

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF MAY 17, 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 1:00 p.m.

Directors in attendance were John Chaney, Dub Yarbrough, Guy McDowell and Bill Joiner. Annette Jones 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 Dub Yarbrough, seconded by Guy McDowell, to approve the agenda as presented passed unanimously.

APPROVE MINUTES OF APRIL 19, 1994

A motion by Dub Yarbrough, seconded by Guy McDowell, to approve the minutes of the regular meeting of April 19, 1994 as written and presented, carried unanimously.

Annette Jones arrived at 1:03 p.m.

APPROVE MINUTES OF MARCH 15, 1994

A motion by Annette Jones, seconded by Bill Joiner, to approve the minutes of the regular meeting of March 15, 1994 as written and presented, carried unanimously.

LEGAL COUNSEL REPORT

1. Insurance Coverage for SSCAFCA.

Mr. Metzgar, legal counsel, stated that he had been asked to review SSCAFCA's insurance policy to determine if it was covered for liability on completed projects. Mr. Metzgar stated that project coverage liability is not included in the present policy.

Mr. Metzgar stated that he requested information from the New Mexico Municipal League on possible coverage and should have further information at the next meeting.

2. Section 14 Update.

Mr. Metzgar stated that all properties have been acquired except for A. Manfredo and High Knoll Development. Condemnation has been filed on these two properties. As soon as a permanent order has been entered, the COE will be able to proceed with the Section 14 project.

3. Status of CWD Roads MOU with the Village of Corrales.

Mr. Metzgar stated that SCS had comments regarding the MOU on the roads which will be presented to the CWD at its meeting. The SSCAFCA Board will be updated at its next meeting.

TREASURER'S REPORT

1. Approve Expenditures 4/1/94-4/30/94

Motion by Annette Jones, seconded by Guy McDowell, to approve the reported expenditures of 4/1/94-4/30/94 as presented, carried unanimously.

2. Approve Treasurer's Report of 4/30/94

Motion by Annette Jones, seconded by Guy McDowell, to approve the treasurer's report of 4/30/94 as presented, carried unanimously.

MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING MAY 17, 1994

**BOND COUNSEL AND FINANCIAL ADVISOR SELECTION ADVISORY COMMITTEE
(SAC) RECOMMENDATION**

Mr. Garman reviewed the SAC ratings on bond counsel and financial advisor. Three proposals were received on financial advisor and two proposals were received on bond counsel.

Mr. Garman stated that the SAC rated Southwest Securities to be the top bidder for financial advisor and Hughes & Strumor, Ltd. Co., for bond counsel.

A discussion by the Board of Directors followed.

MOTION FOR CLOSED SESSION

A motion by Annette Jones to go into closed session for the purpose of further discussion of the proposals for bond counsel and to discuss the appraisals received for Dams 1 and 4 property was seconded by Dub Yarbrough. 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 1:45 p.m.

RESUMPTION OF OPEN SESSION

The Board reconvened into open session at 2:23 p.m.

A motion by Annette Jones, seconded by Dub Yarbrough, to negotiate and contract with Hughes & Strumor, Ltd. Co., if the law firm adjusts its fees to \$4,500.00 passed unanimously.

Mr. Garman as asked to talk to Hughes & Strumor on this adjustment and he reported that they had agreed to it.

After additional discussion on the financial advisor recommendation, a motion was made by Annette Jones, seconded by Dub Yarbrough, to contract with Southwest Securities for financial advisor services passed unanimously.

DRAFT DRAINAGE POLICY JPA DISCUSSION

Mr. Garman reviewed the draft Drainage Policy JPA.

There was a general discussion by the Board.

A motion by Annette Jones, seconded by Bill Joiner, to have Mr. Metzgar review the JPA and, if he concurs, have Mr. Garman send a copy to all entities as soon as possible passed unanimously.

EXECUTIVE ENGINEER'S REPORT

1. Dams 1 & 4.

The date of June 14, 1994 at 9:30 a.m. was selected for the SAC meeting for the negotiator.

2. Lomitas Negras Bank Stabilization.

Mr. Garman stated that he received Leedshill-Herkenhoff's latest report on the project on April 11, 1994.

Leedshill-Herkenhoff is waiting for a reply from SCS before proceeding with the plans.

3. Urban Ponds and Tree Farm Pond Project.

Mr. Garman reported that the Urban Ponds and Tree Farm Pond Projects have been submitted to the State Engineer's office for approval.

4. HARVEY JONES CHANNEL JOINT REPAIR.

Mr. Garman stated that John Kelly from AMAFCA helped evaluate the joint problem. Mr. Kelly provided a remedy for repair which will prove much cheaper than previously expected.

5. AERIAL PHOTOGRAPHY.

Mr. Garman stated that the contract was submitted to Koogle & Pouls, with delivery of the photography scheduled in August.

MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING MAY 17, 1994

6. PERA.

Mr. Garman reported that he had spoken to the Assistant AG who was reviewing the matter and that she had submitted an opinion which was pending approval from her superiors. She did not indicate what her opinion was.

7. FEMA UPDATE.

Mr. Garman stated that he and Mr. Chaney briefed the Corrales Village Council on RTI's report.

He also stated that a request was received from the City of Rio Rancho requesting assistance in the FEMA remapping cost of a small portion of Rio Rancho.

A motion by Annette Jones, seconded by Bill Joiner, to participate in the remapping cost for \$2,000 plus GRT passed unanimously.

CHAIRMAN'S REPORT

Mr. Chaney reminded the Board that nominating petitions need to be turned in on or before June 21, 1994.

Mr. Chaney requested Mr. Metzgar to check if an elected director would be allowed to remain on the Board if he/she moves out of the Authority's boundary during his/her term of office.

OTHER BUSINESS

On behalf of the Board of Directors, Annette Jones expressed sympathy to Mr. Metzgar for the demise of his mother-in-law. The Board requested a charity which they could donate to in her behalf. Each Board member will privately donate to Hospice.

DIRECTORS COMMENTS

None.

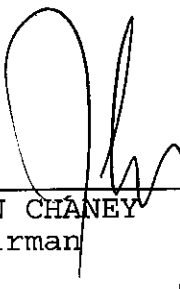
MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING MAY 17, 1994

PUBLIC FORUM

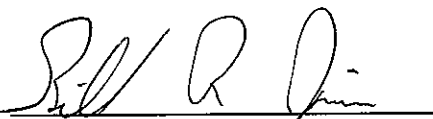
None.

ADJOURNMENT

A motion by Annette Jones, seconded by Bill Joiner, to adjourn the meeting was passed unanimously. Meeting adjourned at 3:15 p.m.



JOHN CHANEY
Chairman



BILL R. JOINER
Secretary

Date Approved June 17, 1994