

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF FEBRUARY 15, 1994
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, Guy McDowell and Annette Jones. Bill Joiner was noted as absent (see below). A quorum was declared present. Bernard Metzgar, legal counsel was present. Staff members present were Bob Garman, Executive Engineer and Pam McGrath, Administrative Secretary.

APPROVAL OF AGENDA

A motion by Annette Jones, seconded by Guy McDowell, to approve the agenda as presented passed unanimously.

APPROVE MINUTES OF JANUARY 18, 1994

A motion by Annette Jones, seconded by Dub Yarbrough, to approve the minutes of the regular meeting of January 18, 1994 as written and presented, carried unanimously.

SECRETARY'S REPORT

None.

SUPPLEMENTAL AGREEMENT WITH EASTERLING AND ASSOCIATES/DAMS 1 & 4

Mr. Garman presented the Supplemental Contract for Phase III for the Dams 1 & 4 project.

Bill Joiner arrived at 1:15 p.m.

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There was a discussion by the Board. It was concluded that there were several problems with the proposed contract, but mainly that it did not conform to the original RFP.

The consensus of the Board was to send Mr. Easterling a letter stating that his draft supplemental contract needs to be resubmitted to conform to the original RFP.

LEGAL COUNSEL'S REPORT

1. Resolution 1994-4, Adoption of Procurement Resolutions

Bernard Metzgar, legal counsel, presented Resolution 1994-4, Adoption of Procurement Resolutions.

A motion by Annette Jones, seconded by Bill Joiner, to approve Resolution 1994-4, Adoption of Procurement Resolutions, as read, passed unanimously.

2. Resolution 1994-5, Adoption of Conflict of Interest and Code of Conduct Regulations

Bernard Metzgar, legal counsel, presented Resolution 1994-5, Adoption of Conflict of Interest and Code of Conduct Regulations.

A motion by Annette Jones, seconded by Bill Joiner, to approve Resolution 1994-5, Adoption of Conflict of Interest and Code of Conduct Regulations, as read, passed unanimously.

3. PERA Update

Mr. Metzgar stated that at the last PERA board meeting, attended by Pam McGrath, the consensus of its board was to request a written opinion by the Attorney General's Office to determine if SSCAFCA is eligible to join PERA under their regulations and the present statute. If it is determined that SSCAFCA is not eligible, a change in legislation will have to be proposed at the 1995 Legislative session.

4. Urban Ponds Maintenance MOU

Mr. Metzgar stated that one of the Village of Corrales councilors did not feel that the Village of Corrales was protected in case of negligence on the part of SSCAFCA in maintaining the ponds within the Village's boundaries.

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Mr. Metzgar stated that the MOU had already addressed the concern but he added a redundant paragraph which again states that SSCAFCA will hold the Village of Corrales harmless. The Mayor is expected to sign the revised MOU tonight.

5. Transferring CWD Roads to the Village of Corrales

Mr. Metzgar stated that he has prepared a draft MOU for CWD, the Flood Commissioner, and the Village of Corrales on the transfer of CWD's roads to the Village. A meeting will be held Thursday, February 17, 1994 at 1:00 p.m. at SCS on the transfer. Representatives of all interested parties are expected to be there.

TREASURER'S REPORT

1. Approve Expenditures 1/1/94-1/31/94

Motion by Annette Jones, seconded by Guy McDowell, to approve the reported expenditures of 1/1/94-1/31/94, carried unanimously.

2. Approve Treasurer's Report of 1/31/94

Motion by Annette Jones, seconded by Dub Yarbrough, to approve the treasurer's report of 1/31/94, carried unanimously.

EXECUTIVE ENGINEER'S REPORT

1. Dams 1 & 4 Project

Mr. Garman stated that the final right-of-way survey should be completed by February 25, 1994.

He stated that an initial meeting was held with Richard Farmer, Gannett-Fleming and Bernie Metzgar to make an initial determination of land acquisitions.

The Notice to Proceed for appraisals on Phase I and II was given to Smith Westman.

He stated that the cost spent or committed to date is approximately \$176,500.

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2. Section 14 Project

Mr. Garman stated that the survey and appraisals are complete.

He stated that initial offer letters have been sent to the owners, with two acceptances so far.

There was brief discussion on the process of condemnation with Mr. Metzgar.

Mr. Garman stated that, in the closed session, he needs to discuss new cost information for the properties involved in the Section 14 Project.

3. Lomitas Negras Bank Stabilization

Mr. Garman stated that he received a new cost estimate of approximately \$370,000 for the system of improvements for bank stabilization of the Lomitas Negras Channel from 528 to the Harvey Jones Channel.

A meeting is to be set with the State Highway Department to request funds for a segment or portion of this project.

4. Urban Ponds and Tree Farm Ponds Project

Mr. Garman stated that Johnnie Losack, Flood Commissioner, requested that SSCAFCA provide legal support for the preparation of deeds or conveyance documents from property owners.

