

County overturns \$2.75 million tax break for Gallup Land Partners

Written by By Deswood Tome Sun Correspondent
Friday, 17 November 2017 06:06



A \$2.75 million tax break for the Gallup Land Partners was overturned Nov. 14, by the McKinley County Board of Commissioners.

A resolution at the county meeting was passed by unanimous vote by the commissioners, rescinding an approval they gave in October.

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“Commissioners, after we passed the resolution the assessor brought to our attention several issues,” County Manager Anthony Dimas said to the commissioners. “We went back through the LEDA act and never received the application.”

The Gallup Land Partners, according to County Attorney Douglas Decker, did not go through the Local Economic Development Act process, an oversight by the county. The act allows for public support of economic projects.

County Assessor Kathleen Arviso addressed a memorandum to the Board of Commissioners saying the commissioners have no authority to lower the tax rate for Gallup Land Partners.

“The assessor, an independent elected office, has the sole authority for valuation of locally assessed property,” Arviso wrote in her Oct. 30 memo. “Unless the Board of McKinley County Commissioners immediately withdraws its Oct. 17, 2017 Resolution in its entirety and there is absolutely no retaliatory action by the Commission against the Assessor’s Office, this matter will be referred to the New Mexico Attorney General.”

The assessor’s memo presents the question: “Can the real property owned by GLP on which an easement has been granted to the City of Gallup lawfully be valued as grazing land?”

“Conclusion: No,” the memo read.

No discussion was given to Arviso’s memo by the county manager or the county attorney at the commission meeting.

In October, when the commissioners voted 2-1 to approve the tax break, a verbal condition was added to the resolution. The New Mexico Abandoned Mine Land program office was to give written consent that the land was clear for development.

The proposed project area owned by the Gallup Land Partners has been closed since 2012 due

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to unsafe conditions due to historic mining activity. Signs were posted by the New Mexico Abandoned Mine Land office. Adventure Gallup, a local entity that promotes outdoor tourism and recreation, has plans to build trails on the nearly 7,000 acres.

Several surface land cave-ins occurred on the property due to un-reclaimed, underground mine shafts.

There are 129 identified coal mines in the Gallup area. Mining activity began in 1882 and continued into the early 1950s.

The Abandoned Mine Land office sent a letter to the commission and Mayor Jackie McKinney on Oct. 26, stating that “abandoned mine land hazards remain” in the proposed project area.

“The program is addressing the hazards in Gallup and across New Mexico,” New Mexico Energy, Minerals and Natural Resources Department spokesperson Beth Wojahn said, during a Nov. 15 phone interview. “Yes, we’re addressing the hazards.”

The state could not provide a time frame when clean up on the land would occur.

Addressing the commissioners on Tuesday was Deputy Appraiser Charles Becenti for the county assessor.

“One of our top priorities is to visit that land,” he said. “No one has gone out there for a visit.”

Before a vote was given Nov. 14, to rescind the county resolution, Commissioner Bill Lee said that the Gallup Land Partners are planning to “have grazing back on that property.”

Decker confirmed Lee’s statement.

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The Gallup Land Partners were granted a three-year resting period on the 6,792 acres by McKinley County. The resting period was granted by the previous assessor administration.

During the resting period, the Gallup Land Partners were granted a reduced tax rate from \$405 an acre to just over a \$1 an acre. Resting periods are granted to allow the pasture regrow.

By Deswood Tome

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