

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)  
MINUTES OF AUGUST 17, 1993  
REGULAR BOARD OF DIRECTORS MEETING**

**CALL TO ORDER**

The regular meeting of the SSCAFCA Board of Directors was called to order by Chairman John Chaney at 1:06 p.m.

Directors in attendance were John Chaney, Dub Yarbrough and Bill Joiner. A quorum was declared present. Guy McDowell and Annette Jones were noted as absent. Bernard Metzgar, legal counsel, was present. Staff member present was Pam McGrath, Administrative Secretary. Bob Garman, Executive Engineer, was not in attendance but his written report was presented to the Board.

**APPROVAL OF AGENDA**

A motion by Dub Yarbrough, seconded by Bill Joiner, to approve the agenda as written passed unanimously.

**APPROVAL OF PRIOR MINUTES**

A motion by Dub Yarbrough, seconded by Bill Joiner, to approve the minutes of the regular meeting of July 20, 1993 as written and presented, carried unanimously.

**SECTION 14 ADJUSTED COST ESTIMATE**

Phil Boawn of the Corps of Engineers presented an adjusted cost for the upstream structure only for the Martin Luther King Section 14 Project. Mr. Boawn stated that the adjusted cost for this project is \$192,000 total, with SSCAFCA's share at \$48,000, which includes 5% cash and the other 20% in right-of-way acquisition. Even if the right-of-way acquisition exceeds 20%, SSCAFCA will still have to pay 5% in cash.

John Chaney, chairman, requested that Jerry Fossenier, City Engineer, City of Rio Rancho, reiterate for the Board the redevelopment plan for Unit 16.

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Mr. Fossenier stated that the City's redevelopment of Unit 16 will affect the downstream structure. He stated that the drainage problem will be taken care of in the redevelopment plan and therefore the downstream structure will be taken care of by the City of Rio Rancho.

A motion by Dub Yarbrough, seconded by Bill Joiner, to approve the project at a reduced scope as presented by Mr. Boawn of the Corps of Engineers passed unanimously .

**URBAN/TREE FARM PONDS' ENVIRONMENTAL ASSESSMENT**

Johnnie Losack, Sandoval County Flood Commissioner, presented a supplemental agreement for Wilson & Company for an environmental impact study (FONSI) for the Board's approval and signatures.

Mr. Losack briefly went over the background leading to this study, which is required by the Bureau of Reclamation.

A motion by Dub Yarbrough, seconded by Bill Joiner, to approve the supplemental agreement as presented for the project passed unanimously.

**LEGAL COUNSEL REPORT**

1. Resolution for Target Takeover Date of CWD

Bernard Metzgar, legal counsel, presented Resolution 1993-17, Declaration of Intent to Assume Property, Funds and Duties of Corrales Watershed District, which was requested by the Board at the previous meeting.

A motion by Bill Joiner, seconded by Dub Yarbrough, to approve Resolution 1993-17, Declaration of Intent to Assume Property, Funds and Duties of Corrales Watershed District, as read, passed unanimously by roll call vote.

2. Board Members Conduct Resolution

Bernard Metzgar, legal counsel, presented Resolution 1993-18, Board Members' Attendance and Conduct at Board Meetings, which was requested by the board.

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A motion by Dub Yarbrough, seconded by Bill Joiner, to approve Resolution 1993-18, Board Members' Attendance and Conduct at Board Meetings, as read, passed unanimously by roll call vote.

3. Memorandum of Understanding for \$120,000 Grant

Bernard Metzgar, legal counsel, read and expanded on the aspects of the draft Memorandum of Understanding between SSCAFCA and Corrales Watershed District on the use of the appropriated monies by the 1993 State Legislature.

It was the consensus of the Board to have SSCAFCA take over the primary responsibility and to move ahead with the MOU.

Mr. Metzgar stated that he would take the agreement to the Corrales Watershed District meeting, scheduled for August 23, 1993, for their review.

It was the consensus of the Board to have Bob Garman and/or John Chaney attend the CWD meeting August 23, 1993 to be available for questions and comments.

SECRETARY'S REPORT

None.

TREASURER'S REPORT

A motion by Dub Yarbrough to table the treasurer's report was seconded by Bill Joiner and passed unanimously.

CHAIRMAN'S REPORT

1. AHYMO Class For R. L. Garman

A motion by Dub Yarbrough, seconded by Bill Joiner, to have Mr. Garman attend the AHYMO class passed unanimously.

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2. Approval to Negotiate For The On Call Surveying Contract(s)

A motion by Dub Yarbrough, seconded by Bill Joiner, to approve the recommendation made by the committee that reviewed the proposals and that Mr. Garman be given the authority to negotiate the contract passed unanimously.

John Chaney stated that he wanted the minutes to reflect that Mr. Garman may negotiate one or more contracts.

3. Field Coordinator Update

The deadline for the request for proposals is September 3, 1993.

4. Dams 1 and 4

John Chaney stated that Mr. Garman, in his report, asked if condemnation procedures should be started on the lots involved in Dams 1 and 4 project instead of getting bogged down in the morass of negotiating.

Bernard Metzgar, legal counsel, stated that under statute, SSCAFCA has to negotiate with the property owners first. It is only when this is not successful, further steps can be taken. Mr. Metzgar stated that he will do an itemization and time frame of the procedures for Mr. Garman.

5. Drainage Policy

John Chaney stated that the Board still has not received any feedback on the drainage policy and it needs to be put back on a high priority.

6. Northern Boulevard

Jerry Fossenier, City Engineer of the City of Rio Rancho, stated that Mr. Garman requested some assistance from his staff in the property acquisition process, which is being done. He stated that SSCAFCA has purchased the lots from AMREP for the trade to be completed on one lot and that the owner of the other lot has given permission to enter onto the property and proceed with the plans. Mr. Fossenier feels that the price that is being asked for one lot be considered to be paid as it is probably more expensive to proceed with condemnation.

OTHER BUSINESS

Dub Yarbrough stated that Annette Jones told him that she requested a meeting be scheduled by Bob Garman with AMAFCA regarding the investment of funds. Mr. Metzgar explained that the Board has an investment policy which staff is following. John Chaney stated that if further discussion is necessary on this item, it could be brought up at the next Board meeting.

DIRECTORS COMMENTS

Dub Yarbrough stated that, as a Corrales Watershed District Board member, he is very appreciative of the action that is being taken by SSCAFCA to cooperate with Corrales Watershed Board.

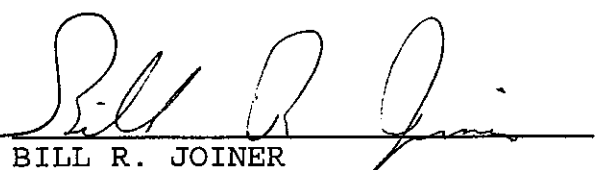
PUBLIC FORUM

John Thompson, Corrales landowner, asked the status of the surveying and property that is involved in the pipeline of Dams 1 and 4. John Chaney stated that a survey firm and a title company have been selected and further questions should be directed to the Executive Engineer.

ADJOURNMENT

A motion by Dub Yarbrough, seconded by Bill Joiner, to adjourn the meeting was carried unanimously. Meeting adjourned at 2:40 p.m.

  
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JOHN CHANEY  
Chairman

  
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BILL R. JOINER  
Secretary

Date Approved 9/21/93