

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF FEBRUARY 28, 1995
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, James Dorn and Bill Joiner. Annette Jones was noted as absent. 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.

Bob Garman requested adding a presentation by George Nemeth, who will give a report on the bid opening and recommendation on the Lomitas Negras Project, and Chuck Easterling, who will discuss the pros and cons on the bidding for the Dams 1 & 4 Outfall Project.

A motion by Bill Joiner, seconded by James Dorn, to approve the agenda as amended passed unanimously.

APPROVAL OF MINUTES OF JANUARY 3, 1995.

A motion by Bill Joiner, seconded by Dub Yarbrough, to approve the minutes of January 3, 1995 as written and presented, passed unanimously.

APPROVAL OF MINUTES OF JANUARY 17, 1995.

A motion by Dub Yarbrough, seconded by James Dorn, to approve the minutes of January 17, 1995 as written and presented, passed unanimously.

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SECRETARY'S REPORT.

None.

DITCH AND WATER SAFETY TASK FORCE.

Loretta Moore, chairman of the Ditch and Water Safety Task Force, introduced Joan Griffin, who made a presentation to the Board.

Ms. Griffin stated that the Ditch and Water Safety Task Force was created in 1983 as a quasi governmental agency with an educational mission to prevent drownings in the arroyos in the greater Albuquerque area by educating people on how to prevent injury and death.

Ms. Griffin requested SSCAFCA donate \$10,000 so that this effort could be expanded to Sandoval County. It was the consensus of the Board that she contact the City of Rio Rancho and Sandoval County and report to the Board at the next meeting if they are willing to contribute.

LEGAL COUNSEL REPORT.

1. Resolution 1995-8, Future Ownership of Dams 1 & 4.

Mr. Metzgar stated that Resolution 1995-8, Future Ownership of Dams 1 & 4, should be amended at item (b) under Dam #4, paragraph 1 to read: (b) Tree removal.

Mr. Metzgar presented the resolution with the correction to the Board.

A motion by James Dorn, seconded by Bill Joiner, to approve amended Resolution 1995-8, Future Ownership of Dams 1 & 4 was passed unanimously.

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2. Resolution 1995-9, PERA Contribution.

Mr. Metzgar presented Resolution 1995-9, PERA Contribution. He indicated that this was formed on a sample resolution that PERA provided.

A motion by Bill Joiner to approve Resolution 1995-9, PERA Contribution was seconded by James Dorn. Roll call vote: Dub Yarbrough, abstained; James Dorn, yes; Bill Joiner, yes; John Chaney, yes. Motion passed 3 to 0 with one abstention.

TREASURER'S REPORT.

John Chaney stated that the Treasurer's Report would be postponed until the next Board meeting due to the treasurer being ill.

LOMITAS NEGRAS PROJECT UPDATE.

George Nemeth, project engineer at Leedshill-Herkenhoff, presented the tally of the bids that were opened February 24, 1995. The lowest bid was from Longley Excavating of Bernalillo, New Mexico.

Mr. Garman stated that Mr. Nemeth presented the bids to the Corrales Watershed Board at their meeting February 27, 1995 and CWD approved the bid and appropriated an additional \$25,000 to this project.

A motion by Dub Yarbrough to accept the bid from Longley and to appropriate an additional \$34,000 to the project was seconded by Bill Joiner. Roll call vote: Dub Yarbrough, yes; James Dorn, yes; Bill Joiner, yes; John Chaney, yes. Motion passed 4 to 0.

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EXECUTIVE ENGINEER'S REPORT.

1. Dams 1 & 4 Outfall Project.

A. Available Bid Options for Dams 1 & 4 Outfall Project presented by Chuck Easterling.

Mr. Easterling presented the following options that are available for bidding on the Dams 1 & 4 Outfall Project:

1. Bid Phase I only.
2. Bid Phase I and include a portion that goes through Sagebrush in Phase II.
3. Bid Phase I and II.

There was a discussion by the Board on the various options that are available.

A motion by Dub Yarbrough to proceed with Phase I only was seconded by Bill Joiner. Roll call vote: Dub Yarbrough, yes; James Dorn, yes; Bill Joiner, yes; John Chaney, yes. Motion passed 4 to 0.

Mr. Garman asked Mr. Easterling if the balance left on his current contract was sufficient to cover the bid process. Mr. Easterling stated that the balance left on the contract should be sufficient to proceed with the bidding process. It was the consensus of the Board for Easterling & Associates to proceed with the bidding process with the balance left on the current contract.

B. Update of Appraisals on condemned parcels.

Mr. Garman stated that an update of the appraisals on the properties condemned is required effective when the preliminary order of entry was granted. He presented a proposal for \$600 per parcel from Tim Hastings. There would be approximately 20 reports.

