

SOUTHERN SANDHILL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)

MINUTES OF NOVEMBER 18, 1997  
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 1:05 p.m.

Directors in attendance were Guy McDowell, James Dorn, Bill Joiner and Dub Yarbrough. John Chaney was noted as absent. Staff members present were David Stoliker, Executive Director, and Pam McGrath, Administrative Secretary. Bernard Metzgar, SSCAFCA's attorney and members of the public were also present.

APPROVAL OF AGENDA.

Mr. Stoliker stated that the State Board of Finance - Excess Lot Sales Letter item under Legal Counsel report needs to be deleted as this item was covered last month.

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

APPROVAL OF MINUTES OF OCTOBER 21, 1997.

A motion by Bill Joiner, seconded by Guy McDowell, to approve the minutes of the regular meeting of October 21, 1997 as presented, passed unanimously.

SECRETARY'S REPORT.

None.

TREASURER'S REPORT.

1. Approve Expenditures Report 10/1/97-10/31/97.

A motion by James Dorn, seconded by Bill Joiner, to approve the reported expenditures of 10/1/97-10/31/97 as presented, carried unanimously.

2. Approve Treasurer's Report 10/31/97.

A motion by James Dorn, seconded by Bill Joiner, to approve the treasurer's report of 10/31/97 as presented, carried unanimously.

John Chaney arrived at 1:07 p.m.

EXECUTIVE DIRECTOR'S REPORT.

1. Phase I Bidding Update.

David Stoliker, Executive Director, stated that the pre-bid meeting today went very well. There was an issue regarding the procurement regulations as to what bid SSCAFCA was required to accept when there are alternatives in the invitation to bid. He stated that he would check with the State Purchasing Director on this issue.

Mr. Stoliker stated that bids will be opened November 25, 1997, with a Special Board meeting scheduled for December 2, 1997 to accept the bid and a notice to proceed effective December 19, 1997.

2. Phase II Alternative Analysis Update.

a.) Dam 4 Geotechnical Investigation.

Mr. Stoliker stated that he received a request from Easterling & Associates for an additional \$11,514 plus NMGRT for Dam 4 investigation and analysis. He stated that September 16, 1997, the Board approved \$5,700 plus NMGRT for the initial Dam 4 geotechnical. On October 21, 1997, the Board approved an additional \$7,000 plus NMGRT for further geotechnical work on Dam 4. Mr. Stoliker stated that he has not had a chance to talk to Mr. Easterling regarding this new request and he will report on it further at the December 2, 1997 Special Board meeting.

b.) Archeological/Environmental.

Mr. Stoliker reported that there were not any archeological sites or threatened and endangered species of any significance. A copy of the report has been sent to the State Historic Preservation Officer. He stated that he would send a copy to the local governmental entities and would like to approve the report at the next regular Board meeting.

**SSCAFCA BOND ELECTION REPORT.**

Mr. Eddie Gutierrez, Bureau of Elections Manager, updated the Board on the progress for the SSCAFCA Bond Election. He stated that some of the precincts were changed due to the redistricting and suggested that the Board amend the original bond resolution to reflect this information. He went over the precincts and voting locations that changed and the number of precinct workers that he feels are needed.

It was the consensus of the Board to have Sandoval County Election Bureau continue with the bond election for SSCAFCA with Mr. Stoliker representing SSCAFCA.

Mr. Stoliker will contact bond counsel on an amended resolution and publication.

**EXECUTIVE DIRECTOR'S REPORT (Continued).**

Karen Rodey of Keystone Environmental & Planning, Inc. was present and confirmed to the Board that there were not any archeological sites or threatened and endangered species of any significance. She also confirmed that a copy of the report was sent to the State Historic Preservation Officer.

c.) Ownership of Property For Alternative Alignment.

Mr. Stoliker stated that Jerry Fossenier, City Engineer, City of Rio Rancho, has offered to assist SSCAFCA with the ownership process on City owned land.

A motion by Bill Joiner, seconded by Guy McDowell, to proceed with the process of the determination of ownership of the property for the alternative alignment, passed unanimously.

d.) Other Properties Along Alignment.

Mr. Metzgar stated that a proposed agreement was sent to the property owners who will need to grant temporary construction easements to SSCAFCA if the alternative alignment is chosen.

e.) Corrales Settlement Agreement.

Mr. Stoliker stated that the Village of Corrales has approved an Addendum to the Settlement Agreement which increases the pipeline size to 66 inches and the outflow capacity to 281 cfs.

Gary Kanin, Mayor of the Village of Corrales, stated that the Addendum has been approved by the Village Council and he was presenting it to the Board for its final approval.

