

NO. R-175. JOINT RESOLUTION AUTHORIZING THE COMMISSIONER OF FORESTS, PARKS AND RECREATION TO ENTER INTO LAND EXCHANGES AND FOR THE COMMISSIONER OF FISH AND WILDLIFE TO ACCEPT A LABRADOR RETRIEVER FOR LAW ENFORCEMENT PURPOSES.

(J.R.H.37)

Offered by: Committee on Institutions

Whereas, subsection 2606(b) of Title 10 authorizes the commissioner of forests, parks and recreation to exchange or lease certain lands, with the approval of the general assembly, and

Whereas, the general assembly considers the following actions to be in the best interest of the state, now therefore be it

Resolved by the Senate and House of Representatives:

That the commissioner of forests, parks and recreation is authorized to:

(1) Convey the eight-acre so-called "Fiddler's Elbow" parcel located in the town of Lowell to Dale Percy in exchange for a right-of-way and associated acreage of up to 15 acres located immediately adjacent to the Moss Glen Falls portion of C.C. Putnam State Forest in the town of Stowe, provided that the agency of transportation transfers the Fiddler's Elbow parcel to the department of forests, parks and recreation as "surplus" property at no cost, and provided that the appraised value of the land and right-of-way at Moss Glen Falls is equal to or greater than the appraised value of the Fiddler's Elbow parcel.

(2) Notwithstanding 29 V.S.A. § 166, sell a portion of Willoughby state forest containing the so-called Cheney House located near the south end of Lake Willoughby in the town of Westmore. The sale shall include up to five

acres of land necessary to encompass the Cheney House, associated wastewater treatment facilities, and associated outbuildings, structures, facilities, and access drives. It shall not include any frontage on Lake Willoughby. The commissioner shall follow the 29 V.S.A. § 166 process for sale of state lands. However, proceeds from this sale shall be deposited in the department of forests, parks and recreation parks special fund and used to implement a plan, which shall be developed by the department no later than September 1, 2007, to restore the buildings and grounds of Sentinel Rock State Park in Westmore. If not all funds are necessary to implement the plan, funds may also be use for improvement of facilities in Willoughby state forest at the south end of Lake Willoughby; or construction of cabins at state parks, or both.

(3) Enter into a lease for a term of up to 50 years with Thom and Hallie McEvoy for the rehabilitation, care, and stewardship of the Preston-Lefreniere homestead property in Camel's Hump State Park in the town of Bolton. The leasehold shall comprise up to 460 acres of the parcel, including the historic house, barns, and associated agricultural and forest lands. The lease shall provide for the rehabilitation and residential use of the homestead, stabilization and renovation of the barns, and agricultural, forestry, and related educational, conservation, and recreational uses of the property consistent with department management goals, historic integrity of the structures and land, and legal restrictions associated with the parcel. In lieu of a lease rental payment,

lessees shall commit to an approved plan for renovating, improving, using, and maintaining the property and its associated structures.

(4) Relinquish by quitclaim deed the state's reversionary interest in a 0.17-acre portion of the former Rutland Railroad property now owned by the town of South Hero so that the town may exchange the land for a 4.7-acre parcel of an adjacent landowner. The newly acquired parcel would be open and available for public recreational access and use.

(5) Amend the ski area lease with Burke 2000 LLC on Burke Mountain at Darling State Park to provide for three additional ten-year extension periods and to make two additional technical amendments to the lease as follows: title to all buildings, lifts, and other associated structures within the leasehold shall revert to the lessee, and the lessee shall have the right to assign or pledge the lease as collateral security for any mortgages or liens on its property.

Authorization to amend the lease is contingent on the completion of an economic study of the existing ski lease which demonstrates that the state of Vermont's lease fee formula is in the best interest of the state and compares favorably to other publicly administered ski leases in peer jurisdictions, and be it further

Resolved: That the commissioner of fish and wildlife is authorized to accept, on the department's behalf, a gift from Michael Cameron of Grand Isle of one Labrador retriever puppy for the department's fish and game wardens' use in law enforcement activities, and be it further

Resolved: That the secretary of state be directed to send a copy of this resolution to the commissioner of forests, parks and recreation and to the commissioner of fish and wildlife.