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It was the consensus of the Board that this is a legal requirement and, therefore, there is not a question of proceeding with the updates.

2. Section 14 Project.

Mr. Garman stated that the project is complete, however, the contractor is working on the final inspection punchlist.

3. Tree Farm and Urban Ponds Project.

Mr. Garman stated that the Village of Corrales council will be discussing the two easements needed its meeting tonight. The Tree Farm Project is ready to go to bid after obtaining the easements from the Village of Corrales.

The Urban Ponds Project redesign has been approved by the State Engineer's Office and there will be one condemnation of property.

4. CWD Transfer to SSCAFCA.

Mr. Garman stated that a response from Cuidad to SSCAFCA's letter of January 28, 1995 on the transfer of CWD to SSCAFCA was received. A reply to Cuidad from SSCAFCA is needed.

The Cuidad letter set forth certain requirements on SSCAFCA's use of funds that will be received from CWD.

A motion by Bill Joiner, seconded by James Dorn, to accept the conditions of Cuidad on the use of funds to be received from CWD passed unanimously.

Mr. Garman stated he would draft a reply to Cuidad for John Chaney.

5. Dams 1 & 4 Sediment.

Mr. Garman stated that Intel expressed interest in obtaining some sediment for fill material from Dams 1 & 4 but decided to delay the construction that would have used the sediment.

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6. On Call Appraiser RFP.

The selection committee recommended that SSCAFCA enter into agreements with the top three respondents to the RFP. They are:

Commercial Appraisal, Inc.
Travis D. Engelage, MAI
John F. Howden and Associates, Inc.

A motion by James Dorn, seconded by Bill Joiner, to enter into contracts with these three firms passed unanimously.

7. Insurance.

Mr. Garman stated that SSCAFCA is covered by Risk Management on certain risks. However, other coverage has been requested from the New Mexico Municipal League but it did not have a February 1995 meeting so a decision was not made. SSCAFCA's request is on the agenda for the March meeting.

8. PERA.

Mr. Garman stated that SSCAFCA has been accepted as of February 1, 1995.

9. Equipment.

A. Vehicle.

Mr. Garman stated that the Bronco should be ready to be picked up by March 1, 1995.

B. Video Equipment.

Mr. Garman stated that he did not have the opportunity to get video equipment prices. However, he stated that he plans to have them for the next meeting.

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10. Legal Counsel RFP Interviews.

It was the consensus of the Board to have a special meeting to interview legal counsel respondents to the RFP.

11. T-Bills For Financial Committee Review.

Mr. Garman stated that the first T-Bill matures March 9, 1995 and the staff needs direction from the financial committee.

CHAIRMAN'S REPORT.

Drainage Policy.

Mr. Chaney stated that SSCAFCA is now six months into the negotiation with the Village of Corrales over the Drainage Policy. He stated that this item would be discussed further in the closed session.

OTHER BUSINESS.

None.

DIRECTORS COMMENTS.

Dub Yarbrough stated that he did not understand the feasibility study on the Venada Arroyo that was done by AMREP.

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PUBLIC FORUM.

Ollie Scheflow, Bob McCormick and Guy McDowell each stated that SSCAFCA should force the issue of the Drainage Policy with the Village of Corrales.

MOTION FOR CLOSED SESSION.

A motion by Dub Yarbrough to go into closed session for the purpose of discussion of property negotiations, personnel and the Drainage Policy issue with the Village of Corrales was seconded by Bill Joiner. Roll call vote: Dub Yarbrough, yes; James Dorn, yes; Bill Joiner, yes; John Chaney, yes. Motion passed 4 to 0.

The Board went into closed session at 2:48 p.m.

RESUMPTION OF OPEN SESSION.

The Board reconvened into open session at 3:58 p.m.

1. PERA Coverage.

A motion by Dub Yarbrough, seconded by Bill Joiner, to apply the PERA employer contribution equally to all employees passed unanimously.

2. Drainage Policy.

A motion by James Dorn to proceed with a declaratory judgment action asking the Court to determine that SSCAFCA has the authority to enact a Drainage Policy in Southern Sandoval County was seconded by Bill Joiner. Roll call vote: Dub Yarbrough, yes; James Dorn, yes; Bill Joiner, yes; John Chaney, yes. Motion passed 4 to 0.


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ADJOURNMENT.

A motion by James Dorn, seconded by Bill Joiner, to adjourn the meeting passed unanimously. Meeting adjourned at 3:59 p.m.



JOHN CHANEY
Chairman



BILL R. JOINER
Secretary

Approved 3/21/95