A motion by Bill Joiner, seconded by John Chaney, to approve the Addendum to the Settlement Agreement that was entered into between SSCAFCA and the Village of Corrales on February 10, 1997 and to authorize Dub Yarbrough to sign it, passed unanimously.

3. Professional Services Requests for Proposals Update.

Mr. Stoliker stated that there were no responses to the title company RFP and only one response to the appraiser RFP. The selection committee will be meeting soon for the on call professional engineer and on call surveyor responses.

Mr. Stoliker reported that the selection committee for the engineering design of the alternative alignment ranked the top three firms in order, which are Wilson & Company, Bohannon Huston and Gannett Fleming West, Inc.

A motion by John Chaney, seconded by James Dorn, to approve the top three firms, Wilson & Company, Bohannon Huston and Gannett Fleming West, Inc. and to start negotiations with the top firm for the Phase II Outfall Project design, passed unanimously.

Mr. Metzgar stated that he did not feel that the title company RFP needs to be readvertised, however, the appraiser should be readvertised since there was only one response and there are other interested appraisers who just missed the ad.

A motion by Bill Joiner, seconded by Guy McDowell, to readvertise the on call appraiser RFP, carried unanimously.

4. Communications With Public.

a.) Jerry Fossenier/Lisbon Channel Signed Agreement.

Mr. Stoliker stated that a signed copy of the agreement with the City of Rio Rancho for the Lisbon and Ivory Channel is in the Board packet. Mr. Fossenier, City of Rio Rancho, thanked the Board members for their support on the Lisbon and Ivory Channel.

b.) Letters to All Entities on Bond Projects.

Mr. Stoliker stated that a letter was sent to all governmental

entities within SSCAFCA's boundaries informing them of the approved bond projects.

- c.) Unit 10 Letters Neighborhood Association Correspondence on Black Arroyo.

Mr. Stoliker stated that a copy of the recent correspondence from the Unit 10 Neighborhood Association on the Black Arroyo is in the Board packet.

- d.) Letter from Jane Stein On Dam 1 Project and Response.

Mr. Stoliker stated that a copy of a letter from Jane Stein and SSCAFCA's reply is in the Board packet.

- e.) Village of Corrales - Urban Ponds.

Mayor Kanin, Village of Corrales, stated that the Village of Corrales feels that SSCAFCA is not keeping the Village informed on development plans in Rio Rancho that affect the Village with regard to runoff.

Mr. Stoliker stated that Urban Ponds 3 and 4 are owned by the City of Rio Rancho, with SSCAFCA owning Pond 5 and the pipeline to it. Any development plans that affect these ponds will have to be approved by SSCAFCA and the Village will see these plans when they are provided to SSCAFCA.

There was a general discussion by the Board.

Mr. Metzgar stated that SSCAFCA reviews development plans in accordance with the Drainage Policy.

5. Urban Ponds Update.

Mr. Stoliker requested approval by the Board to hire Wilson & Company to survey Urban Pond 1 for under \$500. After the survey AMREP will dedicate it to SSCAFCA in fee simple with reversionary rights to AMREP if it is no longer needed in the future.

A motion by Dub Yarbrough, seconded by Bill Joiner, to approve Wilson & Company for the survey of Pond 1 for under \$500 and accept Urban Pond 1 from AMREP, passed unanimously.

6. Monthly Maintenance Summary.

Mr. Stoliker stated that the Maintenance Summary is in the Board Packet.

7. Monthly Administrative Summary and Schedule.

Mr. Stoliker stated that a copy of the summary is in the Board packet.

8. Venada Arroyo Update.

Mr. Stoliker stated that Mr. Farmer and Mr. Metzgar were able to obtain an access easement from Mr. Mora for maintenance of the Venada Arroyo.

Mr. Farmer stated that a meeting will be set up with Mr. Tenorio and Mr. Longley with Mr. Metzgar and himself regarding the other maintenance road easements needed.

Mr. Stoliker stated that a meeting has been set up for November 26, 1997 with Cinfran to review the hydrology for the Venada Arroyo.

9. Cuidad Soil & Water Conservation District.

Mr. Stoliker stated that he and Dub Yarbrough went to the Cuidad Soil & Water Conservation District Board meeting to introduce themselves.

10. Public Officials Liability Policy Non-Renewal.

Mr. Stoliker stated that a letter from Arthur J. Gallagher and Company is in the Board packet regarding non-renewal. He stated that he was working with Lujan Insurance Agency for a replacement policy.

11. Sand Bags Order Letter.

Mr. Stoliker stated that a copy of the letter ordering the sand bags is in the Board packet.

