



## **MINUTES**

### **COLORADO DIVISION OF REAL ESTATE**

### **CONSERVATION EASEMENT OVERSIGHT COMMISSION MEETING MARCH 29, 2010**

#### **MINUTES – INDEX**

	<b><u>PAGE #</u></b>
<b>CALL TO ORDER, DETERMINATION OF A QUORUM</b>	<b>2</b>
<b>APPROVAL OF FEBRUARY 16, 2010 MINUTES</b>	<b>2</b>
<b>PUBLIC COMMENT</b>	<b>2</b>
<b>IMPLEMENTING HB10-1197</b>	<b>3</b>
<b>ADJOURNMENT</b>	<b>3</b>

**MINUTES**  
**CONSERVATION EASEMENT OVERSIGHT**  
**COMMISSION MEETING**

**March 29, 2010**

**Colorado Division of Real Estate**  
**1560 Broadway, Suite 1250 C**  
**Denver, CO 80202**

A Conservation Easement Oversight Commission public meeting was held on March 29, 2010. The commissioners in attendance were Lise Aangeenbrug, representing Great Outdoors Colorado; Cindy Lair, representing the Colorado Department of Agriculture; Martha Cochran, representing a local land trust; Dan Pike, representing a statewide land trust; R. Jay Winner, representing a local government land conservation agency; Janis Whisman, representing a historic preservation organization with experience in easements on properties of historical significance; Mark Weston, representing certified general appraisers; Max Vezzani, representing landowners who have donated a conservation easement. Doug Robotham, representing the Colorado Department of Natural Resources was absent.

Also attending were Marcia Waters, Director of Compliance and Investigations; Hollis Glenn, Conservation Easement Program Manager; Eric Maxfield, Assistant Attorney General; Chris Muntean, Department of Revenue; Ted Wiatr, Department of Revenue; and several members of the Division's staff. The meeting was open to the public.

Full and timely notice of the meeting was given to the public and the meeting was held pursuant to the Colorado Sunshine Law, Title 24, Article 6, C.R.S., as amended.

**Call to order, determination of a quorum:**

The meeting was called to order by Chairperson Pike at 1:04 PM and a quorum was determined.

**Approval of February 16, 2010 Minutes:**

**Motion:** It was moved by Commissioner Whisman and seconded by Commissioner Lair to approve the minutes of February 16, 2010.

**Motion unanimously carried.**

**Public Comment:**

No one from the public elected to address the Commission. However, public comments were allowed by Chairperson Pike throughout the meeting.

## **Implementing HB10-1197:**

The Commission discussed four aspects of implementing the tax credit certificate program: general overview and troubleshooting, intake and review, notice to taxpayers, and the next steps to be taken.

### **General overview and troubleshooting:**

- Should the appraisal be submitted with the application?
  - Concurrence from the Commission is that the appraisal should be submitted with the application.
  - Appraised value is important to determine the proper amount of each credit.
    - If an appraisal is not received, there may need to be an over estimation when booking the credit against the cap (example 10%).
  - Will this cause the appraiser to be rushed?
    - It was suggested that appraisers should be able to adapt to the new process as long as the process is well defined.
- Would a review of the appraisal create a bottleneck?
  - Concurrence from the Commission was to keep the process as simple as possible.
- There is conflicting language in the bill. Will the taxpayer or land trust submit the application?

### **Intake and review:**

- The Division will assign a certification number and then issue the certificate when a claim is submitted.
- What timeframe would the Division need for a review and how extensive should the review be?
  - The suggestion was made that a rule may need to be written to define a deadline: (example: 60-90 days).

### **Notice to taxpayers:**

- Commissioners suggested the Division send a letter to taxpayers notifying them of receipt of their claim.
- Better communication to the taxpayer by the Division/State is still a goal the Commission would like to see for the program.
  - Can the new tax credit certificate be used for this purpose?

### **The next steps to be taken:**

- The Commission asked for legal direction for interpreting language in the bill.
- Staff will continue to work on the process and begin to define the rules needed for the program.

**Adjournment:**

**Motion:** It was moved by Commissioner Whisman and seconded by Vice-Chair Cochran to adjourn the meeting.

**Motion unanimously carried.**

The meeting adjourned at 3:00 PM on March 29, 2010.

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Lisa Aangeenbrug, Great Outdoors  
Colorado

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Doug Robotham, Colorado Department of  
Natural Resources

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Cindy Lair, Colorado Department of  
Agriculture

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Martha Cochran, Commissioner

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Dan Pike, Commissioner

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R. Jay Winner, Commissioner

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Janis Whisman, Commissioner

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Mark Weston, Commissioner

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Max Vezzani, Commissioner

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Marcia Waters, Acting Director  
Colorado Division of Real Estate