

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

Tuesday, February 22, 2011

1. CALL TO ORDER

A special meeting of the Santa Fé 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 Dr. Mills at the Santa Fé County Community Projects Conference Room, 901 West Alameda, Santa Fé, New Mexico.

2. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

Members Present

Sam Pallin, Vice Chair
William Hutchinson
Judy Kowalski
Eliza Kretzmann
Sandra Massengill [arriving later]
Matthew Montoya
Michael Patrick [arriving later]
Jerry Rogers
Scott Stovall

Members Absent

None

Staff Members Present

Beth Mills
Colleen Baker
Allison Moore
Rudy Garcia

Others Present

Bill Baxter, Former member
Brent Bonwell, Former member

3. APPROVAL OF THE AGENDA

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

4. ELECTION OF CHAIR AND VICE CHAIR

Dr. Pallin volunteered to be chair.

Mr. Rogers moved to elect Sam Pallin as Chair of COLTPAC by acclamation. Mr. Stovall seconded the motion and it passed by unanimous voice vote.

Ms. Kowalski volunteered to be Vice Chair.

Mr. Rogers moved to elect Judy Kowalski as Vice Chair. Mr. Stovall -seconded the motion and it passed by unanimous voice vote.

Chair Pallin began chairing the meeting.

5. MATTERS FROM THE PUBLIC

There were no public comments.

6. MATTERS FROM OPEN SPACE AND TRAILS STAFF

A. Review of Pending Acquisitions and Current Budget

Ms. Baker reviewed the General Obligation bonds and said Dr. Mills would review transactions in the near term and things she saw on the horizon.

Approximately \$2 million remained from the 1998-2000 bonds. After subtracting the current obligations there remained \$800,000, not counting what COLTPAC had recommended for acquisition. She noted that funding for the Crichton trail would be taken from the joint regional GRT funding. She clarified that the bond monies were specifically for acquisition.

The first bond was very general - acquisition for open space, trail heads, etc. but the last one was specific to design construction and acquisition.

Ms. Baker added that there was separate funding of \$3.5 million for the Santa Fé River Greenway.

Chair Pallin asked if they could get a legal opinion in order to be sure the bond money was limited to acquisition.

Ms. Baker said she did ask and could ask again. The Finance Director said it was for acquisition.

Ms. Massengill arrived at this time.

Chair Pallin noted that if they came close to exhausting the funds on another acquisition there would not be enough for any others and it would be good to have some funds for maintenance.

Ms. Baker said they used GRT for maintenance. The next bond election would be 2013 and staff could talk with the Commissioners about it. They wanted to keep what they had without having to push for more things.

Chair Pallin thought they should do a resolution as input for the next bond.

Dr. Mills said they needed to address what remained in the fund now. The pressing project in addition to San Pedro was the Crichton Trail - a 50-acre parcel in the NE corner of the City from Santa Fé Conservation Trust. The trust was requesting a sale price of \$125,000. With that money, the Trust would design and build a trail connection from Dale Ball to Little Tesuque. But that would come out of joint regional GRT revenue. It would benefit the city and was in the city limits.

They would need money for the easement with the State Land Office for NM Central Trail on the rail bed between Thornton Ranch and SFCC. She had worked with the State Land Office and they denied giving the County the easement she requested. In discussions with State Land Office staff, they were willing to grant an easement but not as wide. So they would provide a permit to enter and do the work and once the alignment was in place they would grant the easement. They needed some money for that. She never heard a value for her request but in her mind it was about \$50,000 to \$100,000. She didn't remember the number of acres.

Ms. Baker said the city had done extensive planning in La Tierra area and kept the County in the loop. They mentioned a trail head that was on private property but being used by the public and would be a trail head to a large open space area.

Dr. Mills said it was on the bypass to La Tierra. There was a series of mail boxes with parking right there.

Mr. Bonwell said there were several trail heads up there. They would revise the underpass on 599 from Camino Las Montoyas - more toward the arroyo to get access to the 599 tunnel which was designed for pedestrian access. There was informal use of the Unity church there but no large scale parking. There would be more up toward the south.