12. Approval of Ten Year Capital Improvement Program Projects.

Mr. Stoliker requested approval of the ten year 1998 Capital Improvements Program Projects listing that is in the Board packet so that it can be sent to the State.

A motion by Bill Joiner, seconded by James Dorn, to approve the ten year 1998 Capital Improvements Program Projects Listing, passed unanimously.

13. Other Issues.

a.) Distribution of Keys.

Mr. Stoliker gave each Board member a key for all of the locks on SSCAFCA's projects.

b.) Ditch Safety Program.

Mr. Stoliker stated that he would be willing to attend the Ditch Safety Program meetings in place of Mr. Dorn if Mr. Dorn could not attend. There was no objections by the Board.

c.) Evaluation.

Mr. Stoliker stated that he has been with SSCAFCA three months and would like the Board members to fill out an evaluation form on his progress.

d.) Office Audit.

Mr. Stoliker requested that he be allowed to obtain an office audit on personnel and work functions. It was the consensus of the Board that he obtain quotes for an office audit.

e.) AMAFCA Legislative Changes.

Mr. Stoliker stated that Mr. Blair will be sending a letter to SSCAFCA with regard to the following legislative proposals and would like to have SSCAFCA's support for them:

- 1.) Enable AMAFCA to do special assessment districts (SAD),
- 2.) Allow purchase of additional right-of-way for uses other than drainage, and
- 3.) Require AMAFCA as an additional signatory for industrial revenue bonds issued by the City.

LEGAL COUNSEL REPORT.

SSCAFCA File Retention Schedule Approval.

Mr. Metzgar reviewed a file retention schedule prepared by the State in consultation with SSCAFCA on files peculiar to SSCAFCA. He stated that the State statute does not apply to SSCAFCA, but the State Records Commission has established retention and destruction schedules

that can be used by political subdivisions. A listing of files that pertain to SSCAFCA, 700.101 through 700.110, is what the Board is being asked to approve.

A motion by Bill Joiner, seconded by James Dorn, to approve the retention schedule for all of the items listed from 700.101 through 700.110 and to authorize Dub Yarbrough to sign said schedule, passed unanimously.

**FIELD COORDINATOR'S REPORT.**

1. Unit 17 Replat.

Mr. Farmer stated that minor changes need to be made on the mylar prior to final submission to Planning and Zoning.

2. Excess Lots.

Mr. Farmer stated a lot of interest has been shown in the remaining excess lots. The closing date for bids is December 4, 1997 with the opening of bids scheduled for December 5, 1997.

3. Fragmented Lots.

Mr. Farmer stated discussion is ongoing with the State Board of Finance in regard to the possible sale of certain fragmented lots.

4. Task Assignments.

Mr. Farmer reviewed the task assignment list that has been assigned to him by David Stoliker.

**CHAIRMAN'S REPORT.**

Tour of All Projects.

Mr. Yarbrough stated that the Board needs to take a tour of all of the projects. There was a brief discussion as to when the tour should be taken. It was the consensus of the Board to do this at the special meeting to be held December 2, 1997.



**OTHER BUSINESS.**

None.

**DIRECTORS' COMMENTS.**

John Chaney stated that it was brought to his attention that perhaps the current conference room is quite small. He suggested that the meetings be held at other places to allow more citizens to be able to attend.

**PUBLIC FORUM.**

Mr. Korzdorfer stated that Greg Cunningham is going to be at the annual O&M inspection, however, he may have to leave early so the Board should show Greg the dam projects first.

Mr. Korzdorfer stated that a letter requesting an increase of outflow from Dam #1 from 262 cfs to 281 cfs be sent from SSCAFCA to Greg Cunningham of NCRS for approval.

**CLOSED SESSION.**

A motion by John Chaney to go into closed session for the purpose of property negotiations, pending legislation, legal communications and personnel issues was seconded by James Dorn. Roll call vote: John Chaney, yes; James Dorn, yes; Guy McDowell, yes; Bill Joiner, yes; Dub Yarbrough, yes. Motion passed 5 to 0.

The Board went into closed session at 4:06 p.m.

**RESUMPTION OF OPEN MEETING.**


The Board reconvened into open session at 4:55 p.m.

A motion by James Dorn, seconded by John Chaney, to approve the Presbyterian Health Plan for David Stoliker, passed unanimously.

**ADJOURNMENT.**

A motion by Bill Joiner, seconded by James Dorn, to adjourn the meeting was carried unanimously. Meeting adjourned at 5:00 p.m.

  
WM. C. YARBROUGH  
Chairman

  
BILL R. JOINER  
Secretary

Date Approved Dec 16, 1997