

**MINUTES OF THE
SANTA FE COUNTY
COUNTY OPEN LAND AND TRAILS PLANNING AND ADVISORY COMMITTEE
(COLTPAC)**

Thursday, March 18, 2010

1. CALL TO ORDER

A regular meeting of the Santa Fe County Open Land and Trails Planning and Advisory Committee (COLTPAC) was called to order on the above date at approximately 6:00 p.m. by Chair Matthew McQueen at the Santa Fe County Community Projects Conference Room, 901 West Alameda, Santa Fe, New Mexico.

2. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

Members Present

Matthew McQueen, Chair
Sam Pallin, Vice Chair
Brent Bonwell [arriving later]
Todd Brown
Jack Frost
Judy McGowan
Jerry Rogers
Scott Stovall
Stephen Schoninger

Members Absent

Jan-Willem Jansens [excused]
Sandra Massengill [excused]
Two vacancies

Staff Members Present

Scott Kaseman
Beth Mills
Allison Moore
Scott Kaseman

Others Present

Bill Baxter
Renee Villareal
Guy Eden
Arnie Valdez
Karen Yank
Sam Desgeorges

3. APPROVAL OF THE AGENDA

Dr. Mills suggested they table review of the criteria worksheet item.

Mr. Stovall commented on it.

Chair McQueen suggested they set up a committee to review the criteria so it could stay on the

agenda.

Dr. Pallin moved to approve the Agenda as published. Mr. Stovall seconded the motion and it passed by unanimous voice vote.

4. APPROVAL OF MINUTES

A. January 21, 2010

Ms. McGowan asked if in the request to establish a protocol on Santa Fe River way if it was correct that the Committee didn't give directions.

Chair McQueen said they could simplify the criteria because they had money specifically for that.

Ms. McGowan agreed.

Chair McQueen said he brought some notes to discuss it.

B. February 18, 2010

Dr. Pallin moved to approve the minutes of January 21, 2010 and the minutes of February 18, 2010 as submitted. Mr. Stovall seconded the motion and it passed by unanimous voice vote.

5. ACTION ITEMS

A. Preliminary Recommendations to Proceed on Application for Acquisition of 2 parcels in San Pedro (Campbell Ranch). Turquoise Trail Preservation Trust

Dr. Mills had been approached by Karen Yank who was here this evening about the possibility of COLTPAC listening to an idea folks have had considering an area along Highway 14 that Campbell Ranch owned at present at the intersection of 344 up into San Pedro. The brown area on the map she showed was BLM land and the Director, Sam Desgeorges, from BLM Field Office in Taos was here.

Ms. Yank said not only she and her neighbors wanted to address the 160 acres but also the parcel to the north bordering Golden Village.

Mr. Bonwell arrived at this time.

Dr. Mills reminded the Committee that Highway 14 was a national scenic byway. The County had been approached earlier by the same group that the lower 160 acres was to be a trail head for potential trails in BLM and south County trails toward Estancia Basin. Mike Madden had been working with that association on trying to establish a long range goal for this portion of the county. It had been within sight for a while but

there was some urgency about it now.

Ms. Karen Yank representing the Turquoise Trail Preservation Trust addressed it. She said they had lots of planning meetings with BLM to look at new uses of the area and preserve some of the history and archaeology and historic sites as well.

She said Mike Madden lived on the trail. He was a Board Member and a Recreation Specialist on Turquoise Trail Preservation Trust (TTPT). He had some ideas on ways to connect up the trail and connect all the way to the Sandias. He was working with Albuquerque on it.

The reason she came here now with critical urgency was because she talked with Robert Gately and he said that was the only part they had no plans for and it would be last thing developed but since then he had put up a sign to sell those two lots.

On the opposite side he was putting in an equestrian neighborhood. She pointed it out on a map. They were all 160 acre parcels. He needed to generate money quickly so he wanted to sell those two. He was charging a million per segment but the first two he was willing to sell for \$550,000. With all the BLM land abutting it, that 160 acres by Golden had been divided into 40 acre lots and all of that was available as well. He wanted to check in with her last night to find out if it would happen. He was not going to sell the corner lot to an individual. To sell to Open Space was his ideal and felt it would heighten the attractiveness of his properties. He wanted to use the trails as equestrian trails. He had worked with Turquoise Trail in the past on other issues.

He said he would hold off and give time to meet. Also they wouldn't have to do it all at once but he would need to sell one of them right away to appease his board.

She said she would be willing to get groups to donate money for open space.

