

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

Thursday, April 21, 2011

1. CALL TO ORDER

A regular 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 Chair Pallin 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, Chair
William Hutchinson
Judy Kowalski, Vice Chair
Eliza Kretzmann
Sandra Massengill
Matthew Montoya
Michael Patrick
Jerry Rogers
Scott Stovall

Members Absent

Staff Members Present

Beth Mills
Colleen Baker

Others Present

Bill Baxter, Former member
Betty Booth, City of Santa Fe Parks and Open
Space Commission
Bill Johnson, Former member

3. APPROVAL OF THE AGENDA

Dr. Mills under Staff had a question about the date of next month's meeting and the context of it.

Ms. Kowalski moved to approve the agenda as amended. Mr. Hutchinson seconded the motion and it passed by unanimous voice vote.

4. APPROVAL OF MINUTES FROM MARCH 17, 2011

Chair Pallin asked for correction on page 5. He didn't remember his words but around election time there were many public messages so it would be wise to get COLTPAC's message out earlier.

On Page 9 regarding the question on safety he asked why it should have access on Hwy 14 (not 344).

On Page 11 a third down the page, should say "people who buy there would value connections with our property."

Ms. Kowalski moved to approve the minutes of March 17 as amended. Ms. Kretzmann seconded the motion and it passed by unanimous voice vote.

5. MATTERS FROM THE PUBLIC

Ms. Betty Booth, Chair of Santa Fé Parks and Open Space Commission, introduced herself. She said the Council requested the Commission to put together a bond for 2012 and the Commission wanted to connect with its constituencies. So she proposed a meeting with COLTPAC to consider it with them. She explained that they were the advisory commission and they had staff.

Chair Pallin felt it was early for COLTPAC to prepare for a bond.

Dr. Mills thought it might be best for the commissions to get together with staff present.

Chair Pallin thought they could in a few months.

Ms. Booth said the Commission needed to make its first report in May. The final report to City Council would be in October so there is time. Councilor Rosemary Romero asked the Commission to do this but she was swamped

Mr. Patrick asked when they would have the election. Ms. Booth said it would be in March.

Ms. Kowalski thought it was a great idea and was all for it.

Chair Pallin wanted to get a word from staff.

Dr. Mills told Ms. Booth she could contact her about it.

Ms. Booth said the Commission had 9 people and they were given a book to digest in two months. It was a brand new commission with diverse representation. The City Council asked them to move forward so they were visiting with everyone on it.

Dr. Mills thought this was a good place to start to grow that discussion.

Ms. Booth said they were open to it.

Mr. Stovall asked if it would be a standalone bond.

Ms. Booth agreed. They sought \$ 33 million with \$9 million for trails in the last one. She didn't know about the one upcoming. At some point the economy would get better and they would be ready to move forward.

Chair Pallin asked if the county bond would be in competition.

Dr. Mills said it would not. She said they were planning to go to the voters in November 2012.

Ms. Kowalski asked if it would be useful to identify overlapping projects. Maybe that would be a place to start.

Dr. Mills could think of several. The South Meadows property was an example and there were a number of them.

6. MATTERS FROM THE COMMITTEE

A. Overview of Funding Opportunity from DOT Scenic Byways Grant

Mr. Patrick explained that this came up because of the San Pedro property. The Scenic byways Grants included some transportation money and enhancing the property. He and Mr. Hutchinson met with Laurie Franz, statewide director for Scenic Byways, four weeks ago. The grants can provide up to 80% of costs based on reimbursement of expenses. It is competitive and applications are due in the summer.

Last years' projects went from \$45,000 to \$500,000. Ms. Franz suggested that we submit an application in the higher range. The two categories for grants included resource protection and access to recreation. There are web sites to get more detail. These grants are not for trails but for parking lots, etc. The selection committee is from the State Transportation Board and Federal Transportation.

The San Pedro property is not right on the Turquoise Trail but if the corner lot could be acquired it would be a great way to leverage that money.

