

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF JULY 22, 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 1:10 p.m.

Directors in attendance were Dub Yarbrough, Guy McDowell, Bill Joiner, Annette Jones and John Chaney. 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.

Mrs. Jones requested adding an item to the agenda - a discussion on a consulting engineer to review Dams 1 & 4 project after legal counsel report.

Mr. Garman requested adding a closed session for a relocation update after public forum and a report from Leedshill-Herkenhoff on the Lomitas Negras after the Secretary's Report.

A motion by Annette Jones, seconded by Bill Joiner, to approve the agenda as amended with these additions passed unanimously.

APPROVE MINUTES OF JUNE 17, 1994.

A motion by Annette Jones, seconded by Guy McDowell, to approve the minutes of the regular meeting of June 17, 1994 as written and presented, carried unanimously.

APPROVE MINUTES OF JULY 6, 1994.

Annette Jones stated that she had a correction on page 2, paragraph 4, to add "Discussion followed concerning a consulting engineer on Dams 1 and 4."

MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING JULY 22, 1994

A motion by Annette Jones, seconded by Dub Yarbrough, to approve the minutes of July 6, 1994 as amended with this addition passed unanimously.

LOMITAS NEGRAS BANK STABILIZATION.

David Nemeth, an engineer with Leedshill-Herkenhoff, presented an update on the Lomitas Negras bank stabilization project. He stated that the drawings are 95% complete and the plans have been sent to the State Engineer's Office. Construction is scheduled to begin in early October 1994, if time frames hold.

Mr. Nemeth stated that he is waiting to receive firm costs on the construction inspection and testing. As soon as that information is received, he will present Supplemental Agreement III to the Board.

SALE OF SERIES 1994 BONDS.

Maxine Roach of Southwest Securities informed the Board that a public sale needs to be done on the bonds in order to receive more favorable interest rates than what would be received in a private sale. The Series 1994 Bonds could be sold at a public sale on August 2, 1994.

A motion by Annette Jones, seconded by Bill Joiner, to accept the recommendation of Southwest Securities to take the bonds to public sale on August 2, 1994 at 11:00 a.m. and to have a special meeting on August 2, 1994 at 1:00 p.m. to consider the bond bids and also make it a substitute for the regular meeting in August 1994 passed unanimously.

TREASURER'S REPORT.

1. Approve Expenditures 6/1/94-6/30/94.

Motion by Annette Jones, seconded by Bill Joiner, to approve the reported expenditures of 6/1/94-6/30/94 as presented, carried unanimously.

MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING JULY 22, 1994

2. Approve Treasurer's Report of 6/30/94.

Motion by Annette Jones, seconded by Bill Joiner, to approve the treasurer's report of 6/30/94 as presented, carried unanimously.

3. Resolution 1994-13 FY/94 Line Item Adjustments.

Annette Jones presented Resolution 1994-13, Line Item Adjustments.

A motion by Annette Jones, seconded by Bill Joiner, to approve Resolution 1994-13, Line Item Adjustments, as read, passed unanimously.

4. Approve Amended Month of June Financial Recap.

Having passed Resolution 1994-13, a motion was made by Annette Jones, seconded by Bill Joiner, to approve the amended month of June financial recap. It carried unanimously.

LEGAL COUNSEL'S REPORT.

1. Amended Resolution 1994-7, Board of Directors Election.

Mr. Metzgar presented amended Resolution 1994-7, Board of Directors Election. He read and explained the changes that were made on the resolution.

Motion by Annette Jones, seconded by Dub Yarbrough, to approve amended Resolution 1994-7, Board of Directors Election, as presented carried unanimously.

2. Insurance Coverage For SSCAFCA (Project Insurance).

Mr. Metzgar stated that he had been advised by the Association of Counties that it is unable to cover SSCAFCA, as SSCAFCA is not a county or a subsidiary of a county.

Because of this determination, Mr. Metzgar stated that he has written another letter to the New Mexico Municipal League requesting insurance coverage.

MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING JULY 22, 1994

3. PERA Update.

Mr. Metzgar stated that SSCAFCA's request for joining is still in the Attorney General's office and he recommended that the legislation should be changed to specifically allow participation.

4. Lomitas Negras Bank Stabilization Update.

Mr. Metzgar stated that the Joint Powers Agreement (JPA) with the State Highway Department for the its \$90,000 contribution is in process.

5. Drainage Policy Status.

Mr. Metzgar stated that a meeting was held with Phil Rios, Jim Service and Kim Kemper of the Village of Corrales. The meeting was very productive. The representatives from Corrales will meet with Mr. Larry Vigil to cover his questions and attempt to have the Drainage Policy placed on the agenda for the next Council meeting.

Mr. Chaney requested that Bob Garman attend the next council meeting which is scheduled for July 26, 1994.

Mr. Chaney requested that Mr. Garman talk to the County Manager to implement a plan of coordination on the Drainage Policy once the Policy is signed by the County.

CONSULTING ENGINEER - DAM 4.