Dr. Pallin said Mr. Madden called him to say there was a nefarious buyer potential.

Ms. Yank explained that it had been looked at for mining purposes. There was some talk there might be some interest in doing some type of operation. But she was focusing on the great opportunity to preserve the Turquoise Trail.

She pointed out that it was the very edge of Santa Fe County and it was the only scenic byway linking the two metropolitan areas. The middle part of the trail had not suffered any adverse effects as much as the ends. The ends were now four lanes with lights and degraded in status.

Her effort was getting more focused now. They needed to preserve these historic towns. They feed the economy for Santa Fe County. They saw it as the gateway to Santa Fe County and to stop encroachment. It was preserving a really unique area. She showed some pictures she took earlier in the day. They had a foot of snow out there so everything was covered.

Mr. Stovall asked if that was the turnoff to heartbreak hill. Ms. Yank agreed.

She said State Rd 344 was used as much as the one to Sandia Crest. The Olympians trained up there. It had changed from mining to recreational. She lived right in Golden on the road that went up to a lot of the old claims. They used her road to get there. There was one active quarry in San Pedro Mountains.

Ms. McGowan said the corner parcel was not a legally separate parcel.

Mr. Sam Desgeorges (BLM) summarized that their existing plan and future plan both proposed that this land remain public. A lot of the other details he couldn't share. The plan attempted to strike a balance of uses. There would be areas for mining and areas closed to mining (aggregate mining). Basically now it was a recreational type of mining and BLM didn't see that changing.

He explained that the old claims were grandfathered in because they continued to pay the assessments. But if someone wanted to run a real mine, that would be a whole new plan and would require an environmental assessment. These were for pan mining under the 1872 Mining Act. It had to be in an area of environmental concern and presently there were no designations.

Dr. Pallin said it was beautiful property there through which he had ridden but if you ride from 344 north and then go to the east, you cannot get back south.

Mr. Desgeorges said the synergy of future trails was stagnated by the fact that they had not completed the plan but it was determined by public desires. They were hearing hiking and trails from the public here.

Dr. Pallin asked how the Committee could provide input.

Mr. Desgeorges said the plan was in D.C. for the Director's review and then they would have public meetings for input.

Ms. Yank said the Association had been working with them for five years now and making a strong point for recreation. She felt they had proved their point and the BLM would honor these ideas.

Mr. Desgeorges said because it was an Environmental impact statement, it identified alternatives like a conservation alternative. So it was more rigid on commercial activities. The other alternative would be more commercial and they were going with a balance between those. There was a predictable location where mining would occur.

Dr. Mills asked Ms. Yank about the archaeology conservancy and to address the San Pedro site.

Ms. Yank said they had been talking with archaeology conservancy in Albuquerque about the old town of San Pedro and hoped to conserve that as well. She sent him the files and he said that was under protection by Santa Fe Code since it was documented. There was a little mining history there as well and 15 acres of the old archaeology site. It qualified as a historic site. She pointed it out on the map.

She said it was quite a big town in its heyday. It would be on the southern parcel and they could preserve it and do markers. Her organization would be interested in helping with that.

They did tell me they had talked about buying the first 40 acres to preserve but since it was protected by Santa Fe code, they cannot buy it.

Mr. Stovall asked if the trails on those parcels would fit in with the Master Plan.

Dr. Mills thought it would. They had moved away from the corridors into more specific alignments than these corridors. But they hadn't addressed trails planning in south Santa Fe County. So it was hard to say.

Ms. Yank said they were trying to work with Santa Fe County Planning to do an overlay to preserve certain areas and this was one of them. It was a unique opportunity right now because Campbell was going to sell it and the old code didn't protect it. The TTA got the national scenic byway status through a lot of hard work. So you go up through Golden and up to Madrid and on to Cerrillos - that was what made this trail so unique. She had been harping with Santa Fe County that it was a significant gem and a big tourist and revenue maker. So many films had been done there and bike tours - it was a backyard playground.

Chair McQueen explained that COLTPAC has a procedure to follow. He would be happy to see an application. But if he wanted to sell it now, the County was not equipped to act right now and might not have the money.

Mr. Bonwell added that there was no appraisal either.

Dr. Pallin suggested if they decided to recommend it, and assuming an application was received, there might be a way to tie up the property like a down payment. The next bond issue had to have some specifics and the Committee might name this property.

Mr. Stovall didn't think they could commit the BCC to an option.

