

SOUTHERN SANDO COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF AUGUST 20, 1996
REGULAR BOARD OF DIRECTORS MEETING

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Chairman Dub Yarbrough at 1:10 p.m.

Directors in attendance were John Chaney, Bill Joiner, Annette Jones and Dub Yarbrough. James Dorn was noted as absent. A quorum was declared present. Staff members present were Bob Garman, Executive Engineer and Pam McGrath, Administrative Secretary.

APPROVAL OF AGENDA.

A motion by Bill Joiner, seconded by John Chaney, to approve the agenda as presented passed unanimously.

APPROVAL OF MINUTES OF JULY 16, 1996.

A motion by Bill Joiner, seconded by John Chaney, to approve the minutes of the regular meeting of July 16, 1996, as written and presented, passed unanimously.

APPROVAL OF MINUTES OF JULY 26, 1996.

A motion by John Chaney, seconded by Bill Joiner, to approve the minutes of the special meeting of July 26, 1996, as written and presented, passed unanimously.

APPROVAL OF MINUTES OF AUGUST 6, 1996.

A motion by John Chaney, seconded by Bill Joiner, to approve the minutes of the special meeting of August 6, 1996, as written and presented, passed unanimously.

SECRETARY'S REPORT.

None.

MONTOYAS CROSSING AT UNSER BOULEVARD.

Vance Fossinger, City of Rio Rancho Engineer, made a presentation on the Montoyas Crossing at Unser Boulevard. The City of Rio Rancho is requesting \$100,000 from SSCAFCA to help defray the project cost.

There was a discussion by the Board.

A motion was made by Annette Jones, seconded by John Chaney, to table a decision and have Mr. Garman and Mr. Fossinger come up with a preliminary cost estimate for further stabilization of the Los Montoyas in conjunction with the City's project and to present such preliminary cost estimate and conceptual plans at the next meeting and the Board will consider the request. The motion passed unanimously.

LEGAL COUNSEL REPORT.

1. Corrales vs. SSCAFCA Lawsuit.

Mr. Metzgar reported that the Village of Corrales has proposed a settlement on the Corrales vs. SSCAFCA lawsuit and he should have the proposed settlement for the next meeting.

2. Dams 1 & 4 Outfall Project - Phase I Property.

Mr. Metzgar reported that a permanent order of entry hearing is still pending in SSCAFCA vs. Colbourne. He stated that all of the answers to interrogatories and requests for production have been completed.

3. Dams 1 & 4 Outfall Project - Phase II Property.

Mr. Metzgar stated that the Tapia and Solomon property is in the process of being negotiated.

He reported that the Twining property has been settled.

4. Resolution 1996-13, Personnel Policy.

Mr. Metzgar stated that parts of the policy need to be rewritten due to changes in the law. He suggested that the Board have a personnel committee review the policy and make recommendations to the Board.

James Dorn arrived at 2:02 p.m.

Dub Yarbrough stated that he had some problems with the policy and

wanted to appoint a personnel committee. He stated that he would like to be on the committee and John Chaney also volunteered. Mr. Yarbrough stated that the personnel committee consists of John Chaney, Dub Yarbrough, Bob Garman and Bernard Metzgar. He requested that the personnel committee meet and proposed changes be presented at the next meeting.

TREASURER'S REPORT.

1. Approve Expenditures 7/1/96-7/31/96.

A motion by James Dorn, seconded by John Chaney, to approve the reported expenditures of 7/1/96-7/31/96 as presented, carried unanimously.

2. Approve Treasurer's Report 7/31/96.

A motion by James Dorn, seconded by Bill Joiner, to approve the treasurer's report of 7/31/96 as presented, carried unanimously.

PUBLIC FORUM.

Mr. Clem Dixon stated that he is representing the owners of property to be developed in conjunction with the strip of land south of Drainage Area B. He would like to purchase this strip of land from SSCAFCA, however, he is aware that this process has to be completed by public auction and/or sealed bids.

There was a discussion by the Board.

Mr. Dixon agreed that he would set up a site visit with Mr. Garman.

Mr. Garman was instructed to find out what it would cost SSCAFCA for an appraisal, replat, survey, publications, etc., for this property and present these costs to the Board to be discussed at the next meeting.

EXECUTIVE ENGINEER'S REPORT

1. Dams 1 & 4 Outfall Project.

Mr. Garman stated that during the last month Easterling & Associates

did work on the Colbornes' second interrogatories and identified a company to do the archaeology study.

