

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF JANUARY 21, 1992
REGULAR BOARD OF DIRECTORS MEETING**

CALL TO ORDER

The meeting of the SSCAFCA Board of Directors was called to order by Chairperson Judy Vanderstar Russell at 1:02 p.m.

Directors in attendance were Judy Vanderstar Russell, John Chaney, Fred Coppola and Annette Jones. Guy McDowell was absent due to illness. A quorum was declared present. Bernard Metzgar, legal counsel was present. Staff member present was Pam McGrath, Administrative Secretary.

APPROVAL OF PRIOR MINUTES

A motion by John Chaney to approve the minutes of the regular meeting of December 17, 1991, as written and presented, was seconded by Fred Coppola. Roll call vote: John Chaney, yes; Fred Coppola, yes; Annette Jones, no; Judy Vanderstar Russell, yes. Motion passed 3 to 1.

APPROVAL OF AGENDA

John Chaney requested to have a closed session to discuss executive director applications after public forum.

Motion by Fred Coppola, seconded by John Chaney, to approve the agenda as amended, carried unanimously.

TREASURER'S REPORT

The treasurer's report was given by Annette Jones.

1. Certificates of Deposit. Annette Jones informed the Board that the \$100,000 CD was rolled over for 3 months; the \$50,000 and \$25,00 CD's were rolled over for 30 days. Annette stated that her safety deposit box key was at the office.

2. Request of an Audit or Sign-off on Records. Annette Jones requested an audit on the books from July 1, 1991 through December 31, 1991 or a sign-off releasing her of further liability. A discussion by the Board followed. It was the concensus of the Board that the new treasurer, Fred Coppola, reconcile the books and

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give a written report at the next regular Board meeting, which will be made a part of the minutes.

3. 1099 Forms. Annette Jones stated that all 1099 forms were ready with the exception of one social security number. Judy Vanderstar Russell stated that she had talked to Mr. Ben Torres regarding this and on her 1099 to cross out compensation and type in per diem.

Mrs. Jones questioned Bernard Metzgar, legal counsel, regarding the state statute on the \$75 pay the Board members receive as to what meetings qualify: regular monthly meetings, out of town meetings, committee meetings, special meetings. Mr. Metzgar replied that according to the general statute, applicable to all boards, board members are eligible to receive payment for all board meetings, including committee meetings.

4. Line Item Adjustments. Annette Jones gave each Board member a copy of proposed line item adjustments to the budget ending December 31, 1991. After a discussion by the Board regarding the proper procedures, a motion was made by John Chaney to technically approve the line item adjustments through the December 31, 1991 budget. The motion was seconded by Annette Jones. Roll call vote: John Chaney, yes; Fred Coppola, no; Annette Jones, yes; Judy Vanderstar Russell, yes. Motion carried 3 to 1.

5. Approve Expenditures 12/7/91-1/13/92. Motion by Fred Coppola, seconded by John Chaney, to approve the expenditures from 12/7/91-1/13/92 passed unanimously.

6. Approve treasurer's report of 1/21/92. Motion by John Chaney, seconded by Fred Coppola, to approve the treasurer's report of January 21, 1992 passed unanimously.

Motion by Fred Coppola, seconded by John Chaney, to roll over the \$50,000 Certificate of Deposit and deposit the \$25,000 Certificate of Deposit to the general account passed unanimously.

SECRETARY'S REPORT

John Chaney reviewed the following correspondence: letter from Richard Heggen regarding the drainage policy, which will be discussed later on the agenda; letter from Larry Austin, Department of Public Safety of New Mexico regarding the FEMA grant; letters regarding the bond resolution proceedings, which will be discussed later; and a letter from Chuck Easterling, Easterling & Associates, regarding the request for proposal for Dams 1 and 4.

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CHAIRPERSON'S REPORT

1. Execute Contracts for Financial Advisor and Bond Counsel.
Judy Vanderstar Russell stated that the fee for the bond counsel if the bond issue did not pass was omitted from the contract. After a brief discussion by the Board, the concensus of the Board was to address this issue before signing the contracts.

2. Adopt Bond Election Resolution. The items to be decided before passing the bond election resolution are the wording of the bond question and the amount of the bond.

Judy Vanderstar Russell suggested that the Board keep the mill levy at the same level as it is currently, which would make the amount \$3,000,000. John Chaney stated he was in favor of going up to \$4,000,000, for a longer period of time, keeping the mill levy the same. The concensus by the Board was to keep the mill levy at 1 1/2 mil.

A motion was made by John Chaney, to adopt the following wording of the bond question: "Shall the Southern Sandoval County Arroyo Flood Control Authority be authorized to issue up to \$4,000,000 of general obligation bonds to pay for the design, construction, acquisition, and other improvements to the Authority's flood control system, said bonds to be payable from general (ad valorem) taxes?" The motion continued with: SSCAFCA shall identify and list the projects that the money is intended for not later than 90 days from today as permitted by law. The motion was seconded by Fred Coppola and passed unanimously by roll call vote.