Chair Pallin asked if they had someone with expertise to write such a grant. He thought it would really be good to sequester that corner property before the owners sell it for commercial use. He asked if there was a way to maintain communication with them at Campbell Ranch.

Dr. Mills agreed. It was unfortunate the way the appraisal was ordered. She thought they could consider going back after the purchase was concluded.

Chair Pallin said if they didn't have the money it would have to wait until the next bond.

Mr. Hutchinson thought it could be a strong contender for funding. Laurie seemed positive. He asked if there was another application.

Dr. Mills said there was one for El Camino Real.

B. Staff priorities for COLTPAC and TPL (Trust for Public Lands) assistance in preparing for the next Bond (or other funding mechanism)

Mr. Patrick said when he was a TPL staff member with an advisory board he wanted people to tell TPL what their needs were.

Dr. Mills said in January the Committee had a series of conversations with staff -- first on San Pedro and also pulling into the conversation the idea for the work TPL did for the County. It had come to a screeching halt with the recession. Polling was to be the next step. They would go back to the public to see what they would support and then pick up where they left off in the contract with TPL. They did great analyses for staff but the climate and the economy brought it to an end.

Mr. Patrick said the TPL has a special conservation finance team to help cities and counties create conservation funding. Over 2/3 of all such funding is for cities and counties. That subgroup provides technical support to the entities to get voter approved monies; they do polling to determine voter interest and determine the proper level for support and how to write the ballot language. There is legalese - to articulate the purpose and the cost. If the county wanted to proceed they could set up a campaign with a group to do campaigning with mailers and advertising to get a successful bond result.

Chair Pallin asked if TPL was nonprofit. Mr. Patrick agreed.

Mr. Stovall asked how much it would cost.

Mr. Patrick said it was a free service to help put a measure on the ballot. TPL has been involved in about 600 such measures across the country.

Dr. Mills recalled that TPL was instrumental in the first effort which established the County Open Space Program

Mr. Patrick said TPL had a third party to do the polling.

Mr. Patrick reported they had a subcommittee meeting beforehand to work on what role COLTPAC should play in the bond measures.

Chair Pallin agreed they needed to be working on it. Last time, the Committee considered whether a standalone bond would be best.

Mr. Stovall said they would make the recommendations to the Board of County Commissioners (BCC).

Dr. Mills said Commissioner Stefanics seemed to be very encouraging with it. Mr. Stovall agreed.

Chair Pallin definitely thought she wanted the Committee's input but he got the impression from her that the Committee might be less successful.

Mr. Stovall asked what the members thought about a standalone bond.

Chair Pallin felt they would be going to an electorate that had different needs. Some would put us higher and others would put something else higher.

Mr. Stovall felt the public tended to vote for COLTPAC's projects but when combined with other things, he wondered if they would vote for the whole. It would be nice to make a recommendation to BCC and then let them sort it out. It needs a vote at some point.

Mr. Patrick felt that having capital to spend for the work COLTPAC was here for was probably the most important thing going. The question was how much to ask for. He wondered if they should come up with a list. Some counties did that but there were all kinds of variables on it.

Chair Pallin said he asked last time how they would come up with a list and Ms. Baker said staff had a long list.

Dr. Mills said they needed to vet that list. She was concerned about being able to fund the operations of the program. It has to run parallel with maintenance.

Chair Pallin added that it would come back to bite them if they didn't give the public access to the projects.

Dr. Mills said they could decide not to open a property but just manage it. They had taken on restoration and preservation of cultural resources where the public has not been allowed in.

Chair Pallin knew there was a lot of work involved in acquisition, maintenance and improvement. "A bond on our own will be a big job." He asked if they should devote the next meeting to this subject.

Mr. Patrick said Ms. Booth was six months ahead of the November election in March.

Dr. Mills didn't feel totally confident yet. COLTPAC needed to make sure it had the BCC support. The way to do that was to have them acknowledge they were picking up the TPL thing again. If they agreed to that and to hiring a project manager for the river, it would be a green light. As members of the advisory committee you could push much harder than staff could.