Chair McQueen said they could not commit money but they sure could not commit money without having the money. The option price could be applied to closing but it might take four months to complete the process.

Mr. Stovall asked if they were listing all of it or just the one for accessing the trail.

Mr. Frost asked if they were legal lots of record.

Ms. Yank said they were but they had not cut in roads yet. On the corner at 344 was where he was doing the equestrian neighborhood. These two parcels were separate from that. He had an interest to sell to the County. He felt it would increase his property value for the equestrian neighborhood. He just wanted some commitment from the Committee.

She wondered if there was a way to have TPL purchase it immediately.

She said the weird thing that happened with Campbell was that its board used to be all family and now was 40% outside investors.

Dr. Mills said they had about \$600,000 from the bond sale. Under the new rules, the applications were considered as they came in.

Dr. Pallin asked if the principals could meet with the Committee.

Ms. Yank said Mr. Gately could meet with the Committee. He was involved in the million dollar home give away and that party was tonight. She was not a principal. She was hoping the Board could vote to go forward with it. She said when she talked with Dr. Mills she indicated there were ways to speed it up. She thought it was still valid to bring it forward.

Dr. Mills said the Committee should tell her whether or not to submit an application.

Chair McQueen didn't want to curtail their discussion but they had a full agenda. He would love to see an application but that didn't mean they could do it. They might figure out an arrangement that would work but they were not at that stage yet. The question was whether they could do something creative in the interim.

Dr. Pallin said they didn't have any adequate place for trailheads. They needed a home in the south where equestrians and bicycles could go.

Ms. Yank said TTPT could help with that and they would provide the manpower.

Dr. Mills said there was an RFP out for letter of interest for landscape planner in Edgewood.

Mr. Stovall asked if there was a possibility of carving off access to BLM - to buy part of it. For a trail head they would not access off of 14 or 344.

Chair McQueen asked if they could make an application and come back next month.

Ms. Yank said they had support all the way along - people all along the trail. She had done her homework and had wide support for it.

Chair McQueen said that was great and it would help as they went to the County.

Ms. Yank was afraid he won't wait for a month.

Dr. Pallin agreed to talk with him.

Chair McQueen said they would have to schedule a site visit and would do it before the next meeting.

Mr. Brown wondered if the owner could be at the site visit too. Ms. Yank agreed.

Mr. Stovall moved to recommend they proceed to submit an application for acquisition of these two parcels or some fraction thereof with an exploration of options. Mr. Rogers seconded the motion.

Mr. Valdez added that this was being explored within Chapter 5 of the SLDP. There were irreplaceable archaeology resources being threatened and the wildlife habitat was being threatened. They were in the process of illustrating all the historic sites and byways and trails and coordinating that with sustainable on the quality of the landscape. One strategy was the possibility of a historic overlay zone over the highway. And then designating gateways like the one on Highway 14 and the other was on La Bogota for scenic view. So the preservation was key for economic, recreational and other purposes.

The motion passed by unanimous voice vote.

Dr. Mills agreed to give her an application form.

B. Recommendation for Acceptance of the Jacona Land Grant Trail Easement

Ms. Renee Villareal, Santa Fe County Planner, spoke to this project. It was on the SLDP for Pojoaque Valley and was located south of the Jacona campus. They did a GPS on it and the committee supported the proposal but they didn't have full support from the Land Grant yet. At this point, it was going through the process and it had goals and strategies. COLTPAC was the place to begin. Now Jacona Land Grant wanted to look for ways to do easements on it.

Mr. Guy Eden, the Land Grant President, was present. He explained that this was a historic land grant but the 320 member Jacona LG Association owned the land and trust.

Dr. Mills outlined the proposed regional trail connections that currently went through private land and should be moved to the north through BLM land. She was thrilled when the proposed easement was being proposed.

Mr. Eden said a trail existed now that the Pojoaque School faculty and students used. Ms. Villareal pointed it out on the displayed map.

Mr. Brown asked what they could do on it.

Mr. Eden said they grazed cattle on it and spent lots of money on fencing recently. They had a lot of trespassing and dumping and motorcycles going in there. So they were trying to protect it. There were two roads through it. There were trails that people had established through the years. He explained that this was a private land grant. They met with their attorney, Kurt Sommer, for some way to make money. In the past they sold off parcels and then spent the money. They were now trying to figure out some way to generate income without selling it off piece by piece. If they donated it as a conservation easement, they would get tax credits so it wouldn't cost the County anything.

Chair McQueen asked if it would be a trail easement or a conservation easement.