The Board continued on with the discussion of the full resolution. Bernard Metzgar pointed out to the Board that changes need to be made on page 1 regarding the officers of the Board and that the executive director space should be omitted. Mr. Metzgar also stated that the board needs to decide the polling places on page 3. The voting place list was then read by Judy Vanderstar Russell. The concensus of the Board was to keep the normal polling places, if possible. A tentative list of polling places, which can be amended, is listed below:

<u>Consolidated Voting District</u>	<u>Precincts</u>	<u>Polling Place</u>
#1	11, 12, 13	City Center, Village of Corrales
#2	30, 31, 32, 33	Haynes Recreation Center
#3	34, 35, 36, 37, 38, 39, 50	Auditorium
#4	40, 41, 48, 49	Fire Station
#5	42, 43, 44, 45, 46, 47	Puesta Del Sol Elementary School
#6	Absentee	Office of the County Clerk

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The Board needed to decide on a date that the results of the election would be announced. After a brief discussion, it was decided that a special meeting would be held on Friday, July 31, 1992 to declare the results of the election.

A motion was made by John Chaney to adopt the Resolution and Proclamation of Special Flood Control Bond Election and Notice of Board Meeting with the aforementioned changes in the resolution. The motion was seconded by Fred Coppola. Roll call vote: John Chaney, yes; Fred Coppola, yes; Annette Jones, yes; Judy Vanderstar Russell, yes. Motion carried 4 to 0.

3. Execute Bond Election Proclamation. The concensus of the Board was to publish the bond election resolution in The Observer, Albuquerque Journal, Sentinel, and The Corrales Comment. A motion made by John Chaney to adopt the Resolution of Flood Control Bond Election was seconded by Fred Coppola. Roll call vote: John Chaney, yes; Fred Coppola, yes; Annette Jones, yes; Judy Vanderstar Russell, yes. Motion carried 4 to 0.

4. Discussion of Holidays. Judy Vanderstar Russell stated that none of the minutes reflected the holidays that the employees were entitled to. A motion was made by Annette Jones to adopt the State holidays listed in the statute. The motion was seconded by John Chaney and carried unanimously by roll call vote. The holidays for the employees are: New Year's Day, Martin Luther Day, President's Day, Memorial Day, July 4th, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, and Christmas Day. Roll call vote: John Chaney, no; Fred Coppola, yes; Annette Jones, yes; Judy Vanderstar Russell, yes. Motion passed 3 to 1.

LEGAL COUNSEL REPORT

Bernard Metzgar introduced and read Resolution 1992-3, Notice for Meetings. Mr. Metzgar stated that he drafted the resolution according to the guidelines in the Open Meetings Act Compliance Guide. A motion by John Chaney to adopt Resolution 1992-3, Notice for Meetings, was seconded by Fred Coppola and passed unanimously by roll call vote.

COMMITTEE REPORTS

1. Approve Engineering Proposal for Dams 1 & 4. John Chaney and Annette Jones, committee members, recommended that Easterling and Associates be given the contract. As Easterling and Associates have done previous on this project, it would be cost effective for the Board to have him update his work, instead of starting from scratch. A motion by John Chaney, seconded by Annette Jones, to table this issue and have a special meeting January 28, 1992 to

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discuss and approve the top three firms, passed unanimously by roll call vote.

2. Report on Applications for Executive Director. This item to be discussed at a closed session following public forum.

3. Review City of Rio Rancho's Drainage Policy Comments. A motion by John Chaney, seconded by Fred Coppola, to table this review until 1:00 p.m., January 28, 1992, passed unanimously by roll call vote. The Board requested that Richard Heggen be at the meeting to discuss his comments, and Jerry Fossenier, City Engineer, City of Rio Rancho.

ELECTION OF SECRETARY FOR 1992

Annette Jones was nominated for secretary. A motion by Judy Vanderstar Russell, seconded by John Chaney, to elect Annette by acclamation passed unanimously.

OTHER BUSINESS

No other business.

DIRECTORS COMMENTS

John Chaney requested that Johnnie Losack be present at the special meeting to update the Board on activities directly relating to Dams 1 and 4.

PUBLIC FORUM

Francis Stearns had questions regarding the requests for proposals, which will be discussed at the special meeting.

Alan Mervis made a statement regarding the ownership of dams 1 and 4. He also stated that where the executive director is being discussed at the closed session, he suggested that perhaps the Board would consider having a part-time person where the future of the Board is uncertain.

A motion by John Chaney, seconded by Fred Coppola, to go into closed session for the purpose of considering applications for executive director passed unanimously by roll call vote.

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The Board went into closed session at 5:00 p.m.

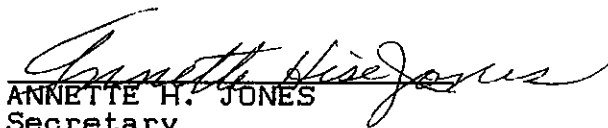
The Board reconvened into open session at 5:05 p.m.

A motion by John Chaney, seconded by Fred Coppola, to interview the top two applicants at a closed meeting January 28, 1992, before the open meeting, passed unanimously by roll call vote.

ADJOURNMENT

A motion by Fred Coppola, seconded by Annette Jones, to adjourn the meeting was carried unanimously. Meeting adjourned at 5:10 p.m.


JUDY VANDERSTAR RUSSELL
Chairperson


ANNETTE H. JONES
Secretary

Date Approved 2-18-92