



# County might reappraise rentals

## Courts have overturned 2010 action by assessor

By DAN MCKAY  
Journal Staff Writer

Bernalillo County is examining how to reappraise apartment complexes and other rental property after a pair of District Court rulings. The court cases center on a 2010 decision by then-Assessor Karen

Montoya, whose office determined the value of properties for tax purposes.

In 2010, Montoya's office determined that the owners of apartment complexes and other rental property weren't eligible to receive the usual 3 percent limit on how much their values can increase each year, unless they live on the property.

Two state district judges, however, ruled otherwise when Montoya's policy was challenged in court.

County Attorney Randy Autio and

Assessor Tanya Giddings — neither of whom were in office in 2010 — are working to see whether they can roll back assessed values to reflect the court decisions. That would reduce future tax bills for apartments and rental property.

"The new assessor and county Legal are attempting to piece together exactly what occurred and attempting to see what can be done now," Autio said Friday.

The **Journal** wasn't immediately able to reach Montoya, who is now a

member of the state Public Regulation Commission. In 2010, however, she said the decision was based on a legal review.

People who live in apartments, or otherwise rent their homes, also had a stake in how the appraisals turned out. Increased tax values meant bigger tax bills for owners, who could pass those costs onto their tenants.

"At the end of the day, it's also the people who are renting those properties who get affected unfairly as well," said Kelle Senyé, executive

director of the Apartment Association of New Mexico.

Some property owners saw their assessed value more than double as a result of the 2010 decision not to apply the 3 percent cap.

Chuck Sheldon, president of the Apartment Association, said he helped file some 300 protests of the increased values, almost all of which were resolved in his favor. He called the increases "very arbitrary."

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# APD officer shoots pit bull



ROBERTO E. ROSALES/JOURNAL

A man walks his father's dog, which had just been attacked by two pit bulls, back home in the 1600 block of Edith SE on Friday while a city Animal Control officer looks on. An Albuquerque police officer shot one of the pit bulls.

## Cop says 1 of 2 pits attacking smaller dog turned on him

By JEFF PROCTOR  
Journal Staff Writer

An Albuquerque police officer on Friday shot a pit bull in the area of Broadway and César Chávez after responding to call about two dogs attacking a smaller dog, officials said.

It's unclear whether the pit bull survived, police said, because it ran off after officer Luis Castaneda fired one shot at it. Police and Animal Services personnel were unable to find the animal.

Around noon, Castaneda responded to the dog attack call in the 1600 block of Edith SE, said officer Rob Gibbs, an APD spokesman. When Cas-

taneda arrived, he saw two pit bulls attacking a smaller dog.

Castaneda got out of his police vehicle and approached the dog fight, Gibbs said. As he did, one of the pit bulls "turned on the officer" and came after him. That's when Castaneda fired a shot, striking the dog, which ran off.

Animal Control personnel came to the scene and seized the other pit bull and six puppies, Gibbs said. He didn't know whether charges would be filed against the pit bulls' owner.

The smaller dog was badly injured but is expected to survive, he said.



One of the pit bulls that allegedly attacked a smaller dog on Friday in the South Broadway area was seized by city Animal Control officers.

# RR councilor wants to censure mayor

## Seeking of park funding 'illegal'

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Albuquerque Journal

By ROSALIE RAYBURN  
Journal Staff Writer

A Rio Rancho city councilor wants to publicly reprimand Mayor Tom Swisstack for "illegally" asking legislators to seek funds for a park suitable for kids with disabilities.

Councilor Lonnie Clayton's resolution to censure the mayor is on the agenda for Wednesday's City Council meeting.

It says the mayor had no authority to ask legislators to request capital funds for the park project on behalf of the city because it was removed from the list of priorities the council unanimously approved and sent to Santa Fe.

"The mayor has done something illegally and we're making it known publicly that he's

done something illegally," Clayton said.

The resolution claims Swisstack's request may negatively affect the city's chances of getting funding for the council-approved priorities.

Other than being a strong reprimand that remains in the public record, the censure would carry no legal consequences for the mayor, said acting city manager Jim Babin, who has also been the city attorney.