Mr. Eden said Mr. Sommer said it should be a conservation easement. He said that in 1986 the law was passed to receive tax credits for something like this and they could sell them for less than what they

were worth and hopefully could make a little money without having to sell part of it off. In 2007 they had to sell 40 acres at Highway 502 for operating expenses. They couldn't collect assessments from all the members so it was their only choice. Then he learned about the easements two months ago.

Chair McQueen said the trail easement wouldn't reduce the value much but conservation easement would reduce it more.

Mr. Eden explained that some of it was not developable.

Chair McQueen said it was a lengthy process and they would have to look at it carefully.

Dr. Pallin told him they would need an appraisal and asked if he needed surveyors.

Chair McQueen said the Committee would need to know for sure if it was a trail easement or conservation.

Mr. Eden said they were also talking about 30 acres along the river as a park. It needed some clearing of the bosque there.

Chair McQueen thought that might be where they could donate the park easement and the conservation to the County. The first step would be to get an appraiser to establish a value for the trail.

Mr. Eden said he came up with 20 acres and if it was worth \$20,000 per acre, it would total \$400,000 and their tax credit would be \$200,000.

Chair McQueen explained that if it appraised at \$400,000, the value of the trail easement would be less than that.

Mr. Eden thought they would get 50% of the value of the land.

Chair McQueen explained further that the easement was not the same as giving the land. The value of the easement might be only a quarter of the land value. The Association could still graze on it.

Dr. Pallin said they could talk with Mr. Sommer to find out if it was more valuable to donate the property. The Association should consider both ways.

Mr. Rogers noted that there was a federal incentive for conservation easements for archaeological and historic sites and perhaps this might meet one of these incentives.

Chair McQueen clarified that unless they had to pay federal taxes, a tax credit wasn't worth anything.

Mr. Brown asked if all the members lived on it.

Mr. Eden said nobody lived on it. It was all raw land and varied in terrain from Tano Road - high ridge area down to the Tesuque bluffs with arroyos and flat areas.

Chair McQueen asked Ms. Villareal what the next steps were.

Ms. Villareal said they were talking about how it would work. This was to get a recommendation to move forward.

Mr. Eden said he would have to get back with Mr. Sommer. They had to make application and be accepted. So it was not an overnight process but it was a win-win system.

Mr. Stovall asked if that would require an application.

Dr. Mills said they would have to take it to BCC but not a full application. Tonight they needed a recommendation.

Mr. Frost agreed that the Committee could work with them but the way it was couched tonight might not be the best action plan for them.

Mr. Eden said Mr. Sommer would package it for them. He was their intermediary with the state. And if it didn't work out for the trail, they could do 300-400 acres of scenic property as a conservation easement.

Dr. Mills said their attorney said they had several steps outlined. One was to have a meeting with the County and the trustees to walk the land grant to see the location of the trail easement and the bosque area. Secondly to meet with COLTPAC where the trustees would outline the details and third would be BCC to accept the donation and finally a meeting of the membership to approve the plan for dedication.

She wanted them to be able to take something away from here as they moved forward to BCC.

Dr. Pallin moved that COLTPAC give an expression of support toward the proposed acceptance of their donation. Mr. Bonwell seconded the motion.

Mr. Frost asked if the Committee wanted to express an interest in the most beautiful part.

Mr. Eden said a conservation easement rather than selling the land was more attractive to the Land Grant membership. Maybe they could do something like in Galisteo (clustering). It was hard when they had 320 members.

The motion passed by unanimous voice vote.

Mr. Eden thanked the Committee.

Mr. Bonwell asked him to include the COLTPAC in the invitation for a site visit.

Ms. Villareal thought this was very important. They had worked on it for so long. It would be beneficial for everyone in the valley. It was exciting.

6. DISCUSSION ITEMS

A. Bentley Offer and Decision

Dr. Mills contacted Michael Bentley about the appraisal of \$175,000 and he rejected that. He thought it was outrageous. So they were letting that go.

As a result of that experience and the appraisal experience staff pursued the idea of having a second or third opinion on the appraisals the County was getting .she thought this one was done. It would be helpful to have review from other appraisers where the public was extending a lot of money. She had advice from appraisers that it would be a good idea.

She contacted TRD and they showed an inclination to try to help with free second or third appraisals.

This was one she would like to send them and one or two from the river. So they were trying to make a shift. This and the river alerted them to get more on them. Staff would pursue it and see how generous TRD would be. She didn't want to spend so much.