A motion by Annette Jones, seconded by Dub Yarbrough, to approve SSCAFCA providing legal support limited to the preparation of documents regarding real property in the Urban Ponds and Tree Farm Ponds Project passed unanimously. Mr. Metzgar advised the Board that it would cost less than \$500.

Mr. Garman stated that he will be accompanying Mr. Losack to the State Engineer's Office to present the final plans for his approval.

5. Northern Boulevard Sediment Disposal Site

Mr. Garman stated that he was currently working with AMREP and the City of Rio Rancho to identify a disposal site.

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Mr. Garman stated that witness stakes needed to be put in settlement basin as it is needed to maintain the grade.

Mr. Garman stated that the last property has been acquired and the remainder should be replatted and filed by next week.

6. Harvey Jones Channel

Mr. Garman stated that he accompanied SCS on a technical inspection and more cracked joints were found in the channel.

7. Transfer From CWD to SSCAFCA

Mr. Garman stated that a letter was received from SCS stating that SSCAFCA's resolution on assumption of CWD will satisfy steps 1 and 2 of the 7 step process for transfer from CWD to SSCAFCA..

8. Aerial Photography

Mr. Garman invited the Board to look at the aerial photography book that was shot in 1991 which he borrowed from AMAFCA. Koogle & Pouls will be updating these photographs in late spring or early summer and SSCAFCA has the opportunity to be included in the contract. The actual cost to SSCAFCA has not yet been determined as it will depend on the number of companies that will be contracting for this.

A suggestion was made to include the original negatives in the price estimate.

9. Drainage Policy

Mr. Garman stated that a summary of all the proposed changes was given to each Board member.

10. Public Relations

Mr. Garman reminded the Board that he was making a presentation to the Kiwanis Club.

Mr. Garman stated that there was only one article in the Corrales Comment, a copy of which was in each Board member's packet.

CHAIRMAN'S REPORT

1. Proposed Drainage Policy

Mr. Chaney recommended that the Board appoint a new committee to thoroughly review proposed changes in the Drainage Policy. He recommended a work study session to include Mr. Metzgar, Bob Garman and the committee. Mr. Chaney appointed a Drainage Policy Committee consisting of Annette Jones, John Chaney and Dub Yarbrough.

The question was raised regarding the number of members on the committee and whether this could be construed as a board meeting. The consensus was to post special notices regarding the work study session with the date and time. The first work study session will be Friday, February 25, 1994, at 9:00 a.m.

2. Controversy on the Harvey Jones Channel

Mr. Chaney stated that SSCAFCA has not taken a position on the Corps of Engineers and SCS differences regarding the Harvey Jones Channel.

There was a brief discussion by the Board.

The final consensus was to wait until the FEMA report is final. At that time, the Board will take the necessary steps to inform the Village of Corrales of its position on the matter.

OTHER BUSINESS

None.

DIRECTORS COMMENTS

Dub Yarbrough voiced several concerns to Mr. Garman that need to be looked at. The concerns are:

1. What is AMREP up to in Unit 20? He would like for AMREP to make a presentation to SSCAFCA on the drainage plan for that area.

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2. He would like to know if AMREP has a permit from the Corps of Engineers for drainage into the Rio Grande.
3. He requested that Mr. Garman attend the Rio Rancho Planning and Zoning meetings when drainage plans are an issue.
4. He does not think a sediment disposal site needs to be bought for Northern Boulevard as he feels that either AMREP or the City of Rio Rancho would be able to provide one.
5. He would like a follow up on the arroyo culverts and find out why one inlet is closed.

Guy McDowell stated that since SSCAFCA inherited Dams 1 & 4 inadequacies, it is incumbent on SSCAFCA to look after taxpayer's monies by reviewing future drainage plans.

MOTION FOR CLOSED SESSION

A motion by Annette Jones to go into closed session for the purpose of discussion of Section 14 property acquisition and for personnel matters was seconded by Bill Joiner. Roll call vote: Dub Yarbrough, yes; Guy McDowell, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, yes.

The Board went into closed session at 3:40 p.m.

RESUMPTION OF OPEN SESSION

The Board reconvened into open session at 5:20 p.m.

John Chaney stated that the Board passed two motions in the closed session with respect to acquisition of Section 14 properties.


John Chaney stated that Robert Garman also received a verbal evaluation.

A motion by Bill Joiner to give Robert Garman a 4% raise effective the beginning of a new pay period was seconded by Annette Jones and passed unanimously.

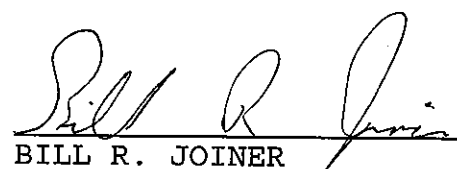
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ADJOURNMENT

A motion by Dub Yarbrough, seconded by Annette Jones, to adjourn the meeting was passed unanimously. Meeting adjourned at 5:25 p.m.



JOHN CHANEY
Chairman



BILL R. JOINER
Secretary

Date Approved March 15, 1994