Babin said in an email that

it would be up to the councilors to decide whether the facts demonstrate the claim that Swisstack's actions violated the city charter.

The mayor defended his action, saying that as an elected official he has a responsibility to the whole community, many of whom have asked for his support for the park project.

"I felt a moral and ethical responsibility since we have a governor who has been

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# After 62 years, Marine's fate remains unknown

## ■ Family seeks help in solving Korean War mystery

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Albuquerque Journal

By CHARLES D. BRUNT  
Journal Staff Writer

For years, Ron Fields had heard stories about his great-uncle, Billy Fields. But unlike most stories, there was never a clear ending.

Marine Pfc. Billy Gene Fields simply disappeared in the frozen hills of North Korea on Dec. 11, 1950, while his convoy scrambled to get its deuce-and-a-half trucks away from the bloody battlefields around the Chosin Reservoir to the relative safety of the port of Hungnam.

He disappeared 15 days before his 20th birthday.

What happened to Billy beyond that day has perplexed four generations of the Fields family. Ron Fields, his wife, Liz, and their daughter, Laura, hope to solve at least part of that mystery today.

The Fields — along with about 200 other families of missing POWs and MIAs — are meeting with representatives of the Defense



**B.FIELDS:** In high school photo from 1948



**R.FIELDS:** His great-uncle was MIA in Korea

Department's Prisoner of War/Missing Personnel Office, which is responsible for recovering and identifying the remains of missing servicemen from all U.S. military operations.

Today's event starts at 9 a.m. at the Crowne Plaza, 1901 University NE.

"Our goal in these all-day presentations and one-on-one case review meetings is to keep all interested family members up-to-date on the worldwide effort ... to locate, repatriate and identify the remains of their loved ones," said Jessica Pierno, public affairs officer for the program, known by its acronym DPMO.

There will be a remembrance ceremony and, for some hopeful families, answers to long-lingering questions.

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# Video of teen falling from ski lift goes viral

By OLIVIER UYTTEBROUCK  
Journal Staff Writer

Video of an Albuquerque boy clinging to a ski lift before falling 45 feet at Ski Santa Fe has become a viral YouTube hit, drawing more than 2.3 million views and attracting national media attention.

Jacob Gutierrez, 17, said in an interview aired Friday on ABC's Good Morning America that he feared for his life during the minutes he hung from the ski lift.

"It was pretty terrifying," the Sandia High School student said. "I was thinking, if I fall wrong, if I land wrong on one of these rocks, I am probably going to get really hurt, or die."

Ben Abruzzo, mountain manager at Ski Santa Fe, said Gutierrez slipped out of the ski lift on Feb. 2 as he and

## Online

To see a video of Jacob Gutierrez's fall, go to **ABQjournal.com**



companions on another chair were throwing snowballs at one another.

Gutierrez grabbed the arm rest and dangled for five or six minutes before losing his grip, landing on a rocky area of the mountain, Abruzzo said.

Gutierrez was airlifted by helicopter to University of New Mexico Hospital in Albuquerque where he was treated for a collapsed lung, a skull fracture and a lacerated liver. He was released on Feb. 4, a

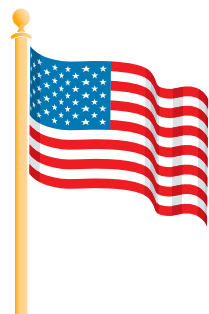
See **VIDEO** on **PAGE C2**

## Grants for litter removal

Youth groups, school clubs and teams are encouraged to apply for grants of up to \$500 as part of the county's Parks and Recreation Clean and Beautiful Grant Program. The grants will be awarded to nonprofit youth groups that help remove litter during the county's Great American Clean Up Project, held during the month of April. Applications will be accepted until March 15. Go to [www.bernco.gov](http://www.bernco.gov) to access the application or contact the Parks and Recreation Department at 314-0400 or [parks@bernco.gov](mailto:parks@bernco.gov).

## Flying the colors

The flag should be flown at full staff today.



## Winter Wool Festival today

Wallow in wool during the Winter Wool Festival from 10 a.m. to 2 p.m. today at the city's Botanic Garden Heritage Farm exhibit. There will be hands-on demonstrations of the fiber arts including spinning, dyeing, quilting, rug hooking and traditional colcha embroidery. Included with regular admission.