Chair Pallin wondered how they could get a second wish list on maintenance and improvements.

Dr. Mills said staff had it. She thought using the standards for 2012 would be the place to start. She could share with the committee that conservation mapping pulls out some of the larger properties so that if they had a bond those would be appropriate to consider. She agreed to email it to the Committee.

Mr. Stovall asked if they could ask for a certain amount of money for certain projects or if they would do

a bond sale and then people would come in with applications

Chair Pallin reminded the Committee that not all of them ended in acquisition.

Mr. Stovall explained that he was suggesting that the bond issue can be generic with generic language for open land - the flip would be a specific list of projects for the voters and they could go through the list. The county has done it both ways. But if there was a specific list and the Committee got applications from other areas that were very nice - maybe the Committee should have money to consider them.

Chair Pallin thought the last time it was a little too specific and they might want the next one a little more general.

Dr. Mills did not think they could target specific projects in the bond issue. She shared some of general and not specific language that should be used.

Ms. Kretzmann thought it would be good to see the TPL research.

Mr. Patrick agreed. TPL would be willing to be on the agenda to share what TPL does.

Chair Pallin asked staff to put that on the next agenda.

Mr. Stovall said he was starting to get questions from the public (both sides).

Mr. Hutchinson asked Dr. Mills if the Committee could follow up on the operations question. That was not funded by bonds.

Dr. Mills explained that staff salaries were funded through the 5% donations and property sales. When they didn't sell properties or run out of that money then they lost staff.

Mr. Baxter was concerned with a perception that the county could not take care of what they already had.

Dr. Mills said she had explained that to TPL as a great concern and they addressed it in their report.

The County Manager had ideas for getting staff salary funding that was very creative. They were ideas that staff would follow up with her.

The Board okayed a position to come out of the bond but the previous county manager didn't follow through and suddenly there was a hiring freeze and the ball was dropped. She was picking it up now and hoped to get a project manager for the river out of that bond in the next couple of months.

Mr. Stovall clarified that bond proceeds could not be used to pay for salaries. The job has to be very specific to a project.

Dr. Mills said that language was written very tightly and that was why the project manager could only

work on very specific tasks..

Mr. Rogers felt that made sense because a bond was usually for acquisition whereas maintenance is forever. It was much easier to get money for something for which a politician could cut a ribbon. It was not so easy to get money to keep it going. Building a trail was capital improvement but there were other costs involved. The argument that the county should not ask for more if it could not manage what it had already, has always been around.

Chair Pallin asked if they had maximized use of volunteers.

Dr. Mills didn't think so but that was a separate program - a goal within 2012 performance.

Ms. Kretzmann wanted to talk about that some time.

Ms. Baker arrived at this time.

Mr. Stovall thought there were volunteers available.

Chair Pallin agreed. He knew the equine people were ready.

Ms. Massengill understood they could not hire full time staff but asked if there a loophole for when they got the funding that labor for the project could be paid. That would be an economic boost.

Ms. Baker said she had explored that for contracting out with a contract manager. There are IRS codes that make it difficult. It doesn't matter what the funding source is. The current bond was broad enough to include those things. But perhaps they could write it in the next bond to make it even easier.

Ms. Kowalski noted that the City of Albuquerque included a three year maintenance period in their contracts for construction. It worked for them so it was something worth considering. Three years was enough for a landscape project.

Ms. Baker said they started down that road with one project. The only way was to include it in the original RFP.

Mr. Rogers added that they needed to make sure that someone was collecting the payroll taxes. A substantial number of people who worked for National Park Service did so under contracts with the National Conference.

The committee briefly discussed employee vs. independent contractor.

Chair Pallin asked if they could use reimbursed scenic byway funds.

Ms. Baker said that would go back into the general fund.

Ms. Baker explained why a mil levy was not an option now. TPL's report said a mil levy was the best

way to go but the county attorney said no but they could do a special assessment district.

Chair Pallin asked if they should put forward a resolution.

Mr. Rogers thought they should affirm where they were right now and make the need clear to keep maintaining what they had now.