2. Tree Farm Pond Project.

Mr. Garman stated that the Intel property is now SSCAFCA's and the irrigation relocation has been completed. The dam burst analysis has been approved by the State and the supplemental soils analysis was fine.

Mr. Garman stated that the land swap between AMREP, SCI and Sandoval County is still not completed.

3. User Fee for Tree Farm Project.

Mr. Garman stated that the user fee to MRGCD needs to be paid before the project goes to bid. He recommended that the user fee of \$12,500 be paid now. This will be a one time fee.

A motion was made by Annette Jones to pay the user fee of \$12,500 to MRGCD was seconded by Bill Joiner. Roll call vote: John Chaney, yes; James Dorn, yes; Annette Jones, yes; Bill Joiner, yes; Dub Yarbrough, no. Motion passed 4 to 1.

4. Dam #1.

Mr. Garman stated that the renovations have been completed by Mr. Longley.

5. Corps Levee Project.

Mr. Garman stated that the COE will be using the sediment in the HJC as fill for their project.

6. Maintenance.

Mr. Garman stated that John Campbell has removed more than half of the draft sand along the walls, repaired various erosion problems and seeding.

7. Contract Renewals.

Mr. Garman stated that the contracts need to be renewed for the surveyors, appraiser, title companies and Field Coordinator. He stated that this is the final year for these companies and will need to be advertised next year.

A motion by Annette Jones, seconded by James Dorn, to renew the

following contracts: ASCI, Greiner, Gannet-Fleming, Roos Appraisals, Sandoval County Title and Richard Farmer, passed unanimously.

8. Excess Land.

Mr. Garman stated that he had contacted Dr. Gross regarding the appraisals that were promised to SSCAFCA. Dr. Gross stated that SSCAFCA should be receiving them by the first week of September, 1996.

Mr. Garman proposed two phases to dispose of excess property. The first phase would be to sell off the complete lots and save the portions of land for later sale.

A motion by John Chaney, seconded by Annette Jones, authorizing Mr. Garman to proceed with checking on the sale of the ten southern most lots (Block 166, lots 5-9 and Block 164, lots 12-16) and authorizing him to check with Rio Rancho Zoning Department on special use for lots 6, 7 and 8 and to write to Dr. Gross informing him of what SSCAFCA is doing, passed unanimously.

9. Venada.

Mr. Garman stated that he rejected a Cinfran's drainage plan as it would have increased the flows in the Venada prior to downstream channel improvements.

Mr. Yarbrough requested that Mr. Garman keep the Board apprised of all items so that if and when a reporter calls a Board member, he/she is aware of the item.

CHAIRMAN'S REPORT

None.

OTHER BUSINESS

None.

Directors Comments

None.

CLOSED SESSION.

A motion by Annette Jones to go into closed session for the purpose of property negotiations and building lease was seconded by John Chaney. Roll call vote: John Chaney, yes; James Dorn, yes; Bill Joiner, yes; Annette Jones, yes; Dub Yarbrough, yes. Motion passed 5 to 0.

The Board went into closed session at 3:30 p.m.

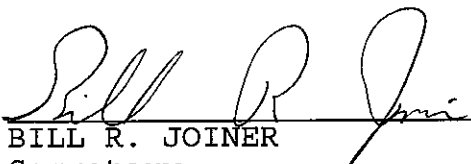
RESUMPTION OF OPEN MEETING.

The Board reconvened into open session at 3:50 p.m.

A motion by John Chaney that SSCAFCA move to other quarters on the basis that the lessor has breached the lease by failing to provide adequate and safe quarters in the first instance and failing to provide adequate temporary quarters during the period of time that the present leased quarters were being repaired and authorizing Mr. Garman to lease new quarters with a one year lease with options of six month intervals for as many as the lessor will do was seconded by Annette Jones. Roll call vote: John Chaney, yes; James Dorn, yes; Bill Joiner, yes; Annette Jones, yes; Dub Yarbrough, yes. Motion passed 5 to 0.

ADJOURNMENT

A motion by John Chaney, seconded by Annette Jones, to adjourn the meeting was carried unanimously. Meeting adjourned at 3:52 p.m.


BILL R. JOINER
Secretary


WM. C. YARBROUGH
Chairman

Date Approved Sept 24, 1996