## Retail news on blog

Get all the latest retail news from Journal business writer Jessica Dyer's blog, at **ABQjournal.com**.



## Gun buyback today

Take part in the county's gun buy-back program, which lets people turn in firearms to authorities, no questions asked, and receive compensation in the form of a Visa gift card in return. Today from 9 a.m. to 3 p.m., people can bring any unloaded, operational firearms to the Bernalillo County Sheriff's Department South Area Command Center, 2039 Isleta SW. The county is partnering with Crime Stoppers on the program.

## Quote of the day

"I grew up on a beach in southern Australia pretty much, so, yes, this is a huge difference."

— Josie Greenwood, younger sister of UNM basketball player Hugh Greenwood, who is moving here also play for UNM.





# AROUND NEW MEXICO

## 12 charged in drug operation

SANTA FE — Twelve people have been charged in connection with a heroin and methamphetamine operation in Albuquerque and Santa Fe, State Police announced Friday.

The Albuquerque and Santa Fe residents face a number of state and federal charges linked to the alleged ring, according to a news release.

The Region III Narcotics Task Force, made up of the State Police, Santa Fe County Sheriff's Department and Santa Fe City Police Department, say agents seized two pounds of heroin with an estimated value of \$40,000, along with 100 grams of methamphetamine.

## Man admits to tax evasion

The former director of an economic development project for the Navajo Nation has pleaded guilty to federal tax evasion.

Prosecutors say Hak Ghun, 62, entered into a plea agreement Thursday with the U.S. Attorney's Office. He will be given a prison sentence of 12 to 18 months and must pay nearly \$250,000 in restitution to the Internal Revenue Service.

Ghun of Durango, Colo., was accused last April of evading nearly \$368,000 in federal taxes in 2005 to 2007.

He was the chief executive officer of BCDS Manufacturing Inc. in Shiprock.

The tribe invested economic development funds in BCDS and became the majority owner of the company by 2004.

The indictment claimed Ghun used BCDS funds to pay personal expenses and filed false corporate tax returns.

# RR councilor wants to censure mayor

from PAGE C1

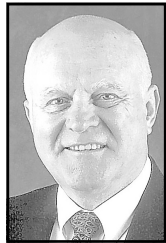
extremely supportive and I truly appreciate her support for this park for special-needs people," Swisstack said, adding that he had no intention of undermining the city's other funding requests.

Legislators Sen. John Sapien R-Corralles, Rep. Tim Lewis, R-Rio Rancho and Rep. Jason Harper, R-Rio Rancho, whose capital outlay requests contain the item \$951,703 for the "all inclusive park," say they were unaware that the project was not on the council-approved list. All said they personally supported the park's purpose.

"This park is all about kids with disabilities," Sapien said.

Councilors Mark Scott and Chuck Wilkins, who have said they support the park concept but believe the city's infrastructure needs are more critical, on Friday said they were deeply upset by the mayor's action.

"I was shocked to find that the mayor deliberately sub-



**CLAYTON:** Legislative priorities already set

mitted a fraudulent capital request to the state and that it's in direct opposition to what the governing body voted unanimously for," Wilkins said.

Wilkins said he learned about Swisstack's approach to legislators when he visited the Legislature on "I Love Rio Rancho Day" on Feb. 14.

The city has estimated the park would cost \$2.5 million.

Last year, Gov. Susana Martinez appropriated more than \$1.4 million for the park project. The money came from the unspent balance of severance tax bond funds allocated a few years ago to eight projects statewide.

Rio Rancho councilors considered the city's capital outlay requests at a meeting on Sept. 26. A list proposed by Babin contained six items, including \$900,000 for the park project. After discussion, councilors voted 5-0 to approve an alternative list that prioritized water infrastructure and public safety items but omitted the park project. Councilor Patty Thomas left the meeting before the vote.

The council last voted to censure its top elected official in 2007, when they censured former Mayor Kevin Jackson amid allegations that he mis-spent city funds.

# Video of teen falling from ski lift goes viral

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UNMH spokeswoman said.