Ms. Baker agreed. It should say "this is what we can do with the resources we now have."

Mr. Rogers moved, "Since 2000 we have enjoyed enormous success in acquiring open land and historic sites and trails and the assumption from the beginning was to have operations and maintenance to preserve them and allow the public to enjoy them. Since 11 years have passed, it is time to begin ensuring that they are maintained with permanent staff to do it. Responsible in perpetuity."

Ms. Massengill seconded the motion.

Mr. Baxter commented for perspective that two of the three largest county parcels open to the public were managed by other agencies: the botanical garden and the state park.

Mr. Patrick asked if it should be a specific recommendation with specific number of staff.

Ms. Massengill didn't think that would work.

Ms. Baker said the maintenance standard was 2 staff per thousand acres. For the County, that would mean 12 staff members just to maintain the current properties. When adding capital and acquisition it would be more than that.

Chair Pallin thought if the BCC appreciated the Committee's input; they could come back and ask what would be needed.

Dr. Mills asked if the idea was to take this to the BCC as a resolution or just to as an update from COLTPAC.

Mr. Stovall said it was a general resolution but could be a comment to start with.

Mr. Rogers felt it didn't make sense to send it as a resolution to adopt. They will either provide for staff or they won't.

The Committee further discussed whether to make a resolution or a recommendation.

Ms. Baker suggested a report and then see if a commissioner would bring it forward as a resolution.

Dr. Mills added that it would go into the budget packet.

Mr. Stovall asked how items generally appeared before the BCC.

Ms. Baker said it was usually just acquisition items. It could either be presentation or recommendation.

Mr. Rogers was fine to make it a recommendation.

The motion passed by unanimous voice vote.

Mr. Stovall moved to recommend exploration to obtain alternative methods of financing to assure funding for maintenance and operations of the open space and trails program. The motion was not seconded.

Ms. Kowalski thought maybe the Committee should table this until they saw the report.

Ms. Baker said TPL looked at our whole program - bonds, GRT and mil levy. The county attorney disagreed and suggested the idea of a special assessment district.

Ms. Kowalski suggested maybe they could identify other ways such support was done.

Chair Pallin suggested the byways grant.

Ms. Baker said grants are capital money and the County was maxed out on GRT.

Chair Pallin clarified he was talking about the 5% back to county.

Ms. Baker said that was paying 3 staff. She explained how the 5% was justified (quasi broker's fee). She added that it was not enforceable. She commented that Colorado used sales tax. There was also real estate transfer tax.

Ms. Massengill noted there was also an effort for cigarette tax for state parks.

7. MATTERS FROM OPEN SPACE AND TRAILS STAFF

A. Discussion of 2 proposals from Commonweal Conservancy

Dr. Mills said Ted Harrison brought these proposals to her. She wanted the Committee to tell her whether they wanted him to submit an application.

The first one was the Bentley property. She provided the location and brief description of the property. She explained that the owner submitted last year to COLTPAC and it would be a good holding and the committee wanted it but the appraisal was much lower than the owner thought was appropriate, so it didn't happen. It would provide great access to a trail head (CNMRR) along with the historic site of the town of Kennedy.

Ted Harrison's proposal was to swap that parcel for the County's 30 acres to the north of it that was alienated by CR 42.

Chair Pallin said, "That's beautiful."

Dr. Mills began describing the problem with it. Mr. Harrison had been struggling with conservation on it and ended up creating the white dots nearby which were conservation ranch lots for sale. The CNMRR easements ran right through those properties. He promised an easement but later reneged on that because he wanted to sell these lots to high end buyers. She wasn't sure what to think about it.

Ms. Baker said right now that corner was not a parcel so the County would have to create that lot and also they had no policy for how to release property that was purchased for open space. Furthermore, that would open a door for the county to get rid of open space property.

Mr. Baxter said one of the primary arguments for accruing this property was the trail linkage through the Commonweal Conservancy property. The County would have a node with trails that connected to various trails. He asked what his conservancy ranches would do to that.