Mr. Hutchinson asked how much space was needed for that - surely not 200 acres. Ms. Baker agreed and added that they didn't know if the developer had any plans for that property.

Ms. Kretzmann thought it seemed worth looking into.

Chair Pallin asked if some of it was suitable for commercial development.

Mr. Hutchinson said part of the old road bed with La Tierra was private.

Mr. Bonwell said it was not part of the master plan for La Tierra.

B. Review of San Pedro Open Space Application

Dr. Mills showed the tracts they looked at. The 160 acre piece was brought it on the application from the Turquoise Trail Association at \$550,000. In the discussion, the Committee asked if the 160 acre parcel was worth it if they couldn't get the 40 acres on the corner. By the end of the discussion they asked staff to go to the owner for all four parcels (43 acres and 119 acres also) for half a million dollars.

Secondarily staff was asked if that wasn't accepted to try to negotiate for the 160 and 43 acre parcels. They had the appraisals done individually in November and then appraised both together and then for all four together.

She went to owner with the half million offer and the owner turned it down. She asked for the two at \$450,000.

In the final offer in email, the applicant got involved because she wasn't getting any response from the owner. He said he had no intention of selling the corner so the seller wasn't interested but would be if the county bought all four pieces.

So she went back to the appraisal which was \$655,000. He was not willing to entertain that at all. The individual appraisals were \$885,000 and he would consider all 4 for \$785,000. She told him they couldn't buy it for that amount because it was above the appraised value. But she agreed to bring it back to the new committee.

Before the end of that conversation the owner said he would consider the two parcels for a half million which was the appraisal of each individually.

Since then, the applicant had been involved with the conversation and negotiations with land owner and it had created some confusion. So that was what happened with county staff and the owner.

Having gone out there and seen it, the Committee could discuss the pros and cons and what the consensus might be.

Chair Pallin said the corner lot had the potential for commercial development including gravel. The last committee wanted to buy the two to protect the corner.

Mr. Baxter commented that the Hendersons immediately north made an offer on the top parcel at a premium (more than the appraisal) and the owner said no to their offer.

Secondly, at the behest of Mr. Henderson, he was to make the Committee aware of the patent claims on the BLM property next to it. There was a public easement through those and Mr. Henderson said the owners of the patent claims might be willing to get rid of their white elephants. That would be an alternate access to the BLM land.

Ms. Baker said the other side was also Campbell Ranch and a group from the Sandia Mountain area was trying to get access on that side.

Mr. Patrick said there was a 4 mile gap and then it went into Cibola National Forest. The connection of Cibola to Sandias was exciting.

Chair Pallin added it would also connect south to Edgewood.

Dr. Mills said the owner couldn't see the rationale for the bulk appraisal. He hadn't said anything to her about reappraising it. That was legally unacceptable for the County.

Chair Pallin noted that this development of Campbell Ranch had lots of horse trails. The zoning was 40 acres so purchasers could divide them.

Dr. Mills said it was master planned.

Chair Pallin said the owner advertised that it could be subdivided to 40 acres.

Chair Pallin asked for a motion to go into executive session.

Mr. Rogers moved to go into executive session pursuant to NMSA 1978, §10-15-1.H (8) to discuss possible acquisition of real property and to invite Mr. Baxter and Mr. Bonwell to be present. Mr. Hutchinson seconded the motion and it passed by unanimous roll call vote with Mr. Patrick, Ms. Kowalski, Mr. Hutchinson, Ms. Massengill, Mr. Stovall, Chair Pallin, Mr. Montoya, Ms. Kretzmann and Mr. Rogers voting in the affirmative and none voting against and no abstentions.

The Committee went into executive session at 6:42 p.m.

At 7:15, the Committee decided to return to open session.

Mr. Stovall moved to return to open session. Mr. Rogers seconded the motion and it passed by unanimous roll call vote with Mr. Patrick, Ms. Kowalski, Mr. Hutchinson, Ms. Massengill, Mr. Stovall, Chair Pallin, Mr. Montoya, Ms. Kretzmann and Mr. Rogers voting in the affirmative and none voting against and no abstentions.

