



State delays vote on town's annexation of county land

By Matthew van Buren

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The state Municipal Boundary Commission failed to vote on proposed town of Taos annexations Feb. 17 after it was determined that notification requirements were not met.

The hearing, which filled the Town Council Chambers on Civic Plaza Drive, drew town employees and county leaders, as well as residents, who were almost entirely opposed to being annexed. A 90-acre area off Este Es Road was the biggest point of contention, with members of the public largely arguing that annexation would be too costly.

The commission was expected to vote on the proposed annexations Feb. 17, but the state was required to publish several notices prior to the meeting, including 20 days before it was held. However, the last notice was published only 15 days before the meeting. As the meeting adjourned, chairman Frank Bond said the commission will determine whether it will need to hold an entirely new hearing or simply convene to confer on the issues and vote. The hearing last week dealt with two resolutions which propose to annex the Este Es Road area, as well as 18 other areas around the town. The 18 smaller areas include lots that are split by the town boundary, "islands" of land within the town and properties for which previous annexation paperwork has been lost.

Town Planning Director Bill Morris told the commission the town already provides services, such as roads and utilities, to most of the areas. Some others are far enough away from utilities that they would not be required to hook up. The town recently repaved Este Es Road, as well as laying water and sewer lines to serve the area.

"It is contiguous, and there is access to these facilities," Morris said.

The boundary commission has two standards of review it can consider when it decides whether an area can be annexed: whether it is contiguous to the municipality and whether the municipality can provide it with services in a "reasonable period of time."

Morris said the Taos police and fire departments already respond near the proposed annexations, and a review of the parcels showed 43 of 181 would potentially have to hook up to town water within a decade of being annexed, as they are within 300 feet of a utility line, if the Town Council passes an ordinance with that time requirement. The ordinance is being recommended by staff and will be considered for approval next month. Affected areas include parcels in the Este Es Road area, the Jeantete Road area, the Mabel Dodge Luhan area and the Weimer Road area.

Morris told the commission property taxes for newly annexed areas would increase by about 2.4 mills, or \$2.40 per thousand dollars of taxable value, to 16.491 mills.

“There will be a slight increase,” he said.

Commissioner Mark Caruso asked about the town’s ability to provide roads and services to newly annexed areas, considering the economic downturn that has led to diminished municipal budgets. Morris said the town is extending utility lines and doing paving work as it is able to find funding.

“We feel that we have a budget that is pared down, but strong,” he said. “We are doing it in an aggressive manner.”

During the portion of the meeting in which the commission received public comment, those who spoke were overwhelmingly opposed to annexations.

Robert Knudson, of Hennings Road, presented the commission with a petition signed by 18 residents who do not wish to be annexed. He said those in the Weimer area have a good relationship with Taos County, and residents are worried about increased property taxes.

“We would prefer to stay with the county,” he said.

Others said they would rather continue to use their own wells than hook up to town water. Though the town allows wells within its boundaries to be used for agricultural purposes, wells used solely for residential purposes must be decommissioned when their owners hook up to town lines.

Kevin Cannon, of Morada Lane, said he likes his “delicious” well water.

Leslie Smith, of the Este Es area, told the commission the annexation would not do anything to help her. “I have my own well and septic,” she said. “I can’t see a benefit to myself.”

Art Mares, who lives in the Este Es area, said his family’s septic systems meet state requirements, and that he is opposed to annexation.

“It does not benefit any of us,” he said.

Ray Mart’nez, who lives on Kit Carson Road, said he is in favor of the annexation. He said he is already connected to town utilities.

“The service has been excellent,” he said. “I would like to be part of the town of Taos.”

Taos County leaders, including county manager Jacob Caldwell and commissioners Dan Barrone and Nick Jaramillo, also spoke at the hearing. The county has filed a lawsuit against the town in which it claims the town has failed to follow proper procedures when annexing areas in the past.

Jaramillo said many of his constituents’ questions have gone unanswered, and his presence at the hearing was requested by a number of county residents.

Barrone spoke to the importance of agriculture in Taos County.

At the close of the hearing, town-retained attorney Dave Romero addressed the commission.

He said Taos is a unique area, and the town must prepare for the future, including a growing population, which includes planning for infrastructure needs and working for the good of the community as a whole. Romero said that includes protecting water quality by working to remove septic systems, and town code speaks to the importance of using water resources as efficiently as possible.

“It’s a responsible thing to do,” Romero said.

He also criticized those who spoke in opposition to annexation, saying many of them benefit from town services such as fire protection, roads and utilities without paying taxes to the town.

“It just seems that there’s a selfishness there,” he said.