

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

Thursday, June 18, 2009

1. CALL TO ORDER AND ROLL CALL

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 Vice Chair Sam Pallin.

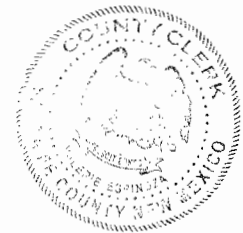
Roll Call indicated the presence of a quorum as follows:

Members Present

Sam Pallin, Vice Chair
Brent Bonwell
Todd Brown
Jan-Willem Jansens
Judy McGowan
Stephen Schoninger
Scott Stovall

Members Absent

Matthew McQueen, Chair
Jack Frost
Martin Gabaldon
Lou Ann Hunt
Sandra Massengill
Jerry Rogers



Staff Members Present

Colleen Baker
Scott Kaseman
Allison Moore
Charles Gonzales

Others Present

Scott Wilber
Michael Cisco

2. ASSIGNMENT OF ALTERNATES

3. APPROVAL OF THE AGENDA

Ms. Baker apologized for lateness of minutes

Mr. Bonwell moved to approve the agenda as published. Mr. Schoninger seconded the motion and it passed by unanimous voice vote.

4. APPROVAL OF MEETING MINUTES – MAY 2009

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
I Hereby Certify That This Instrument Was Filed for
Record On The 3RD Day Of February, 2011 at 02:45:45 PM
And Was Duly Recorded as Instrument # 1625793
Of The Records Of Santa Fe County
Deputy Valerie Espinoza Witness My Hand And Seal Of Office
County Clerk, Santa Fe, NM

Mr. Bonwell moved to table the May minutes to the next meeting. Mr. Schoninger seconded the motion and it passed by unanimous voice vote.

5. PRESENTATION OF PROPOSED PETCHESKY PARK (Scott Wilber, Executive Director, New Mexico Land Conservancy)

Ms. Baker clarified that there were two presentations

Mr. Wilber said they were going to dedicate part of Petchesky property as a county park. The ranch was owned by Jane and Gene Petchesky and gave it to the NMLC as part of her estate. Part of it was in the SFCC District. He pointed out the location with I-25 on north, probably one of the largest parcels of open space in this area. 240 acres were already under a conservation easement. He showed where they were located at the Petchesky house.

Ms. Petchesky gave a trail easement to the county (in red. The main trail artery was along Arroyo Hondo. It was non-motorized for pedestrians, bicycles and equestrian as well. They had some special planning guidelines to connect all the villages with a series of trails. There was a large parking area at Richards and one on the other side. The NMLC was proposing to sell everything south of Arroyo Hondo as a county park and offer back a partnership for development and management and potentially dedicate a portion for part of the infrastructure and work with the County for friends of the park.

Mr. Brown asked if it was fenced.

Mr. Wilber said it was and they had experienced no one getting in. They took ownership in February and moved there in April. Most of the neighbors had known the Petchesky's for a long time. There was an interest in greater public access and that was what they wanted to explore. The conservation easement itself didn't allow public access now. As a non-profit, they were not in a position to grant public access but had a vested interest in what happened there.

The land, that was everything south of the trail, was 160 acres and an option would add 20 acres up to the house. They had it appraised earlier and there was a table at end of the handout showing the individual values. This land was now going for \$14,000 to \$16,000 per acre. So if anyone else wanted it, it would be \$2.2 million. But the easement took it down 90% so it was about \$224,000. This was a fast growing part of the county. There could be 40,000 people out there in 20 years with build out.

Ms. Baker said they had been trying to work on property for some time in the Rancho Viejo area so this would help in a lot of ways.

Mr. Brown asked if the County would we put in walking trails.

Mr. Wilber pointed to the side from the two parking areas where the County could have picnic tables and playground equipment and the rest could only be accessed by interior trails. The easement allowed for construction of additional trails but no buildings out there. Part of the process would be to transfer the

easement to NMLC because they were located there and could take care of it long term.

Mr. Brown asked how to get to the east parking area.

Mr. Wilber said it was accessed from dinosaur trail and they could reconfigure the access at Richards. He said that area was the most deteriorated because they took out sand and gravel.

Ms. Baker clarified that this was not the full application yet so they would make no decision tonight but could have a vote of interest.

Mr. Jansens asked if there were other considerations if they moved ahead. It was very reasonable but he didn't know if he had heard everything here.

Ms. Baker couldn't think of anything else.

Mr. Wilber said they could go ahead and submit an application.

Ms. McGowan asked about the terms.

Mr. Wilber said they were asking for \$50,000 (25%) at purchase and they would help established the infrastructure.

Mr. Jansens asked how it fit within the goals that the Committee was and also what opportunities had staff identified in the bigger picture that needed to be envisioned moving forward. He asked if it was just the beginning of the exploration.

Ms. Baker agreed. Beyond the trail they had not fleshed out a staff review of an application.

Mr. Stovall asked if this would fit into the budget.

Ms. Baker said it would. The 25% offer was huge as well as the offer of the partnership.

Mr. Stovall moved to authorize County staff to delve further into the details into a potential acquisition of this property. Mr. Jansens seconded the motion.

Vice Chair Pallin clarified that the \$225,000 was for the 160 acres.

Mr. Wilber said it was for the 160 acres plus the 20 acres. He explained the adjustments they would make to the easement, transferring it from forest trust to land trust. They could also put the management plan into the proposal.

The motion passed by unanimous voice vote.

Ms. McGowan urged some caution on the easements, noting that there had been questions about

easements on Richards that caused some problems. Ms. Baker agreed.

6. URGENT PROJECTS APPLICATION: Gettysburg of the West - 3/26/1862 Civil War Battlefield

Ms. Baker explained that Mr. Alfonso Sanchez had been talking with staff about this property for some time now. Staff would start the review process now instead of in September. The decision would be to determine if this property met the criteria for a project. It was decided to consider it. They would schedule a site visit and if it did not meet the criteria, they would review it in September. She read the urgent projects requirements for the Committee.

Mr. Sanchez introduced himself and shared his background including being a lawyer for 51 years. He explained that with many of his sisters being in Albuquerque, he and his wife wanted to move there.

Mr. Sanchez then reviewed the history of this property that included a civil war battle there on March 26, 1862.

He said it was also where the Mexicans weakly defended against the American troops. The oldest bridge was nearby (1835) and was still up.

He said he had been offered \$73,000 for 20 acres but they would offer it to the County for less than the appraised value.

He believed this was an opportunity for them to work with the Pecos National Monument so tourists could walk up there and see the old bridge.

He said he made a transfer on death deed but it was easy to cancel that and dispose of the property. He said he did not reside on the property.

His wife wanted them to sell to Santa Fe County, not the State of New Mexico. He indicated there might be some bodies buried there, perhaps from the confederate soldiers. He feared the Old Santa Fe Trail went under the railroad tracks there.

Mr. Jansens asked him to describe the urgency involved.

Mr. Sanchez said he was 81 and his wife wanted to move to Albuquerque. They needed to get this cleared up before they moved. He briefly explained a lawsuit against the railroad concerning their right of way.

Vice Chair Pallin said they would like to look into it but their first step was to discuss whether it was urgent.

Ms. Baker asked if it would be okay for the Committee to consider it at their September meeting. Mr. Sanchez agreed.

Vice Chair Pallin thanked him for bringing this to the Committee.
Mr. Brown asked if they could take a site visit.

Mr. Sanchez invited them to do it any time.

Vice Chair Pallin noted that it didn't have trails but it had lots of historical value.

Mr. Jansens moved that it not be considered an urgent project and approve a full conversation and inquiry through the normal processes. Mr. Bonwell seconded the motion.

Ms. Baker clarified that Mr. Sanchez did submit the application.

Vice Chair Pallin rephrased the motion to be: the application was made under the urgency process and no evidence for that was presented so the Committee urged him to apply under the regular process. The motion, as restated, passed by unanimous voice vote.

7. MATTERS FROM OPEN SPACE AND TRAILS STAFF

- **Report from subcommittee on restructuring the resolution for considering applications to COLTPAC**

Ms. Baker handed out the draft resolution Mr. McQueen had prepared regarding the policy for considering applications to COLTPAC. She said an applicant could come to staff to request a pre-application. Staff evaluated it for completeness primarily and forwarded it to the committee.

Right now things could come in at any time but the applications were held until after Aug 31 and the review process started then. She explained that the one year time frame might not be flexible enough to deal with something that comes up.

She thought perhaps the staff review could be strengthened or expanded so this Committee would not be bogged down with every one that came along.

What Chair McQueen preferred was that staff would review the application for completeness and potentially for meeting the criteria. If it did not meet the criteria, staff could request added information and if that didn't meet it, the applicant could appeal to the COLTPAC Chair and Vice Chair. She said the first version was emailed out before last meeting and this was a new revision.

Mr. Jansens said the old one was very different. This language allowed COLTPAC to advise staff on other funds besides bonds.

Another change was that the review process was now much more flexible with these other sources and relation to the GMP. So a more flexible application and review process was needed. It allowed members to bring forth ideas that didn't have to wait a year.

He felt they should we move ahead with a totally flexible process as they came up or a quarterly review. That was left open here for discussion. Those were the issues the subcommittee couldn't decide on.

Ms. Baker suggested they not try to identify all the sources that might come in but that it could include any of those sources. It would be a change to the second, third, and fourth whereas statements.

Vice Chair Pallin suggested just adding another whereas.

Ms. Baker thought they should just say that any funding could be used for acquisitions.

The other thing that she questioned was part of.2c. She asked if a person could submit an application a few years later after a prior rejection.

Mr. Jansens suggested they require the applicant to call it a re-application and identify the changes that pertained after the earlier rejection.

Mr. Schoninger said they should keep a master list of all applications, accepted and rejected.

Ms. McGowan asked if this resolution would not address urgency.

Vice Chair Pallin wondered why there should be any time frame.

Ms. Baker said with a bond issue of \$40 million, they could get slammed with applications. They would never be able to judge one against the others. But it originally was a competitive process.

Vice Chair Pallin thought they could still reject any or all of them. He couldn't see how quarterly would make a difference. He asked if staff wouldn't rather process one at a time than all coming in at once. He favored considering the applications at any time.

Ms. Baker agreed, if staff had a stronger review. And if they got a \$400 million bond issue, they could change the criteria. She felt they should try to anticipate the situation for a few years and to anticipate they would get money for it.

Mr. Stovall asked if the Master Plan compliance was in this resolution.

Ms. Baker said it was not strongly in it; 2-a was the only place. It should be evaluated against the Open Space Trails Plan and any other approved county policies.

Vice Chair Pallin asked if it was a work in progress then. Ms. Baker agreed.

Mr. Bonwell asked about the 30 day time line for staff to make a recommendation.

Ms. McGowan asked when the 30 days start ticking. She felt it should be when the application was determined to be complete.

Mr. Jansens agreed that the application needed to be determined complete before the clock started ticking.

Ms. Baker clarified that was for the Committee but not staff.

Ms. McGowan said if staff found it incomplete and the clock would stop.

Mr. Stovall asked if 30 days was adequate.

Ms. Baker thought so. But if they got a bond issue, they would need more staff. It was not possible to run a program of that magnitude with a staff of five. With more staff, 30 days would be okay.

Mr. Kaseman felt they should have 10-12 staff right now to handle it.

Mr. Stovall suggested that since they were not taking action, the members could submit comments to the subcommittee. Ms. Baker agreed.

The Committee briefly discussed possible political pressures on the process.

Ms. Baker called attention to the restriction that the Committee could only table it once for a specified time period.

Vice Chair Pallin thought that was dangerous.

Ms. McGowan agreed with tabling to a specified time but not the once only restriction. Ms. Baker agreed.

Ms. Baker clarified that all of the applications required public notice. With a 30 day review and a scheduled site visit, the fastest they could approve would be through two consecutive meetings.

Vice Chair Pallin added that there was nothing that would limit how long the Committee took to consider an application. The resolution should also make it clear that it was the staff's prerogative to determine if it was complete. And then somehow present it within thirty days after determination rather than receipt.

Ms. Baker said the incomplete application, when resubmitted, would start the 30 days again.

Vice Chair Pallin thanked the subcommittee for good work.

Ms. Baker thanked the Committee for good feedback.

- **Program Updates**

Vice Chair Pallin noted they still didn't have easements under the freeway to connect through Bachelor.

Mr. Brown said they needed an update on the gravel pit open space. He was still watching the gates.

Ms. Baker said they did get the final report on the environmental assessment and submitted to NMED to move the proposal forward. Once they approved the assessment and remediation plan, they could move forward as it provided the liability protection for, getting on the property. They were also pursuing the funding for phase 2. There were questions on phase 1 to resolve yet. She added that the owner had signed the agreement.

Mr. Jansens said they needed to have a field trip there.

Ms. Moore announced that July 11th was the date for the trip to the Rail Trail.

8. MATTERS FROM THE COMMITTEE

Mr. Jansens said that on July 18th, the Conservation Trust would have an open meeting at Galisteo Basin Preserve with discussions about bicyclists and other things from 4-9 p.m. He gave the schedule. It was a Saturday. The announcement would be sent out. It would be at the southern crescent, just across the railroad tracks in Lamy to the right.

In the next couple of weeks they would get a letter from the Consortium regarding wildlife throughout New Mexico. It would address wildlife corridors. There was a big push for foundation support. A big gathering would take place in August. The County Commission would get announcement as well.

9. PUBLIC COMMENTS

None.

10. ADJOURNMENT

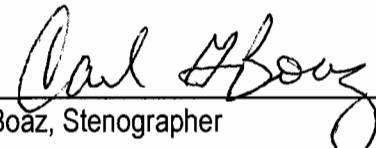
Mr. Brown moved to adjourn the meeting. Mr. Jansens seconded the motion and it passed by unanimous voice vote. The meeting was adjourned at 8:00 p.m.

Approved by:




Sam Pallin, Vice Chair

Submitted by:



Carl Boaz, Stenographer

ATTEST:



VALERIE ESPINOZA
COUNTY CLERK