Dr. Mills said it would destroy it. When Mr. Harrison came he said he was bringing a solution to the County.

Chair Pallin felt if the Committee said okay to the swap it should be with the condition that the easement would be given.

Ms. Baker said it was hard to write the policy well enough to protect us.

Ms. Kretzmann asked what the benefit would be then.

Ms. Baker said the Committee identified it as the best area for a trail head. They could put it in right next to his homestead so there would be some tension.

Dr. Mills thought they had a few other options for trail head and parking at Thornton.

Mr. Rogers thought they should hold fast to the assumption that they would get the trail easement and not give an inch on it.

Mr. Baxter didn't think the County should get into a land swap. Mr. Harrison was probably desperate to survive in this economy. He might truly think this would solve the problem. But setting a precedent like that was not good.

Ms. Baker agreed and they steered clear of it two times before. She said they needed to continue to worry about that easement. The County had toyed with conservation easements but it would be hard to do it. "We need to put something on the properties that we buy. They needed to put a road through and did it."

Mr. Rogers suggested they tell Mr. Harrison that it was not timely.

Dr. Mills went to Mr. Harrison's second request.

Highway 285 came down from Eldorado to the entrance of the northern part of Mr. Harrison's development. Adjacent to the area designated for the village development.. The rail trail runs at northern edge of his property and we are filing for easements into the blue area which is state land. He suggested the Committee look at the yellow part - that was donated to Commonweal Conservancy on the last day of 2010. The southern yellow piece is 12 acres for approximate \$120,000 to create the trail head there. It has much better access off 285 opposite Joe Miller's Road.

The question was whether he should submit an application.

Mr. Rogers asked if it would solve the problem with state land.

Ms. Baker said it would not. They still had to have an easement on state land and could not get it wide enough at the rail line.

Dr. Mills was not sure of how realistic the \$120,000 figure was.

After a brief discussion, the Committee supported asking him to come forward with an application.

B. Update on San Pedro Acquisition

Dr. Mills said she had a purchase agreement as of this morning for San Pedro. It will go on Tuesday to BCC. On Monday evening Commissioner Robert Anaya would hold a public meeting at East Mountain Elementary on Route 344. She asked for a representative from COLTPAC to attend the BCC on Tuesday, probably in early afternoon.

Mr. Patrick agreed to attend.

Chair Pallin wasn't sure he could go but agreed to go to Edgewood on Monday evening.

Ms. Massengill would try to go.

Dr. Mills agreed to send out the agenda.

C. Discussion about an upcoming work day

Dr. Mills asked if the Committee would have interest in a work day in June at Los Proteos. They had been cleaning ditches there.

There was some interest.

Dr. Mills said she would circulate some dates in June.

D. Arroyo Hondo Open Space Event

Dr. Mills announced completion of a new loop trail there with a public opening on May 14th at 10 a.m. and invited COLTPAC members to attend. The BCC will be there.

Ms. Baker announced that the Santa Fé Trails Alliance event will take place. This is a good example of sustainable trail building. They could see the difference made in the trail for what the program was doing in the past 3.5 years than before because they had qualified staff and more of them (7 vs. 2 before).


Dr. Mills asked if the Committee could meet one week later in May and have it in Edgewood at the Community Center or perhaps the fire station on May 26th. Her hope was to allow the Committee to vote on the management plan and take care of the public meeting at the same time. That would combine public meeting with committee meeting.

The Committee wanted the 6:00 time.

9. ADJOURNMENT

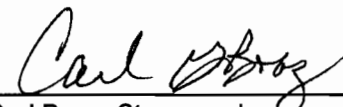
Having completed the agenda and with no further business to consider, the meeting was adjourned at 8:20 p.m.

Approved by:



Sam Pallin, Chair

Submitted by:



Carl Boaz, Stenographer



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 25TH Day Of August, 2011 at 11:42:46 AM
And Was Duly Recorded as Instrument # 1643488
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office

Valerie Espinoza
Deputy County Clerk, Santa Fe, NM

SFC CLERK RECORDED 08/25/2011