Chair Pallin announced to the public that during the executive session, no actions were taken and the only matter discussed were the consideration of acquisition of real property in accord with Section 10-15-1.H (8) of the New Mexico Open Meetings Act.

7. ACTION ITEMS

A. Recommendation on San Pedro Open Space Acquisition

Mr. Stovall moved to recommend to the Board of County Commissioners to purchase tract 1 (160 acres) of the San Pedro Open Space at the appraisal price with a proposition to purchase the 43 acre parcel and in a separate agreement, trail easements within Campbell Ranch not to exceed a total price of \$500,000.

He then indicated it should be two motions.

Mr. Stovall moved to recommend to the Board of County Commissioners that staff negotiate a purchase agreement to purchase tract 1 (160 acres) of the Campbell Ranch property at a price of \$350,000 with access easements and a 5% donation to the County. Ms. Kowalski seconded the motion and it passed by unanimous voice votes with no abstentions.

Ms. Massengill moved to authorize staff to negotiate a combined purchase of tract 1 and the 43 acre parcel with trail easements in Campbell Ranch and 5% to County at the appraised value. Ms. Kretzmann seconded the motion.

Ms. Massengill asked if they usually had the appraisal of both and if the bulk appraisal wouldn't be a slap in the face.

Ms. Baker said the appraiser did each parcel separately and then the bulk appraisal. If they did another appraisal they would have to be clear what they wanted it on. This one gave the owner a different expectation.

Ms. Massengill felt staff could let him know the ultimate desire was to have all four parcels.

Chair Pallin thought psychologically the owner was looking at each parcel price. Staff could say the Committee wanted the whole thing.

Ms. Baker said he clearly wanted more money for the property.

Chair Pallin clarified the motion that staff was empowered to negotiate the purchase of more than just Tract 1 and could include the 43 acre portion of Tract 2 and/or the four parcels and trail easements and 5% back to County. Ms. Massengill agreed to that clarification. The motion passed by unanimous voice vote with no abstentions.

Mr. Patrick commented that the City had open space in Sandoval County and wondered if Dr. Mills could work on putting together a deal for the two parcels.

Dr. Mills agreed to contact Bernalillo County Open Space and Albuquerque Open Space to see if they would consider contributing some money to this purchase.

Mr. Patrick moved to authorize Dr. Mills to negotiate with Bernalillo Open Space and Albuquerque Open Space to partner with Santa Fé County in an offer for the two parcels. Mr. Hutchinson seconded the motion and it passed by unanimous voice vote.

Chair Pallin noted that Albuquerque had sequestered parcels of open space all over the map.

Ms. Baker didn't think they could get away with that now.

Ms. Baker said even if Bernalillo County did purchase it, Santa Fé County needed to spend public money carefully.

Mr. Montoya asked about equestrian grazing on open space.

Dr. Mills said that was not a possible use.

Mr. Hutchinson asked if they had any working relationships with foundations.

Chair Pallin said they could not do that. They could not pay more than the appraisal.

Ms. Baker said they had not pursued foundation money but looked more to grants. She said it was part of the anti-donation clause. She could see a potential that they could structure a deal and a nonprofit contributed money to the owner to make it happen but the County couldn't do it.

Dr. Mills announced that the Mollenbeck purchase went through today.

The next meeting was scheduled for the 3rd Thursday in March.

8. ADJOURNMENT

Ms. Massengill moved to adjourn the meeting. Mr. Patrick seconded the motion and it passed by unanimous voice vote. The meeting was adjourned at 7:45 p.m.

Approved by:

Sam Pallin
Sam Pallin, Chair

Submitted by:

Carl Boaz
Carl Boaz, Stenographer



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
COLTPAC MINUTES
PAGES: 7
I Hereby Certify That This Instrument Was Filed for
Record On The 25TH Day Of August, 2011 at 11:42:44 AM
And Was Duly Recorded as Instrument # 1643486
Of The Records Of Santa Fe County
Witness My Hand And Seal Of Office
Deputy *Valerie Espinoza* Valerie Espinoza
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 08/25/2011