Dr. Pallin felt this was a way to keep first appraiser honest. With a written document and backup it would put more pressure on the seller.

Mr. Stovall said they did that at the Board of Finance. The concern was that sometimes you meet with the seller and agree on an appraisal, whatever it was. It was a consensus on the value of the land rather than one party paying for the appraisal.

Dr. Mills said sometimes they agreed to split the cost. This appraisal cost \$3,600.

Chair McQueen said TRD had been taking a hard look at all of them. The down side was that they had a big backlog. The upside was that they took a hard look at them. It gave more integrity and avoided the problems.

Mr. Stovall said-they took a hard stand when the value was too high. He felt it was worth the TRD doing the review.

Mr. Schoninger asked if it was possible to show him the appraisal.

Dr. Mills agreed.

Chair McQueen didn't know where he got the idea that it was worth \$350,000. He bought the property and did a conservation easement which reduced its value.

Mr. Stovall added that he had said he wanted to "give" it to the county.

B. Comments on Sustainable Land Development Plan

Dr. Mills hoped people had reviewed the open space section she sent out. Mr. Valdez and Ms. Villareal were working on this every day, particularly toward the strategies. That was her hope.

Chair McQueen asked if they had time to consider it next month.

Dr. Mills said they didn't. She hoped she could gather everyone's comments and do a consensus.

Dr. Pallin said he would feel more comfortable if you specified when sections you wanted comments on.

Dr. Mills said she might be able to do that.

Chair McQueen asked what the deadline was.

Mr. Valdez said it would go to CDRC in April at their next meeting. The particular wordsmithing could come later but they were trying to get the basic structure to go with the public on all the comments and then could move forward with the next version - a more detailed narrative and analysis.

Dr. Mills asked the members to please take the time if they hadn't yet and see if there was anything they really disagreed with and anything glaringly missing.

Mr. Rogers and Dr. Pallin said they had.

Chair McQueen thought this was very important and they couldn't do it in ten minutes.

Chair McQueen asked if she could compile the comments they emailed to her. Everyone agreed to send them in by email. Chair McQueen set the 25th to have all comments in. Send an email to Dr. Mills a by one week from today.

Ms. Villareal said they had received a lot of comments on this section like former COLTPAC members and the people who were here tonight.

Mr. Rogers asked Dr. Mills if she had an idea of how to refocus and guide the members.

Dr. Mills said she would send her rewritten strategies to each person by Tuesday or Wednesday.

Mr. Bonwell said they had bought a lot of land but had not done anything with trails. In the first part trails were high up. But with strategies, they were the last two items. They had more land than they could deal with. \$500,000 would get only one property but it could go a long way for a trail.

Ms. Moore said there was no resolution of trail standards and that was why their input was very important.

The Committee briefly discussed trail systems.

C. New County Committee Structure

Dr. Mills reported that for the past year, the strategic planner looked at all the committees and came up with some conclusions on how the County needed to move forward. She was not certain on the conclusions but the County attorney's office uncovered some things that needed to be changed. She shared some of the issues that were being considered by the County but didn't have any answers yet on resolution. The County Manager would be here either in April or May and wanted to share what would happen to committees.

She said the advertising for the two vacancies on the Committee had been pulled.

She also would like to have a work session for their input with a chance to share her opinion and hear theirs.

7. MATTERS FROM OPEN SPACE AND TRAILS STAFF

A. Website Updates

Dr. Mills asked permission to publish the bios members gave her - not the photos but the bios.

Mr. Brown said his might have to be changed.

Dr. Mills agreed to send them out and asked them to let her know.

8. MATTERS FROM THE COMMITTEE

a. Review Changes to Criteria Worksheet

Chair McQueen asked who wanted to be on the committee on changes to the Criteria Worksheet.

Mr. Stovall, Mr. Frost, Mr. Bonwell and Mr. Jansens volunteered and Mr. Stovall agreed to chair it.

9. ADJOURN

Having completed the agenda and with no further business to come before the Committee, the meeting was adjourned at 8:10 p.m.

Approved by:

Matthew McQueen

Matthew McQueen, Chair

Submitted by:

Carl Boaz
Carl Boaz, Stenographer

ATTEST:

Valerie Espinoza vt

VALERIE ESPINOZA
COUNTY CLERK



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

COLTPAC MINUTES
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I Hereby Certify That This Instrument Was Filed for
Record On The 3RD Day Of February, 2011 at 02:45:48 PM
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Deputy *Valerie Espinoza* Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM