

Dear Santa Fe County residents:

This time I will cover some of the more interesting issues at our last Board of County Commissioners meeting. Lately I have been concentrating on covering the Sustainable Land Development Code, which is probably the most important issue that the Commission is grappling with. But other things have been ongoing and are important as well. I will detail some of those other issues below.

Our last meeting was quite packed with a variety of topics. We were in meetings last Tuesday for roughly 12 hours (excluding lunch). We started at 10:00 a.m. with a Study Session on the new Code, and we were not finished with our last land use case until around 9:30 p.m. What an exhausting day!

I will continue to send out messages about the proposed draft for the new Code as we go along. We have scheduled 12 public meetings to give people in the different parts of the County information, as well as to get feedback. There are two important points to make, though. We are not drafting this Code from scratch. It must conform to the concepts expressed in the Sustainable Growth Management Plan, and it must be completed; otherwise, it would be a repudiation of all the effort on the part of hundreds of citizens across our County, who worked so hard to create a vision for the future of Santa Fe County through the Plan.

Please feel free to pass this e-mail along to whomever you think might be interested. And as always, I welcome comments.

Sincerely,  
-Kathy

### **Household Hazardous Waste (HHW) Center:**

Here is an important item that was not actually on our meeting agenda, but that everybody in our County should be aware of.

The County for the first time has a special Center that can deal with most types of hazardous waste that come from households and businesses. HHW is any unusable residential waste that is toxic, reactive, ignitable, or corrosive. The containers of these wastes generally have warning labels with details, and are found on products such as drain cleaners, motor oil, and pesticides. These wastes pose a potential threat to our community's health and our environment. And now the Solid Waste Management Authority (SWAMA) is providing a special Center at which these wastes can be disposed of in a way that will protect our community.

The Household Hazardous Waste (HHW) Collection Center is conveniently located at the Buckman Road Recycling and Transfer Station (BuRRT). The 2,400-square-foot facility will be open year around on Fridays and Saturdays (except holidays) from 8:00 am to 4:45 pm. Residents can bring in their HHW for a nominal fee of \$50 per ton based on 20 pound increments (although if you bring in 20 pounds or less you will pay \$0.55). If trash is brought into BuRRT along with the HHW, there will be a \$6.30 minimum charge for both.

### **Accreditation of the Regional Emergency Communications Center (RECC):**

Santa Fe County's Regional Emergency Communications Center received accreditation (through a unanimous vote of the Board of Accreditation) as a National Academies of Emergency Dispatch Center of Excellence. This was a major achievement which the RECC has been working toward for 10 years.

In order to achieve this designation as a Center of Excellence, the RECC had to demonstrate compliance at a level of greater than 95% for such activities as training and quality assurance for a significant period of time.

The Santa Fe County's RECC is in fact only the 168th center in the entire world to be awarded this high distinction.

### **Property Tax Rates:**

Every year the Secretary of the State Department of Finance and Administration (DFA) issues a written order that sets the property tax for all governmental units which share in the tax. The calculation of the tax rates is quite complex. It depends on total valuation of property and on the budgets for each of the governmental units that have been submitted to the DFA for the upcoming year. According to State Law, each Board of County Commissioners throughout the State must issue a written order imposing the new tax rates within 5 business days of receipt of the information.

A Written Order was on our agenda for the September 11th meeting, and this was exactly 5 business days after the County had received the new tax rates. Interestingly, all the rates for this coming fiscal year were lower than the ones for the previous fiscal year. This was probably due to the fact that the total valuation had increased over the last year, and thanks to "yield control" the rates themselves were lowered. It is important to emphasize, though, that the property tax you pay is a product of both the rates and the valuation of your property.

If you would like to see a chart comparing this year's rates in different areas with last year's rates, please let me know. I have a pdf file that i can send out, but I decided not to include it with this message as it is a rather large file.

The Order installing the new lower rates passed a Commission vote. However, Commissioners Anaya and Mayfield voted against it as a protest. They made a statement that they didn't think it was appropriate for the County Commission to approve the rates since this body had nothing to do with setting them.

It is interesting to note that if the Order had not passed, then last year's higher rates would have remained in effect for this year.

## **New Mexico Association of Counties' Legislative Priorities**

Every year the New Mexico Association of Counties (NMAC) puts together a list of half a dozen top priorities for the upcoming Legislative Session. NMAC then asks the various counties in the State to ratify these priorities (if they are so inclined) through Resolutions. This has the effect of giving greater weight to the issues.

Commissioner Stefanics is Santa Fe County's current representative Board member to NMAC. She brought forward a number of resolutions, all of which the BCC passed. I will give a description of each of these below so that you can get an idea of the issues that are priorities with the majority of counties throughout the state. There was quite a bit of accompanying information with each resolution that gave detailed justifications for the position taken, so if you would like more details, please let me know.

### Real Property Sales Disclosure

Due to the fact that the best approach to determining the market value of a property is utilizing a "sales comparison" approach and because only residential sales are required to be disclosed to the Assessor, the NMAC supports requiring that the sales of all real property be disclosed.

### Local Government Database Royalties

The NMAC Executive Committee and the NM Municipal League worked together on legislation that is embodied in 2012 Senate Bill 245 that seeks to allow local governments to charge a royalty for access to databases in the same way as state agencies can now.

It turns out that there have been many cases of out-of-state individuals requesting huge amounts of information (i.e., entire databases) from local governments. Right now local governments cannot charge for delivering such information, and this puts a burden on counties -- especially the smaller ones. State agencies can charge for such data, but local governments are not allowed to receive any remuneration.

### Traffic Violation Reform

When traffic violations are treated as criminal rather than civil penalties, it can actually cost counties a great deal of money to collect the fines. Thousands of individuals are currently incarcerated in county detention facilities each year for failure to pay penalty assessments for traffic infractions. It is estimated that this costs \$3.6 million statewide annually. It also puts a substantial burden on law enforcement agencies (e.g., in Bernalillo County there are approximately 40,000 warrants relating to traffic offenses) and on the court system.

Therefore, the NMAC supports legislative reform for enforcing minor traffic violations.

### Recurring Revenue Stream for Rural Emergency Medical Services

Emergency medical services are essential in rural communities to provide potentially life-saving emergency care and transportation to the nearest available emergency medical treatment. The

cost of service is generally not covered by the fees for services paid by patients. Many counties that are rural and that have substantial low-income populations do not generate enough tax revenue to provide adequate funding to sustain reliable and viable emergency services.

The NMAC is supporting legislation that would create a state-based revenue stream to supplement local funds for rural Emergency Medical Services and calls upon the State Legislature to amend applicable statutes to create such a source of funds.

### Fireworks Licensing and Safety

This resolution calls for legislation that would amend New Mexico State Act (NMSA) 1978 to include "roman candles, mines and shells" in the list of regulated fireworks.

There were some very interesting facts included in this resolution that I will pass along to you.

In the 2008-2011 time period, 2,427,023 acres burned across New Mexico, as compared to 1,357,887 acres from 2002 through 2007. The number of fires per year declined from an average of 1681 in the earlier time period to 1328 in the later period, but the number of acres burned per fire increased dramatically from 114 acres per fire to 416.

In 1999, amendments to NMSA 1978 were passed that authorize local governing bodies to limit and restrict the sale and use of fireworks within the the unincorporated areas of a county under certain circumstances, such as extreme drought conditions. In order to put such restrictions in place in a given year, the BCC must hold a public hearing at which they consider a proclamation declaring such conditions. If the proclamation passes, the governing body of the county can ban the sale or use of various types of fireworks. The purpose of the new amendment to the Act supported by NMAC would be to include the above-listed fireworks that are not currently enumerated in the Act.

### Delinquent Property Tax Sales

Currently County Treasurers notify the New Mexico Department of Taxation and Revenue of delinquent properties -- for which the owner or owners have not paid property tax -- when such properties are delinquent for a period of two years. The Property Tax Division then has the sole authority to determine whether to sell the properties at auction if the taxes remain unpaid. After the sale, all penalties and interest amounts associated with the property are given to the Property Tax Division to pay for its costs of collection on behalf of the counties.

However, it is not required that the properties be sold. The NMAC would like to see legislation that amends the current law to make sale of the property by the Taxation and Revenue Department mandatory rather than discretionary.

There was some disagreement about this NMAC priority, but the resolution was still passed by our BCC.

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