- **Motion** to adjourn: Dee move. Pautsch second. **Adjournment** at 5:20 PM.