"He did get very lucky," Abruzzo said of Gutierrez.

"It appears from the video and also by the nature of his injuries that he hit kind of a sweet spot of snow."

Gutierrez would have reached the top of the ski lift if he had been able to hang on another two minutes, Abruzzo said.

A train ahead of Gutierrez captured an 18-second video showing the teen clinging to the chair and trying to swing his legs up to get back inside. When he fell, he landed on a rocky slope, then slid a short distance downhill.

# County considers reappraisals

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Autio said about 3,000 properties might have been affected, though it's hard to be sure. County staffers are going through the properties one by one now.

People who didn't notice the increased values — or decided not to fight them — may have paid more in taxes than they

would have if they had protested, Autio said. The deadlines have passed to protest them now, he said.

"In my humble opinion, this is an example that folks need to be vigilant when they get communications from the county assessor" and react quickly if something seems amiss, Autio said.

# DAILY briefing

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JOURNAL AND WIRE REPORTS



DEAN HANSON/JOURNAL

## Driver arrested after chase

**A Bernalillo County deputy photographs a car that was the subject of a chase in the Albuquerque area for about a half-hour on Friday. Law enforcement officers used a spike belt to deflate the car's tires, and the driver, 25-year-old Lawrence Gonzales, was arrested. He's facing charges including aggravated eluding, aggravated assault and DWI.**

## N.M. offender now in custody

New Mexico's most-wanted violent offender was arrested Friday after a week-long manhunt that stretched from the wilderness into the big city.

Dale Nielsen, 33, became a fugitive after he allegedly stabbed his wife during a domestic dispute Feb. 11, according to a U.S. Marshals Service news release.

Law enforcement officials spread out over Valencia and Torrance counties in hopes of

finding him, and their efforts eventually led through the wilderness in Mountainair.

Nielsen evaded law enforcement once after foiling an attempted traffic stop and again when a forest search party turned back due to nightfall and bad weather.

Eventually, officers found Nielsen sleeping under a footbridge near Interstate 40 and Eubank in Albuquerque. He was arrested and booked into a Los Lunas jail, where he'll soon face a judge for charges including attempted murder.

## ARLENE ACKERMAN, 1947-2013

# Educator moved to ABQ for family

■ *Services to be held today at 2 p.m. at Volcano Vista H.S.*

**By HAILEY HEINZ**  
*Journal Staff Writer*

After decades of working with children as a teacher, principal and superintendent in some of the nation's largest cities, Arlene Ackerman moved to Albuquerque to spend more time with kids. But this time, it was to be with her own grandchildren.

"She came here to be with them, more than us," joked Ackerman's son, Anthony Antognoli.

Ackerman died earlier this month at her home in Albuquerque. She was 66. Services, which are open to the public, will be held today at 2 p.m. at Volcano Vista High School.

Ackerman was most recently superintendent of Philadelphia schools and was also superintendent in San Francisco and the District of Columbia.

She retired to Albuquerque in fall 2011 to spend time with her children and grandchildren.

Albuquerque Public Schools Superintendent Winston Brooks called Ackerman "a very committed, passionate educator." Brooks said he has known her for at least 10 years, through the Council of the Great City Schools.

Brooks said Ackerman was a champion for equity in



**ACKERMAN:** Was superintendent in 3 big cities

education, and was heavily involved in a 2010 national report on the faltering educational outcomes of black males.

U.S. Secretary of Education Arne Duncan released a statement about Ackerman, calling her a "friend and mentor."

"As a young superintendent in Chicago, I looked up to Arlene and learned a lot from her tenacity, courage and commitment to children," he said.

Although she was officially retired while in Albuquerque, Ackerman spent a semester working with the New Mexico School Leadership Institute at the University of New Mexico. She helped lead seminars on effective leadership for superintendents.

Linda Paul, executive director of the school leadership

institute, said Ackerman helped administrators think carefully about their work and how they could improve.

"She just did a magnificent job of asking thoughtful, reflective questions," Paul said.

Antognoli said Ackerman's leadership came from what she did, rather than what she said.