Mrs. Jones stated that the plan designs from Dam 4 to Dam 1 is not feasible. She stated that she feels that there is a more feasible way of designing that section of the project and that the current design is a costly design and that a more cost effective way could possibly be found.

Mr. Joiner stated that the swale which appears in the original plan has been silted in and that there would not be a problem with suspended pipe. He also stated that he feels that there is a more cost effective design for Phase II. He stated that he and Mr. Garman had talked to Mr. Easterling's design engineer and would like to talk with the State Engineer's Office to see what SSCAFCA would be allowed to do.

MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING JULY 22, 1994

Mr. Chaney asked Bob Garman his recommendation and Mr. Garman stated that the current plan is the best of a whole bunch of bad solutions.

Further discussion followed by the Board.

It was the consensus to have Mr. Garman talk to the State Engineer's Office when the dam is inspected. Mr. Joiner and Mrs. Jones indicated that they would like to be present.

EXECUTIVE ENGINEER'S REPORT

1. Dams 1 and 4 Project.

Mr. Garman stated that he would have Mr. Farmer help him set up the meeting with the State Engineer's Office.

Mr. Garman stated that the negotiators have started contacting the landowners, with a completion date of October 4, 1994.

Mr. Garman stated he has Easterling & Associates evaluating Parcel 2-7 for complete taking versus partial taking at the owner's request.

2. Section 14 Project.

Mr. Metzgar stated that Answers have been filed in Court by the affected property owners. He said that it would probably be a year before the cases would be heard and that he would start discovery in about thirty days.

Mr. Garman stated that a check for \$50,000 has been forwarded to the Corps of Engineers and once a final accounting has been done, the proper adjustments will be made.

Mr. Joiner questioned how the blighting of Unit 16 would affect this project. Mr. Garman stated that it was not clear but that when the blighting was discussed previously, the Board decided to go ahead with the project regardless of the blighting.

Mr. Garman stated that he would inform the COE of the plan for the blighting.

MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING JULY 22, 1994

3. Urban Ponds and Tree Farm Ponds Project.

Mr. Garman stated that he has received a copy of the final plans and that Mr. Losack is waiting for the appraisals.

4. Los Montoyas Bank Stabilization.

Mr. Garman stated that CWD will begin contacting the 13 property owners for easements.

5. Heavy Rains June 21, 1994.

Mr. Garman stated that the storm of June 21, 1994 was a very localized 100 year storm.

6. Transfer From CWD to SSCAFCA.

Mr. Garman stated that an abbreviated financial statement to SCS detailing how the Authority will finance its responsibilities and obligations will be done with the assistance of John Archuleta as soon as solid figures are available from Sandoval County.

7. Harvey Jones Channel.

Mr. Garman stated that he helped with the inventory of all the joints in the Harvey Jones Channel. He said there are fewer cracks than what was initially thought to be and therefore repair should be less expensive.

7. Aerial Photography.

Mr. Garman stated that delivery is expected in mid-August.

8. Office Subcommittee Meeting.

It was decided that the office subcommittee meet on July 29, 1994 at 10:00 a.m.

CHAIRMAN'S REPORT

John Chaney stated that a thank you letter was received from Homecare Hospices for the contribution sent in memory of Fred Coppola.

MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING JULY 22, 1994

OTHER BUSINESS

None.

DIRECTORS COMMENTS

Mr. Yarbrough stated that there is not much office space for rent in Rio Rancho.

Mrs. Jones questioned Mr. Metzgar if there was any problem with SSCAFCA having its office in Bernalillo County. Mr. Metzgar stated that it has been the policy of SSCAFCA to stay within its boundaries but that there is no statutory requirement for doing so.

PUBLIC FORUM

None.

MOTION FOR CLOSED SESSION

A motion by Annette Jones to go into closed session for the purpose of discussing relocation costs and negotiations was seconded by Bill Joiner. Roll call vote: Dub Yarbrough, yes; Guy McDowell, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, yes. Motion passed 5 to 0.

The Board went into closed session at 2:36 p.m.

RESUMPTION OF OPEN SESSION

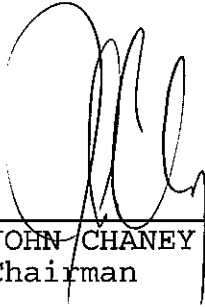
The Board reconvened into open session at 4:12 p.m.

John Chaney stated that the Board passed a motion in closed session regarding Mr. Garman's authority on negotiations.

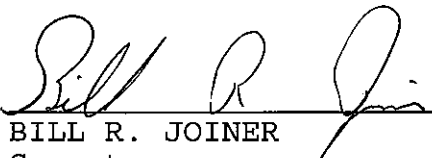
MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING JULY 22, 1994

ADJOURNMENT

A motion by Guy McDowell, seconded by Dub Yarbrough, to adjourn the meeting was passed unanimously. Meeting adjourned at 4:13 p.m.



JOHN CHANEY
Chairman



BILL R. JOINER
Secretary

Date Approved Sept 20, 1994