"I think more than anything, she showed what could be accomplished," he said. "She didn't necessarily tell you how to do it or what needed to be done to accomplish it, but she showed with her own life that it could be accomplished. When you see someone else climb a mountain, you realize you can as well."

Ackerman is survived by sons Anthony and Michael Antognoli, and four granddaughters.

# Fate of Marine in Korea a Mystery

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"Everything about Billy has been a question mark," Ron Fields said in an interview Thursday. "Nobody really knew what happened to him. It's always been up in the air."

Ron, an archaeologist at Petroglyph National Monument, has puzzled about the fate of his great-uncle for decades.

Several years ago, he posted a notice on a website asking anyone who might have known Billy to contact him.

Not long afterward, he was on the phone with Wylly Pafford, a veteran from Tennessee who said he served alongside Billy in the war, though they were from different companies within the 7th Motor Transportation Battalion of the 1st Marine Division.

Pafford said the battalion had been ordered to convoy to Hungnam as quickly as possible. The truck drivers had to negotiate narrow, icy roads backed through the mountains as supply routes while Chinese soldiers sent to assist the North Korean Army attacked the convoys relentlessly.

Pafford told Ron he drove past Billy's demolished truck on a pass near the village of Sudong, and that he felt certain the body hanging on the truck's tailgate was Billy's. Pafford, who has since died, sent Ron a photo of Billy, himself and another Marine, W.J. Coffia, taken in Korea just months before Billy disappeared.

But Ron says there's another family story — supposedly confirmed by three former POWs — saying that Billy was captured by the Chinese, contracted dysen-



COURTESY OF RON FIELDS

**Marine Pfc. Billy G. Fields, left, is shown here shortly before disappearing in Korea on Dec. 11, 1950. Like more than 7,930 other U.S. servicemen who fought in the Korean conflict — including 46 New Mexicans — Fields remains unaccounted for. Fields' great nephew, Ron Fields, lives in Albuquerque. Also in the photo are W.J. Coffia, center, and Wylly R. Pafford, both of whom served with Billy Fields in the 7th Motor Transportation Battalion.**

## America's Missing Troops

- Of the 1,654 service members still missing from the Vietnam war, 12 are from New Mexico.
  - Of the more than 7,930 service members missing from the Korean War, 46 are from New Mexico.
  - There is no state breakdown for the more than 73,000 service members missing from World War II.
  - Since 2005, the POW/MIA Office has accounted for 189 service members missing from World War II. Its work is ongoing.
- For more information about the U.S. government's efforts to account for missing POWs and MIAs, visit [www.dtic.mil/dpmo](http://www.dtic.mil/dpmo).

Source: Defense Dept. Prisoner of War/Missing Personnel Office

tery and died in captivity.

He has not been able to get official military documentation, because that is usually provided only to the immediate next of kin, Ron said.

## A regular kid

Billy Gene Fields was born the day after Christmas 1930, to Euell and Lula Fields in Loyall, Ky., a wide spot in the road in southeastern

Kentucky's Harlan County. Billy was the couple's sixth child. He had two brothers and four sisters.

Relatives who knew Billy say he was a regular small-town boy who was known as a jokester and all-around cutup. He liked playing Army and was a decent student.

Zora Lee Arredondo, 87, is the oldest of Billy's two surviving sisters. Though she's Billy's closest living relative, she said she's heard precious little from the military over the years, and she hopes "Ronnie" can shed some light on her little brother's disappearance more than 62 years ago. She has never received any definitive documentation from the military regarding her brother's death.

"Our parents died not ever knowing what happened to Billy," Zora Lee said by phone Friday from her home in Crows Landing, Calif. "That must have been awful for them."

Zora Lee was succinct when asked what it would mean to finally know what happened to her little brother: "Closure," she said. She and her sister, Geneva Hall of Kingsport, Tenn., have given DNA samples for comparison should Billy's remains ever be found.

"This was a living, breathing human being who is related to me," Ron Fields said. "I keep wondering, 'Whatever happened to that young man?'"

All the letters, phone calls, emails and Internet searches he's conducted over the years serve a simple purpose, he said.

"Billy's story needs to be told," Ron said. "I just don't want him to be forgotten."